

September 19, 2011**Adoption of minimum safety standards
for recreational vehicles**

Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on September 19, 2011 at 9:30 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to the contact below. The last day to submit written comments is 5:00 p.m. September 23, 2011.

Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting](#)"

Citation:

Amend & Repeal: 918-525, 918-530, and 918-650

These proposed rules would become effective October 1, 2011.

View the [Matrix of Code Changes](#).

Purpose of the rule:

These proposed rules adopt the most current editions of nationally recognized standards for the construction, conversion, alteration, and repair of recreational vehicles and recreational park trailers with Oregon amendments. These proposed rules also make additional non-technical housekeeping changes to the park and camp rules in OAR chapter 918, division 650. Proposed changes to the rules will make them uniform and consistent with other Division code program rules by correcting reference and removing duplicative and unnecessary language.

History:

From April 1 to May 16, 2011, the Division accepted code amendment proposals. The Recreational Vehicle Code Review Committee met one time on May 24, 2011. The committee reviewed the proposed code amendments to the various minimum safety standards (2011 NFPA 1192, 2011 NFPA 70 (NEC), 2011 ANSI/RVIA Low Voltage Code, and 2009 ANSI 119.5) and made a recommendation to the board.

The Residential and Manufactured Structures Board, at its July 6, 2011 meeting, considered and approved the recommendations made by the code review committee and forwarded the proposed rules and codes to public hearing and subsequent adoption.

Contact:

If you have questions or need further information, please contact Hearing Officer Richard Baumann at 503-373-7559, or Richard.J.Baumann@state.or.us.



Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, Building Codes Division	918	
Agency and Division	Administrative Rules Chapter Number	
Stephanie Snyder	PO Box 14470, Salem, OR 97309	(503) 373-7438
Rules Coordinator	Address	Telephone

RULE CAPTION

Adopts minimum safety standards for recreational vehicles & non-substantive changes to recreational parks and campgrounds.
Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

September 19, 2011	9:30 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Richard J. Baumann
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: 918-525, 918-530 & 918-650

AMEND: 918-525, 918-530 & 918-650

REPEAL: 918-252, 918-530 & 918-650

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 183.325–183.410, 446.003, 446.160, 446.185, 446.285, 455.020, 455.110, 455.170, 455.210, 455.680 & 455.690

Other Auth.:

Stats. Implemented: ORS 183.335, 446.003, 446.160, 446.185 & 445.680

RULE SUMMARY

These proposed rules adopt the most current editions of nationally recognized standards for the construction, conversion, alteration, and repair of recreational vehicles and recreational park trailers with Oregon amendments. Additionally, the proposed rules include some non-technical housekeeping changes to the recreation park and organizational camp administrative rules that provide clarity and consistency among the Division's rules.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on businesses.

September 23, 2011 at 5:00 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Signature	Patrick Allen	Date
	Printed name	

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

Adopts minimum safety standards for recreational vehicles & non-substantive changes to recreational parks and campgrounds.

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

In the Matter of: Adopting, amending, and repealing OAR 918-525, 918-630 & 918-650

Statutory Authority: ORS 183.325–183.410, 446.003, 446.160, 446.185, 446.285, 455.020, 455.110, 455.170, 455.210, 455.680 & 455.690

Other Authority:

Stats. Implemented: ORS 183.335, 446.003, 446.160, 446.185 & 445.680

Need for the Rule(s): ORS 446.185 requires the director of the Department of Consumer and Business Services to adopt and enforce minimum safety standards for the manufacture and installation of manufactured structures in the state. The law further states that the adopted minimum safety standards must be consistent with the generally accepted and nationally recognized standards for the construction of manufactured structures. These standards must be designed to protect the health and safety of the occupants of the manufactured structures in the state. These proposed rules adopt the most current editions of nationally recognized standards for the construction, conversion, alteration, and repair of recreational vehicles and recreational park trailers with Oregon amendments.

These proposed rules also make non-technical changes to recreation park and organizational camp administrative rules in OAR chapter 918 division 650. No substantive amendments have been made to these rules since being adopted in the 1980s when the Building Codes Division was part of the former Department of Commerce and subsequently an independent state agency. These proposed changes are intended to make the recreation park and organizational camp rules uniform and consistent with other Division code program rules, correcting references, and removing duplicative and unnecessary language. No substantive technical code changes are being made or considered at this time.

Documents Relied Upon, and where they are available: Draft rules, minutes from the Recreational Vehicle Code Review Committee minutes from May 24, 2011; minutes from the July 6, 2011 Residential and Manufactured Structures Board, are available from the Division's Rules Coordinator.

Fiscal and Economic Impact: The Division estimates that recreational vehicle manufacturers, recreational park trailer manufacturers, and repair operations will incur typical costs for purchasing new code books and attending training. Based on the information available at this time, the Division has determined that manufacturers, converters, and repair operations may incur slight cost increase complying with the model code provision requiring recreational park trailers to be equipped with a carbon monoxide alarm. A typical recreational vehicle listed carbon monoxide alarm retails for approximately \$40 – \$60. The Residential and Manufactured Structures Board made the specific finding that the added cost is necessary for the health and safety of the occupants and the public, or is necessary to conserve scarce resources.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): The Division has determined that state agencies and units of local government should not incur any cost as a result of these rules. The construction, conversion, alteration, and repair of recreational vehicles is regulated by the Division. Members of the public may incur costs, if any, from manufacturers, converters, or repair operations as a result of these businesses complying with the adopted rules and code. The Division estimates that recreational vehicle manufacturers, recreational park trailer manufacturers, and repair operations will incur typical costs for the purchase of new code books and training. Based on available information, the Division is unable to quantify fiscal or economic impact on state agencies, cities, counties, manufacturers and repair operations for changes in manufacture practices or use of new materials.
2. Cost of compliance effect on small business (ORS 183.336):
 - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

The Division licenses 89 recreational vehicle manufactures in the U.S. and Canada that intend to sell or offer for sale recreational vehicles and recreational park trailers in Oregon. Of those 89 manufacturers, there are 20 located in Oregon. There are 67 registered repair operations in Oregon. Many of these manufacturers and repair operations are small businesses and may potentially be impacted by changes to these rules and codes.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: The proposed rules do not impose any additional reporting or recordkeeping requirements.

c. Equipment, supplies, labor and increased administration required for compliance: The proposed rules do not require additional equipment, supplies, or labor, or increased administration in order for a small business to comply with these requirements.

