



**State of Oregon**

**Board memo**

**Building Codes Division**

**July 2, 2008**

**To:** Residential Structures Board

**From:** Kristy Nielsen  
Policy Analyst

**Subject:** Oregon Residential Specialty Code Moisture Content Acknowledgment Rules

**Actions requested:**

Review draft permanent moisture content acknowledgment rules.

**Background:**

During the most recent code cycle, the Oregon Residential Specialty Code (ORSC) added a provision requiring contractors to provide written notification of the moisture content of wood framing members. Since this provision was added, there has been confusion and inconsistent enforcement of this provision among different jurisdictions. The division drafted temporary rules to clarify and simplify the compliance process required under the code and prevent unnecessary construction delays resulting from inconsistent enforcement of this provision. The division is now seeking to implement a permanent rule relating to moisture content acknowledgment.

**Discussion:**

The draft rule does not alter the moisture content requirements under the ORSC; rather it clarifies how contractors or owners who are issued structural permits may comply with the notification requirements. The draft rule requires that the general contractor or owner who was issued the structural permit notify the building official that they are aware of the moisture content requirement under the code and that they have taken steps to comply with it. The general contractor or owner issued the structural permit must provide this notification on a division-approved form before a certificate of occupancy can be issued. The rule further clarifies that the moisture content of wood framing members is not subject to inspection by local jurisdictions.

**Alternatives:**

1. Approve the proposed permanent rule amending OAR 918-480-0010 and 918-480-0140.
2. Disapprove the proposed rules and offer further direction to the division.

**Recommendation:**

Approve the draft rule for subsequent hearing and adoption, provided no substantial changes occur.

**ORSC Moisture Content Temporary Rule**  
**Effective: 7/xx/08**

**918-480-0010**

**Amendments to the Oregon Residential Specialty Code**

(1) The **Oregon Residential Specialty Code** is adopted and amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the **Oregon Residential Specialty Code** are placed in this rule, showing the section reference, a descriptive caption and a short description of the amendment.

(2) Effective April 1, 2008:

(a) The **2006 Edition of the Uniform Plumbing Code** as published by the International Association of Plumbing and Mechanical Officials and amended by the division are adopted as the plumbing provisions of the **Oregon Residential Specialty Code**; and

(b) The **2008 Edition of the NFPA 70, National Electrical Code** and amended by the division are adopted as the electrical provisions of the **Oregon Residential Specialty Code**. See OAR chapter 918, division 305 for Oregon amendments to **NFPA 70, National Electrical Code**.

(c) Effective April 1, 2007 Appendix N, Low-Rise Multiple-Family Dwelling Construction is moved from the 2005 Oregon Residential Specialty Code to the **2007 Oregon Structural Specialty Code**.

(3) During the phase-in period established in OAR 918-480-0005(3), plans designed to the **2005 Oregon Residential Specialty Code** must use the plumbing and electrical provisions included in that 2005 code; plans designed to the **2008 Oregon Specialty Residential Specialty Code** must use the plumbing and electrical provisions adopted in this rule.

**(4) Effective July xx, 2008, the 2008 Oregon Residential Specialty Code is amended as followed:**

**(a) Section R 109.1.4.1 is deleted and replaced with the following: The requirement in R318.2 that all moisture-sensitive wood framing members used in construction shall have a moisture content of not more than 19 percent of the weight of dry wood framing members is not subject to inspection by the authority having jurisdiction.**

**(b) Section R318.2 is amended to read: Moisture content. At the time of the installation of interior finishes, all moisture-sensitive wood framing members used in construction shall have a moisture content of not more than 19 percent of the weight of dry**

**wood framing members. Prior to the issuance of a certificate of occupancy, the general contractor or the owner who was issued the structural permit shall notify the building official on a division approved form that the contractor or the owner who was issued the structural permit is aware of and has taken steps to meet this code requirement.**

[Publications: Publications referenced are available for review at the division. See division web site for information on where to purchase publications.]

Stat. Auth.: ORS 455.020, 455.110, 455.525 & 455.610

Stats. Implemented: ORS 455.610

Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCA 29-1993, f. 11-24-93, cert. ef. 12-1-93; BCD 6-1995, f. 3-31-95, cert. ef. 4-1-95; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 22-1996(Temp), f. 10-1-96, cert. ef. 10-4-96; BCD 5-1997, f. 3-21-97, cert. ef. 4-1-97; Administrative Reformatting 1-19-98; BCD 3-1998, f. 1-29-98, cert. ef. 4-1-98; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 19-2000(Temp), f.& cert. ef. 8-15-00 thru 2-10-01; BCD 32-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 3-2001, f. 2-9-01, cert. ef. 3-1-01; BCD 2-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 22-2002(Temp), f. 9-13-02 cert. ef. 10-1-02 thru 3-29-03; BCD 30-2002, f. 12-6-02, cert. ef. 1-1-03; BCD 1-2003(Temp), f. & cert. ef. 1-10-03 thru 3-31-03; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07; BCD 5-2008, f. 2-22-08, cert. ef. 4-1-08

## **918-480-0140**

### **Certificates of Occupancy -- Residential**

(1) Prior to occupancy of a new residential dwelling or townhouse the building official must issue a certificate of occupancy in the form and format established by the division, unless a temporary certificate of occupancy is issued by the building official.

(2) This rule applies to a new residential dwelling or townhouse, if the structural permit for construction of the residential dwelling or townhouse was applied for on or after April 1, 2008.

(3) For purposes of this rule, the terms "residential dwelling" and "townhouse" have the same meaning as in section R202 of the **2008 Oregon Residential Specialty Code**.

(4) Before the certificate of occupancy is issued, the general contractor or owner who was issued the structural permit for construction must provide to the building official the contact information and relevant license information for the general contractor, as well as any electrical

contractor, ~~H-VAC~~ **HVAC** contractor and plumbing contractor that performed work on the residential dwelling or townhouse. **Additionally, the general contractor or the owner who was issued the structural permit for construction must provide the building official with a signed division-approved form acknowledging that the contractor or the owner who was issued the structural permit is aware of the moisture content requirements for wood framing members.**

(5) A building official may revoke a certificate of occupancy or a temporary certificate of occupancy when the residential dwelling or townhouse is in violation of applicable law that poses a threat to health and safety. The revocation must be in writing and state the basis for the revocation of the certificate of occupancy.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.055

Stat. Implemented: ORS 455.055

Hist.: BCD 3-2008, f. 2-21-08, cert. ef. 4-1-08

**Moisture Content Acknowledgement Form**

I, \_\_\_\_\_, am the general contractor or the owner-builder at the following address:

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
Permit#

If applicable:

\_\_\_\_\_  
Subdivision/Lot

and/or

\_\_\_\_\_  
Map and Tax Lot

To conform with the 2008 Oregon Residential Specialty Code (ORSC), Section R318.2 and OAR 918-480-0140, I am notifying the building official that I am aware of the moisture content requirement of ORSC Section R318.2 and have taken steps to meet this code requirement. [Section R318.2 is provided for reference.]

Section R318.2: Moisture content. At the time of the installation of interior finishes, all moisture-sensitive wood framing members used in construction shall have a moisture content of not more than 19 percent of the weight of dry wood framing members. Prior to the issuance of a certificate of occupancy, the general contractor or the owner who was issued the structural permit shall notify the building official on a division approved form that the contractor or the owner who was issued the structural permit is aware of and has taken steps to meet this code requirement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date