



Application for Proposed Code Amendment

Department of Consumer & Business Services

Building Codes Division

1535 Edgewater NW, Salem, Oregon

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STAFF USE ONLY

Application no.:

Approved

Denied

Instructions: Fill in all the following information, attach any supplementary information you relied on, and mail to the address listed above. For more information, please refer to the Building Codes Division Web site, bcd.oregon.gov.

APPLICANT INFORMATION

Name: **Gary Lampella**

Date: **March 27, 2007**

Representing: **Oregon Building Officials Association**

Phone: **(541) 923-7717**

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State: **OR**

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PROPOSED CODE LANGUAGE

This proposed code amendment (check one):

Amends (code, edition, section): **2008 ORSC (2006 IBC) Section R105.2, Item 20**

Adopts a new section (code, edition): _____

Repeals (code, edition, section): _____

You must provide language for review by the division. Failure to provide language will invalidate the application.

Please use the following format to show additions and deletions from the code — strike through ~~deleted text~~, underline and bold **new text**.

Proposed language:



Amend Section R105.2, Item 20 as follows:

R105.2 Work exempt from permit. Permit shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building: (Items 1 through 19 are unchanged)

20. Framed-covered **nonhabitable** accessory buildings not more than 500 square feet (~~37.16~~ **46.45** m²) in area, one story in height and not closer to 3 feet (914 mm) to a property line where the structure is composed of a rigid framework that supports a fabric membrane.

APPLICATION CRITERIA

Attach to this application written responses to the following questions. If a question does not apply to your proposed code amendment, explain why the question does not apply. Use additional sheets if necessary. The division may reject an incomplete application.

Questions:

1. Is your proposed code amendment necessary to correct any unforeseen or probable outcomes resulting from the application of a code section, and if so, why? **Yes. There have been instances of these structures being used as living spaces. This will clarify that the exemption is intended to be nonhabitable structures and also to be consistent with Item 1 exemption that clearly identifies nonhabitable accessory structures.**
There are also two editorial corrections. The first corrects the conversion of square feet to square meters, and the second corrects meters to millimeters.
2. Is your proposed code amendment needed to protect the health, safety, welfare, comfort, and security of occupants and the public, and if so, why? **Yes. Utilizing these as living spaces creates a myriad of problems such as smoke detectors, ventilation, sanitation and other systems that would be required for habitable spaces.**
3. Does your proposed code amendment correct inadequate application by a code section to a method, material, or design, and if so, how? **No**
4. Is your proposed code amendment necessary to correct unique geographic or climatic conditions within Oregon, and if so, why? **No**
5. Is your proposed code amendment needed to eliminate conflicting, obsolete, or duplicative code provisions or standards among Oregon-adopted codes, statutes, or regulations, and if so, why? **No**
6. Does your proposed code amendment work to conserve scarce resources, and if so, how? **No**
7. Does your proposed code amendment provide for the use of unique or emerging technologies or promote advances in construction methods, devices, materials, and techniques, and if so, how? **No**
8. Does your proposed code amendment meet any energy conservation or indoor air quality requirements, and if so, how? **No**
9. Does your proposed code amendment involve the adoption of an electrical or plumbing building product? If an electrical or plumbing building product is involved, note if the appropriate board approved the product. **No**
10. Does your proposed code amendment create any adverse fiscal impact or cost savings for the general public, the construction industry, local and state governments, or small businesses? If so, please describe the added or reduced cost of the proposed code amendment, the adverse fiscal impact or cost savings in relation to the current Oregon specialty code, and any standards of measure used to arrive at the result given. **No**
11. If your proposed code amendment relates to the development of a 6,000-square-foot parcel and the construction of a 1,200-square-foot detached single-family dwelling on that parcel, please provide information to assist the division in preparing a housing cost impact statement. **No**

APPLICANT SIGNATURE

Signature:

Date:

Copyright notice: By signing this proposed code amendment application, I understand and acknowledge that the work contained in this application is original, or if not original, I have the right to copy the work. By signing this work, I understand that any rights I may have in this work, including any form of derivative works and compilations, are assigned to the Department of Consumer and Business Services. I also understand that I do not retain or acquire any rights once this work is used in a Department of Consumer and Business Services publication.

AFTER SUBMITTAL

The Building Codes Division screens proposed amendments to determine whether they meet the requirements of Oregon Administrative Rule (OAR) 918-008-0060. Proposed code amendments that do not substantially meet the requirements of OAR 918-008-0060 will be returned to the applicant, with specific reasons included in the returned application.

Completed proposed code amendments submitted to the division before the end of the timetable established under OAR 918-008-0020 will be forwarded to the appropriate advisory board for review. Proposed code amendments that are not completed before the end of the timetable will not be forwarded to the appropriate advisory board for review.

Proposed code amendments completed but not submitted to the division before the end of the timetable may be submitted as completed applications for consideration during the next opportunity given to make amendments to the state building code.

Note: The division is not obligated to examine a proposed code amendment submitted after the end of the timetable.