How were small businesses involved in the development of this rule? Small businesses were represented on the 2011 Recreational Vehicle Code Review Committee and on the Residential and Manufactured Structures Board.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

Signature	Patrick Allen	Date
	Printed name	

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918-525-0005

Definitions

The following definitions shall apply to OAR chapter 918, divisions 520, 525, and 530 and are in addition to those included in ORS 446.003 and 455.010:

- (1) "Accessible" means having access thereto, but which may require removal of an access panel or opening a door.
- (2) "Accessory Building" means an accessory building which specifically includes, but is not limited to, cabanas, ramadas, storage sheds, and garages.
- (3) "Accessory Structure" means an accessory structure which specifically includes, but is not limited to, awnings, carports, decks, steps, and ramps.
- (4) "Additional Living Space," as used in these rules has two meanings:
 - (a) As it relates to a cabana, means a freestanding, self-supporting accessory building installed adjacent to a recreational vehicle and subject to OAR 918-530-0320; or
 - (b) As it relates to additions to a recreational vehicle, means any attached structure that is dependent upon the recreational vehicle for support or systems. These attached structures shall be within the ~~400 square foot~~ maximum allowable gross floor area of a non-motorized recreational vehicle, as identified in OAR 918-525-0035(1), (2), and (4), and are subject to OAR 918-525-0040 standards for recreational vehicles or recreational park trailers as appropriate.
- (5) "Adjustment of Equipment" means the adjustment of the rate, flow, speed, temperature, etc. as necessary for the continued operation of the equipment but does not include the repair, replacement, conversion, alteration, or addition to any equipment.
- (6) "Anchoring System" means any equipment or device designed to secure a recreational vehicle for the purpose of resisting uplift, sliding, and overturning.
- (7) "Controlled Fill" means fill intended to bear a structural load in which the fill material is placed in layers of soil, crushed stone or masonry waste material, compacted and tested to ensure it meets specified compaction standards determined by laboratory tests of soil samples from the fill material.
- (8) "Design Option" means an option to a model or model group submitted with the original model or with a model supplement.

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(9) “Earthquake-resistant Bracing System” means a certified anchoring system, bracing system, or other devices designed and constructed to protect the health and safety of the occupants of, and reducing damage to, a recreational park trailer in the event of an earthquake.

(10) “Field Technical Service” means the clarification of technical data, including but not limited to division interpretations, investigations, or training relating to the application of laws, rules, standards, and regulations administered and enforced by the Building Codes Division.

(11) “Full Foundation System” means a certified, engineered system of prefabricated foundation supports installed to the pier manufacturer’s installation instructions.

(12) “Labeled” means equipment or materials, used in the manufacture or installation of a recreational vehicle, to which has been attached a label, symbol, or other identifying mark of a nationally recognized testing laboratory, inspection agency, or other organization, which evaluates products to nationally recognized standards and periodically inspects production of equipment and materials to show compliance with those standards for usage in a specified manner.

(13) “Listing Agency” means an agency that:

(a) Is regularly engaged in conducting its own tests, or listing, labeling, or contracting its testing procedures to a nationally recognized testing agency;

(b) Maintains a periodic inspection program on production of currently listed products;
and

(c) Publishes, at a minimum, an annual report which is used to determine whether products have been tested to such national standards and found safe for use in a specified manner.

(14) “Load Bearing Device” means any equipment or device used in the support of a recreational vehicle including, but not limited to, footings, piers, caps, and shims.

(15) “Main Frame” means the part of the structural system of a recreational vehicle normally used to transfer design load to the support system.

(16) “Minor Repair” means a simple repair such as replacing broken glass, fittings, devices, or fixtures, using approved component parts, but does not include the repair or replacement of major portions of the structural, plumbing, electrical, or mechanical systems or conversions, alterations, or additions.

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(17) “Model” means an individual recreational vehicle designated by the manufacturer to be manufactured to a specific floor plan, which includes specific structural components, plumbing, electrical, and mechanical equipment, and installed and located in accordance with the plans submitted to the division.

(18) “Model Group” means two or more models with identical floor plans and plumbing, electrical and mechanical systems but identified by different names, numbers, or letters.

(19) “Noncompliance” means a failure of a recreational vehicle, equipment, or installation to comply with these rules or the codes and standards described in OAR 918-525-0040.

(20) “Notice of Violation” means written notification by the division stating the recreational vehicle or equipment may not be used, rented, leased, or sold or offered for sale, rent, or lease due to violations of ORS chapter 446 or these rules.

(21) “Option Ready” means a provision made during the manufacture of a recreational vehicle to facilitate the future installation of an appliance or other equipment (e.g., air conditioner, generator, dishwasher).

(22) “Park Trailer” or “Recreational Park Trailer” means a recreational vehicle built on a single chassis, mounted on wheels, which may be connected to utilities necessary for operation of installed fixtures and appliances, and with a gross trailer area not exceeding 400 square feet when in the set-up mode. Such a vehicle shall be referred to and identified by the manufacturer or converter as a recreational vehicle.

(23) “Pier” means that portion of the support system between the footing and the recreational vehicle.

(24) “Plan Supplement” means the revision, modification, or updating of an existing division-approved plan.

(25) “Prefabricated Pier” means a listed or approved pier which is manufactured at an off-site location but does not include concrete blocks.

(26) “Ramada” means a stationary structure having a roof extending over a recreational vehicle, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from snow, ice, sun, or rain.

(27) “Readily Accessible” means having direct access without the necessity of removing a panel, door, or similar obstruction.

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(28) “Recreational Vehicle” means a vehicle as defined in ORS 446.003 and specifically includes camping trailers, camping vehicles, motor homes, recreational park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers, combination vehicles which include a recreational vehicle use, and any vehicle converted for use or partial use as a recreational vehicle. Recreational Vehicles contain eating and sleeping facilities and are equipped with one or more of the following:

- (a) Holding tank(s);
- (b) Liquid petroleum gas; or
- (c) A 110 to 240 volt electrical systems.

(29) “Recreational Vehicle Site” means a designated parcel of land designed to accommodate a recreational vehicle, its accessory structures or buildings and accessory equipment for the exclusive use of the occupant’s recreational vehicle.

(30) “Registered Design Professional” as defined in the Oregon Residential Specialty Code is an individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to be constructed.

(31) “Regulated Repair” means an alteration, repair, or conversion regulated by the codes and standards described in OAR 918-525-0040 but excludes those unregulated repairs described in ORS 446.003(2)(b) and OAR 918-525-0350(2).

(32) “Repair” means the reconstruction or renewal of any part of an existing recreational vehicle or piece of equipment for the purpose of its maintenance.

(33) “Repair Operation” means any person in the business of making alterations, repairs, or conversions to recreational vehicles or recreational vehicle equipment regulated by the division under ORS Chapter 446 and these rules.

(34) “Replacement in Kind” means replacing equipment or accessories with approved like equipment or accessories such as switches, thermostats, fittings, elements, or motors, but does not include the replacement of major portions of the structural, plumbing, electrical, or mechanical systems.

(35) “Stabilizing Devices” means all components of the anchoring system and support systems such as piers, footings, ties, anchoring equipment, ground anchors, and any other equipment which supports or secures the recreational vehicle to the ground.

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(36) “Stand” means that area of the recreational vehicle site which has been reserved for the placement of a recreational vehicle or accessory structure.

(37) “Support System” means a combination of footings, piers, caps, and shims that will, when properly installed, support the weight of the recreational vehicle, and all imposed live loads.

(38) “Technician” means a quality assurance technician approved by the division to perform inspections according to a repair operation’s quality assurance manual.

(39) “Testing Laboratory” or “Testing Agency” means an organization:

(a) In the business of testing equipment and systems;

(b) Qualified and equipped to perform or to observe experimental testing to approved standards;

(c) Not under the jurisdiction or control of any single manufacturer or supplier for an affected industry;

(d) Publishing reports, including specific information about the equipment and systems tested and found safe for use in a specified manner; and

(e) Whose methods and standards have been approved by the division.

(40) “Travel Mode” means the overall size of the recreational vehicle as it travels on a highway including all horizontal projections except for expandable rooms, retractable awnings, exterior plumbing, mechanical, or electrical fixtures, or equipment or other minor exterior attachments.

(41) “Visual inspection” means an inspection by the division of the visible portions of completed construction for the purpose of identifying code violations or approving and issuing an insignia of compliance.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90 BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 11-1997, f. 7-23-97, cert. ef. 1-1-98; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 25-2008, f. 10-31-08, cert. ef. 11-1-08

918-525-0035

Allowable Floor Areas

~~(1) The maximum gross floor area of a recreational vehicle and recreational park trailers but not including motorized recreational vehicles, is limited to 400 square feet in the set-up mode including all tip-outs, slide-outs, expandable rooms, and other horizontal projections. The 400-square foot limitation does not include:~~

Recreational vehicles and recreational park trailers are limited to a maximum gross floor area of 400 square feet in the setup mode, including all tip-outs, slide-outs, expandable rooms, and other horizontal projections. The 400 square foot limitation does not apply to:

(a) Motorized recreational vehicles;

(b) Fifth wheel trailers up to 430 square feet in the setup mode;

~~(c)~~ **(c)** Vertical multi-level additions such as basements, second stories, lofts (mezzanines), or overhead storage with a maximum ceiling height of five feet;

~~(d)~~ **(d)** Any space less than five feet in height which does not increase the size of the recreational vehicle or extend horizontally beyond the recreational vehicle floor line;

~~(e)~~ **(e)** Bay windows, walk-a-bays, and other window projections with a floor or platform at least 12 inches above the vehicle floor;

~~(f)~~ **(f)** Space occupied by drawbars, couplings, hitches, or lights;

~~(g)~~ **(g)** Exterior chassis mounted decks, landings, platforms, or porches that are not enclosed;

~~(h)~~ **(h)** Eaves, awnings, or porch roof overhangs; or

~~(i)~~ **(i)** Freestanding, self-supporting cabanas approved for use as accessory buildings adjacent to the recreational park trailer according to OAR 918-530-0320.

(2) Factory-built porches, decks, roof overhangs, and other similar construction that is built by the manufacturer and connected to and supported by a recreational vehicle shall not be enclosed with walls, glass, or other solid materials if the gross floor area of the enclosure and the recreational vehicle combined would exceed ~~400 square feet~~ **the maximum allowable gross floor area.**

(3) The gross floor area of a recreational vehicle shall not be increased through the use of a manufactured dwelling, another recreational vehicle, or through any other means except as specifically permitted by these rules.

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(4) Additions that are structurally attached to a recreational vehicle and depend on the recreational vehicle for structural support or that are connected to the plumbing, mechanical, or electrical systems of the recreational vehicle, shall be considered part of the recreational vehicle or recreational park trailer, constructed to the recreational vehicle or recreational park trailer codes as described in OAR 918-525-0040 and shall be included within the maximum ~~400-square-foot area~~ **gross floor area** allowed for the recreational vehicle and recreational park trailer.

(5) ~~In addition to OAR 918-525-0035(1),~~ **T**he gross floor area of a combination vehicle shall not exceed ~~400 square feet of~~ **the maximum allowable** gross floor area if there is no permanent separation between the recreational vehicle and the other use (i.e., horse trailer/recreational vehicle). When a combination vehicle has a permanent wall separating the two uses, only the recreational vehicle portion of the combination vehicle is limited to the maximum ~~400 square feet of~~ gross floor area.

Stat. Auth.: ORS 446.003 & 446.160

Stats. Implemented: ORS 446.003 & 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 25-2008, f. 10-31-08, cert. ef. 11-1-08

918-525-0040

Adopted Minimum Safety Standards

Effective ~~November 1, 2008~~ **October 1, 2011** the following standards are adopted by reference as the standards for the manufacture, conversion, alteration, or repair of recreational vehicles, recreational park trailers, accessory buildings, and accessory structures:

(1) The ~~2008~~ **2011** Edition of NFPA 1192, Standard on Recreational Vehicles, as published by the National Fire Protection Association, and further amended by the Division.

(2) The ~~2005~~ **2009** Edition of ANSI 119.5, Standard for Recreational Park Trailers, as published by the American National Standards Institute, and further amended by the Division.

(3) The ~~2008~~ **2011** Edition of NFPA 70, National Electrical Code, specifically but not limited to, Article 551 pertaining to Recreational Vehicles and Article 552 Park Trailers, as published by the National Fire Protection Association, and further amended by the Division.

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(4) The ~~2008~~ **2011** Edition of ANSI/RVIA Standard for Low Voltage Systems in Conversion and Recreational Vehicles, as published by the Recreational Vehicle Industry Association.

(5) The **Oregon Residential Specialty Code**, as adopted in OAR chapter 918, division 480, and those standards referenced within are adopted as the Division's standards for the construction, manufacture, alteration, repair, and conversion of accessory buildings and accessory structures used in conjunction with recreational vehicles and recreational park trailers.

[Publications referenced are available **for review** from the agency.]

Stat. Auth.: ORS 183.325 - 183.410 & 446.003 - 446.285

Stats. Implemented: ORS 446.185

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 22-1990(Temp), f. & cert. ef. 9-4-90; BCA 27-1990, f. 11-28-90, cert. ef. 11-30-90; BCA 16-1993, f. 8-12-93, cert. ef. 9-1-93; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 16-1996, f. 8-6-96, cert. ef. 9-1-96; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 11-1997, f. 7-23-97, cert. ef. 1-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 25-2008, f. 10-31-08, cert. ef. 11-1-08

918-525-0042

Amendments to the Adopted Minimum Safety Standards

(1) Amend NFPA 1192 as follows:

(a) Amend Section 5.4 Fuel-Burning Appliances by adding the following language after Section 5.4.1. "~~Solid-fuel-burning appliances and unvented room heaters~~ shall not be installed in recreational vehicles, except where specifically permitted in these rules."

(b) ~~Amend Section 6.2 Minimum Means of Escape by adding subsection 6.2.1.3.~~
~~"6.2.1.3. Each bedroom or separate designated area for sleeping shall be required to have a means of escape to the exterior of the vehicle. For the purposes of this code, a bedroom or separate designated area for sleeping means an area separated from the main living and cooking area by a wall or partition. The means of escape may be an outside window, outside door, or roof hatch sized in accordance with 6.2.5.~~

(2) ~~The following amendments apply to recreational park trailers over 8 1/2 feet wide in the travel mode.~~ **Amend ANSI 119.5 as follows:**

(a) ~~Amend ANSI 119.5 as follows:~~

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~~(A)~~ **(a)** Amend Chapter 1 by inserting the following language after Section 1-5.

~~(i)~~ **(A)** Each loft area shall have a minimum of one electrical light fixture and a convenience receptacle.

~~(ii)~~ **(B)** Each enclosed stairway shall have a light fixture that is controlled by switches from both the top and the bottom of the stairway. The light fixture in subparagraph ~~(i)~~ **(A)** of this rule may be used to serve this purpose.

~~(B)~~ Amend Chapter 2 by inserting the following language after Section 2-1.

~~“Recreational park trailers shall not be equipped with gasoline or diesel fuel storage, transfer or dispensing systems as identified in NFPA 1192, Section 5.11.”~~

~~(C)~~ **(b)** Amend Section 2-6 Fuel-Burning Appliances by inserting the following language after Section 2-6.1. “Wood-burning stoves, wood-burning fireplaces and pellet fired appliances may be installed if they are approved and listed **for recreational vehicle use or** for manufactured home use and installed according to the manufacturer’s installation instructions.

~~(b)~~ Amend NFPA 70 Article 552.43(A) by inserting the following language after paragraph (A). “Recreational park trailers over 8 1/2 feet wide in the travel mode may have up to two listed power supply cords for the electrical feeders.”

[Publications referenced are available **for review** from the agency.]

Stat. Auth.: ORS 183.325 - 183.410 & 446.003 - 446.285

Stats. Implemented: ORS 446.185

Hist.: BCD 25-2008, f. 10-31-08, cert. ef. 11-1-08; BCD 1-2010, f. 3-15-10, cert. ef. 4-1-10

918-530-0070

Electrical Connections

(1) Recreational park trailers shall be connected to power sources according to **Article 552** of the **NFPA 70**, National Electrical Code ~~and shall have a minimum 30 ampere rated power supply assembly and a maximum of two 50 ampere rated power supply assemblies.~~

(2) Accessory equipment, structures, and buildings shall not be powered by the recreational park trailer electrical system.

(3) At the time of installation, all recreational park trailers shall be tested to the following criteria:

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(a) All 110 volt electrical receptacle outlets shall be subjected to a polarity test to determine all connections have been made properly; and

(b) All electrical lights, equipment, ground fault circuit interrupters, and appliances shall be subjected to an operational test to demonstrate all equipment is connected and in working order.

[Publications referenced are available **for review** from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 25-2008, f. 10-31-08, cert. ef. 11-1-08

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DRAFT RULE

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**DIVISION 650
RECREATION PARKS AND
ORGANIZATIONAL CAMPS**

918-650-0000

Reasonable Notice to Interested Parties

~~Before~~ **Prior to** the adoption, amendment or repeal of any rule relating to the minimum safety standards for the design and construction of recreational parks and organizational camps as authorized in ORS 455.680, the Building Codes Agency shall **Division must** give notice of the proposed adoption, amendment or repeal **action**:

(1) In the ~~Bulletin of the Secretary of State's~~ **Bulletin** referred to in ORS 183.360 at least ~~15~~ **21** days before **prior to** the effective date.

(2) By mailing a copy of the notice to **notifying** persons **and organizations** on the **interested parties** mailing list established under ORS 183.335(7) **(8)** by the Manufactured Homes and Recreational Vehicles section of the Building Codes Agency **and OAR 918-001-0210**.

~~(3) By mailing a copy of the notice to the following organizations:~~

- ~~(a) Legislative Counsel;~~
- ~~(b) Budget and Management Division, Executive Department;~~
- ~~(c) League of Oregon Cities;~~
- ~~(d) Association of Oregon Counties;~~
- ~~(e) United Press International and Associated Press;~~
- ~~(f) Trailer Life Association;~~
- ~~(g) Recreational Vehicle Industry Association; and~~
- ~~(h) Recreational Vehicle Association.~~

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, ~~456.755, 456.770 & 456.837~~

Stats. Implemented: ORS 183.335

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0000

918-650-0005

Definitions

As used in OAR 918-650-0000 to 918-650-0085, unless the context requires otherwise, the following definitions apply:

- (1) ~~“Administrator” means the Administrator of the Building Codes Agency.~~

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~~(2)~~ “Agency” means the Building Codes Agency.

~~(3)~~**(1)** “Alteration” means any change, addition or modification of roads, streets, spaces or construction, but does not include normal maintenance or replacement in kind.

~~(4)~~**(2)** “Approved” means accepted in writing by the ~~issuing authority~~ **Division or its designee.**

~~(5)~~**(3)** “Area” means the land within the property or boundary lines of a recreation park or organizational camp.

~~(6)~~**(4)** “Building” is any structure used or intended for supporting or sheltering any use or occupancy regulated by the **State Building Code** as defined in ORS 455.010.

~~(7)~~**(5)** “Campground.” See Recreation Parks.

~~(8)~~ “Camping Trailer.” See Recreational Vehicle.

~~(9)~~**(6)** “Combination Park” means a park which includes facilities for two or more types of recreation parks or a combination of a recreation park, organizational camp or mobile home park facility.

~~(10)~~**(7)** “Construction” means work regulated by the **State Building Code** as defined in ORS 456.750 **455.010.**

~~(11)~~ “Division” means the Health Division of the Department of Human Resources.

~~(12)~~**(8)** “Facilities” means the permanent work, such as but not limited to, streets, roads, embankments, space, refuse collection stands, fire pit enclosures, fire protection equipment etc., but shall **does** not include buildings and structures, and electrical and plumbing installations.

~~(13)~~**(9)** “Hostel” means any establishment which has beds rented or kept for rent on a daily or weekly basis to travelers for a charge or fee paid or to be paid for rent or use of facilities, and which is operated, managed or maintained under the sponsorship of a nonprofit organization holding a valid exemption from federal income taxes under the **Internal Revenue Code of 1954** as amended **as defined in ORS 446.310.**

~~(14)~~ “Motor Home.” See Recreational Vehicle.

~~(15)~~**(10)** “Organizational Camp” **as defined in ORS 446.310** means any area designated by the person establishing, operating, managing or maintaining the same as being for recreational use by groups or organizations. Organizational camp includes, but is not limited to, youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps or camps operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations.

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~~(16)~~**(11)** “Picnic Park.” See Recreation Park.

~~(17)~~**(12)** “Recreation Park” **as defined in ORS 446.310** means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. **As further defined in these rules, a** recreation park includes, but is not limited to, a “campground,” a “picnic park,” or a “recreational vehicle park”:

(a) “Campground” means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles;

(b) “Picnic Park” means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces;

(c) “Recreational Vehicle Park” means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

~~(18)~~**(13)** “Recreational Vehicle” means a unit, with or without motive power, which is designated for human occupancy, is used temporarily for recreational or emergency purposes. Recreational vehicles include: **vehicle as defined in ORS 446.003 and as further defined in OAR chapter 918, division 525.**

~~(a) “Camping Trailer” means a vehicle unit mounted on wheels and constructed with collapsible partial side walls which fold when the unit is towed by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use, and has a floor area of less than 220 square feet, excluding built in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;~~

~~(b) “Motor Home” means a vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the complete vehicle, and has a floor area of less than 220 square feet, excluding built in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;~~

~~(c) “Park Trailer” means a vehicle built on a single chassis, mounted on wheels, designed to provide seasonal or temporary living quarters which may be connected to utilities for operation of installed fixtures and appliances, of such a construction as to permit set-up by~~

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persons without special skills using only hand tools which may include lifting, pulling and supporting devices and a gross trailer area not exceeding 400 square feet when in the set up mode;

(d) ~~“Travel Trailer” means a vehicular unit which has a roof, floor and sides and is mounted on wheels, but which is not of such size or weight as to require special highway movement permits when towed by a motorized vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;~~

(e) ~~“Truck Camper” means a portable unit which has a roof, floor and sides and is designed to be loaded on and off the bed of a truck or pick-up truck, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms.~~

(14) Registered Design Professional. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the State of Oregon.

~~(19)~~ **(15)** “Solid Waste” means decomposable or nondecomposable waste including but not limited to garbage, rubbish, refuse, ashes, waste paper and cardboard.

~~(19)~~ **(16)** “Space” means that portion of a park reserved for the location of a recreation vehicle, tent, tent vehicle or camping vehicle.

~~(21)~~ “Temporary,” as used in OAR 918, division 650 in the definition of “recreational vehicle,” means a time period of six months or less.

~~(22)~~ “Travel Trailer.” See Recreational vehicle.

~~(23)~~ “Truck Camper.” See Recreational vehicle.

[Publications: Publications referenced are available **for review** from the agency **Division.**]

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: **ORS 455.680**

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0060

918-650-0010

Scope and Purpose

(1) OAR **chapter** 918, division 650 establishes minimum safety standards for the design and construction of recreation parks and organizational camps as authorized in ORS 456.837 **455.680.**

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(2) These rules establish design and construction requirements for recreation parks and organizational camps for the purpose of protecting the life, health, safety and welfare of persons using these facilities.

EXCEPTIONS:

1- These rules do not apply to parking areas offering access to beaches, marinas, boat ramps, piers, ski areas, rivers, trails and similar facilities, where no recreational vehicle utility connections are provided.

2- The area development permit does not include permits or related fees for buildings, mobile home setups, mechanical, plumbing or electrical systems, boiler, or elevators, or permits required by other agencies as specified in ~~OAR 918-650-0025~~.

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, ~~456.755, 456.770 & 456.837~~

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0050

918-650-0015

Purpose

~~OAR 918, division 650 establish design and construction requirements for recreation parks and organizational camps for the purpose of protecting the life, health, safety and welfare of persons using these facilities.~~

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, ~~456.755, 456.770 & 456.837~~

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0055

918-650-0020

Permit Required

No person, firm, corporation or government agency shall ~~shall~~ **may** establish or enlarge the facilities of any recreation park or organizational camp or do any construction within the recreation park or organizational camp or cause the same to be done without first obtaining all required permits from the issuing authorities **building official** and paying the prescribed permit fees. **Multiple permits may be required when the proposed work involves two or more code areas (i.e., structural, electrical, plumbing, or mechanical).**

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EXCEPTION: Applications for permits, submission of plans and payment of fees are not required for additions, alterations, relocation and maintenance of picnic tables, play equipment, fire pits and similar facilities in existing parks.

Stat. Auth.: ORS ~~455.020, 455.110 &~~ 455.680, ~~456.755, 456.770 &~~ 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0065

918-650-0025

Coordinating Regulation

Permit Issuance:

(1) The application, plans, specifications, computations and other data filed by an applicant ~~shall~~ **must** be reviewed by the ~~jurisdiction or agency having permit authority~~ **building official**. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the ~~permitting authority~~ **building official** finds that the work described in the application for a permit and the plans, specifications and other data filed ~~therewith~~ conform to the requirements of ~~OAR 918, division 650~~ **these rules** and other pertinent laws and ordinances, and that the fees ~~specified in OAR 918-650-0030~~ have been paid, the ~~permitting agency shall~~ **building official must** issue a permit to the applicant. Regulations ~~which~~ **that** also apply to recreation parks and organizational camps are:

(a) Land Use. Land use ~~shall~~ **must** comply with the regulations of the unit of government which has planning authority over the proposed construction site;

(b) Flood Zones. Buildings or areas used within a flood zone ~~shall~~ **must** be approved by the agency having jurisdiction prior to the issuance of permits;

(c) Water Supply. Water supply systems ~~shall~~ **must** comply with ~~Oregon State Health Division Administrative Rules~~ **regulations under the Department of Human Services Oregon Health Authority**;

(d) Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, ~~shall~~ **must** comply with **regulations under the Oregon Department of Environmental Quality Administrative Rules**;

(e) Solid Waste Disposal. Solid waste disposal ~~shall~~ **must** comply with ~~the Oregon Health Division Administrative rules~~ **regulations under the Department of Human Services Oregon Health Authority** and such waste ~~shall~~ **must** be disposed of in a manner ~~which~~ **that**

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complies with regulations under the Oregon Department of Environmental Quality ~~Administrative Rules;~~

(f) Eating and Drinking Establishments. Eating and drinking establishments shall must comply with ~~Oregon State Health Division Administrative Rules~~ regulations under the Department of Human Services Oregon Health Authority;

(g) Ice Machines. Ice machines shall must comply with regulations under the Oregon State Department of Agriculture ~~Administrative Rules;~~

(h) State Building Code. Buildings and structures shall must comply with the ~~Oregon State Building Code, as defined in ORS 456.750(8), and Administrative Rules adopted pursuant thereto~~ and where applicable to rules adopted thereunder;

(i) Highway, Street and Driveway Permits. Access shall must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;

(j) Fire Protection. Fire protection facilities shall must comply with the requirements of the appropriate jurisdiction's fire protection regulations;

(k) Liquefied Petroleum Gas (LPG). Liquefied petroleum gas installations shall must comply with the regulations of the Oregon State Fire Marshal. ~~Such installations require permits. The person making such an installation shall be licensed by the State Fire Marshal and the installation shall be inspected by a deputy fire marshal;~~

(l) Swimming Pools and Spas. Swimming Pools and spas shall must comply with the ~~Oregon State Health Division Administrative Rules~~ regulations under the Department of Human Services Oregon Health Authority;

(m) Hostels. Hostels shall must comply with the Oregon State Building Code and shall ~~be licensed and maintained under Oregon State Health Division Administrative Rules~~ with regulations under the Department of Human Services Oregon Health Authority;

(n) Engineers/Architects Design. When required, park and camp designs shall must be prepared by an ~~engineer or architect registered in Oregon and comply with the respective administrative rules of the Board of Engineering Examiners or Board of Architect Examiners~~ a registered design professional.

(2) Recreation Park and Organizational Camp Operating License Required. ~~The State Health Division shall issue, unless there is reason to believe noncompliance exists, an operating license for all recreation parks and organizational camps upon receipt of:~~ Approved parks and

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camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority.

- (a) ~~A completed application on a form provided by the Health Division;~~
- (b) ~~The required fees; and~~
- (c) ~~Documents certifying that the facility is in compliance with:~~
 - (A) ~~The provisions of ORS 446.310 to 446.350 and rules adopted pursuant thereto;~~
 - (B) ~~The rules of the Building Codes Agency; and~~
 - (C) ~~The applicable regulations in this rule.~~

[Publications: Publications referenced are available **for review** from the agency **Division**.]

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0070

918-650-0030

Fees -- Expiration -- Validation

(1)(a) Area Development Fee. The area development fee ~~shall be~~ **is** determined from **Table 1** using the valuation for all facilities for which the permit is issued. The fees in **Table 1** ~~shall be~~ **are** based upon valuation **Table 2** for recreation parks or **may** be determined by the applicant with documentation acceptable to the issuing authority. Permit fees ~~shall~~ **must** be paid ~~to the issuing authority~~ before any work begins.

NOTE: The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings and structures, mechanical, plumbing or electrical systems, boilers, elevators, or permits required by other agencies as specified in ~~OAR 918-650-025~~.

Table 1

Total Valuation	Fee
\$1 to \$500	\$15
\$501 to \$2,000	\$15 for the first \$500 plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$45 for the first \$2,000, plus \$9 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$252 for the first \$25,000, plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$414.50 for the first \$50,000, plus \$4.50 for each additional \$1,000 or fraction thereof, to and including

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	\$100,000
\$100,001 to \$500,000	\$639.50 for the first \$100,000, plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$2,039.50 for the first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$3,539.50 for the first \$1,000,000 plus \$2 for each additional \$1,000 or fraction thereof

NOTE: Table 1 is based on Table 3-A of the 1988 Uniform Building Code.

Table 2

RECREATION PARK VALUATION TABLE									
CLASS OF PARK OR CAMP	SPACES PER ACRE								
	6	8	10	12	14	16	18	20	22
A	2637	2470	2320	2189	2074	1978	1907	1849	1798
B	2483	2317	2176	2035	1920	1824	1754	1696	1645
C	1792	1626	1485	1344	1229	1133	1062	1005	954

NOTES:

- 1- **Table 2** is based on the 1990 evaluations for Recreational Vehicle Parks published by the Oregon Department of Revenue.
- 2- Deduct ten percent from the valuation of parks and camps constructed east of the Cascade Summit.
- 3- “Class A” parks and camps contain paved streets and electric, water and sewer service to each R.V. or camping space.
- 4- “Class B” parks and camps contain electric, water and sewer service to each R.V. or camping space, but do not have paved streets.
- 5- “Class C” parks and camps contain a combination of no more than two services involving electric, water or sewer and do not have paved streets.
- 6- When a park or camp contains spaces in more than one class, figure the spaces in each class, then add them together to obtain the total valuation.
- 7- The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings or structures; mechanical, plumbing or electrical systems; boiler, or elevators, or permits required by other agencies.

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8- See this rule for plan review and inspection fees based on this valuation.

(b) Plans Review Fee. The area development Plan Review Fee ~~shall be~~ **is** 65 percent of the area development permit fee set forth in subsection (1)(a) of this rule and ~~shall~~ **must** be paid ~~to the issuing authority~~ when plans and specifications are submitted for review;

(c) Other Fees:

(A) Inspections outside of normal business hours (minimum charge -- two hours), \$50/hour;

(B) Reinspection fee, \$50/hour;

(C) Inspection for which no fee is specifically indicated (minimum charge -- one-half hour), \$50/hour;

(D) Additional plan review required by changes, additions or revisions to approved plans (minimum charge -- one-half hour), \$50/hour;

(E) Consultation fee (minimum one hour), \$30/hour.

(2) Other Fees:

(a) A special inspection is required and a special inspection fee ~~shall~~ **must** be paid before a permit may be issued for work started without a permit. The special inspection fee ~~shall~~ **must** be equal to and in addition to the amount of the permit fee required by these rules;

(b) Other Inspection Fees. In addition to the called for inspections, the ~~issuing authority~~ **building official** may make or require inspections of any construction work to confirm compliance with the provisions of this code and other laws which are enforced by the ~~code enforcement agency~~ **building official**;

(c) Reinspection Fees. A reinspection fee may be assessed for each inspection or reinspection when the work for which inspection is called is not complete or when corrections called for are not made.

NOTE: This subsection is not intended to require reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but is to control the practice of calling for inspections before the job is ready for such inspection or reinspection.

(3) Expiration and Validity of Plans and Permits:

(a) Expiration of Plan Approval. Area Development plan approval ~~shall~~ **expires** one year after the date that the approval is granted if no area development permit is issued. Upon receipt of a written request from the applicant the ~~issuing authority~~ **building official** may extend the

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time for action by the applicant for a period of not to exceed 180 days. To renew action on an application after the expiration of a plan approval, the applicant ~~shall~~ **must** resubmit plans and pay a new plan review fee;

(b) Expiration of Area Development Permit. An area development permit ~~issued under OAR Chapter 918, Division 650 shall expire~~ if the work it authorizes is not commenced within 180 days from the date of issuance of the permit, or if the work is suspended or abandoned for 180 days at any time after it is commenced. A permittee holding an unexpired permit may apply for an extension of the time within which the work may be commenced under that permit. The time for action by the permittee ~~shall~~ **may** not exceed 180 days. Requests for extensions ~~shall~~ **must** be in writing, and no permit ~~shall~~ **may** be extended more than once. If such work is not recommenced, before a permit or extension expires a new permit ~~shall~~ **must** be obtained. The fee ~~therefor shall be~~ **is** one-half the amount required for the first permit, provided that:

(A) No changes have been made in the original plans and specifications; and

(B) The duration of the suspension of work or abandonment has not exceeded one year.

(c) Validity. The issuance or granting of an area development permit or approval of area development plans and specifications ~~shall~~ **may** not be construed to be a permit for, or approval of, any violation of any of the provisions of ~~OAR Chapter 918, Division 650~~ **these rules**. The issuance of a permit based upon plans and specifications ~~shall~~ **may** not prevent the issuing agency **building official** from later requiring the correction of errors in such plans;

(d) Suspension or Revocation. The issuing authority **building official** may, in writing, suspend or revoke an area development permit ~~issued under provisions of OAR Chapter 918, Division 650~~ when the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provision of ~~OAR Chapter 918, Division 650~~ **these rules**, or any other ordinances.

~~(4) County Fees. Counties shall not, for the kind of permits provided for by this section, enact or enforce any ordinance, rule or regulation fixing any permit fee that is higher than the fees provided by this section unless the county has the prior approval of the Administrator to do so. The Administrator shall approve any such fees if the Administrator finds, after notice and hearing, that the proposed fee or fees are reasonable and necessary to provide funds for the county to pay the expenses of carrying out effective enforcement of OAR Chapter 918, Division 650 that are its responsibility to enforce.~~

(4)(a) The fees established in this rule apply to the Division.

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(b) Municipalities who have been delegated the park and camp program by the Division may establish their own fee schedule or adopt the Division's fee schedule through local ordinance.

(c) The amount of the fee may not exceed the costs of administering the park and camp program.

(d) The municipality, quarterly, must remit 15 percent of the collected fees to the Division for monitoring municipal programs and for providing informational material necessary to maintain a uniform state program.

Stat. Auth.: ~~ORS 183.325~~ ~~ORS 183.410~~, **455.020, 455.110**, ORS 455.170, **455.210** & ORS 455.680, ~~ORS 456.755~~, ~~ORS 456.770~~ & ~~ORS 456.837~~

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0075; BCA 16-1991(Temp), f. 6-7-91, cert. ef. 7-1-91; BCA 36-1991, f. 10-23-91, cert. ef. 10-31-91; BCD 12-2008, f. 6-30-08, cert. ef. 7-1-08

918-650-0035

Plans and Specifications

(1) Plans. With each application for a plan review the applicant shall **must** submit ~~four~~**two** sets of construction plans and specifications. Plans and specifications shall **must** be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction details ~~that this section requires to be shown on plans may be required by rules other than OAR chapter 918, division 650. However, these details are specified here~~ **shown on these plans may contain construction details required by other rules or regulations** in order to aid other agencies in determining compliance with their coordinating regulations.

(2) Design. All plans shall **must** be designed in accordance with the requirements of the various codes and administrative rules and, where required, shall **must** be designed by ~~an architect/engineer registered in Oregon~~ **a registered design professional**.

(3) Plan Format and Sequence. The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict

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compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans shall **must** give the following:

(A) The name of the recreation park or organizational camp and the location (vicinity map);

(B) The name of the owner;

(C) The name of the operator;

(D) The name of the person who prepared or submitted the plans;

(E) The symbols used; and

(F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) shall **must** include:

(A) Both proposed and existing construction; and

(B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan shall **must** show the facilities related to the addition and/or the facilities to be remodeled.

(4)(a) The following features shall **must** be clearly shown and identified:

(A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);

(B) The fixed facilities in each space (fire pits, fireplaces or cooking facilities);

(C) The property line boundaries and survey monuments in the area of work;

(D) The location and designation of each space by number, letter or name; and

(E) Plans for combination parks shall **must** also show which portions of the parks are dedicated to camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

(b) Park and organizational camp utility systems shall **must** be clearly shown and identified on a separate sheet:

(A) Location of space sewer connections, space water connections and service electrical outlets;

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- (B) Location and source of domestic water supply;
 - (C) Location of water and sewer lines (showing type, size and material);
 - (D) Park or camp street layout and connections to public street(s);
 - (E) Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;
 - (F) Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;
 - (G) Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and
 - (H) Liquid Petroleum Gas (LPG) tanks and gas lines.
- (c) Park Topography. Park topography shall **must** be shown in the area of work when any existing grade or slope exceeds five percent.

Stat. Auth.: ORS **455.020, 455.110 &** ~~455.680, 456.755, 456.770 & 456.837~~

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0080

918-650-0040

Inspections

(1)(a) General. All construction or work for which a permit is required by ~~OAR chapter 918, division 650~~ shall **must** be subject to inspection by the ~~issuing authority~~ **building official**;

(b) It shall ~~is~~ **is** be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the employee nor the ~~issuing authority~~ shall be **building official are** liable for expense entailed in removal or replacement of any material required to allow inspection.

(2)(a) Inspection Requests. It shall ~~be~~ **is** the duty of the person doing the work authorized by a permit to notify the ~~issuing authority~~ **building official** that such work is ready for inspection. The ~~issuing authority~~ **building official** may require every request for inspection be filed at least three working days before such inspection is desired. Such requests may be in writing or by telephone at the option of the ~~issuing authority~~ **building official**;

(b) It shall ~~be~~ **is** the duty of the person requesting any inspections required by ~~OAR chapter 918, division 650~~ **by these rules** to provide access to and means for proper inspection of such work.

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(3) Approval Required. Approval ~~shall~~ **may** be given only after an inspection has been made on each successive step in the construction as indicated on each of the inspections required in section (4) of this rule.

(4) Required Inspections. The ~~issuing authority~~ **building official**, upon notification from the permit holder or the permit holders agent, ~~shall~~ **must** make the following inspections and ~~shall~~ **must** either approve that portion of the construction as completed or ~~shall~~ **must** notify the permit holder or agent wherein the same fails to comply with ~~OAR chapter 918, division 650~~ **these rules**:

- (a) Rough Grading. When rough grading of roads and spaces are completed;
- (b) Prior to Paving. Before any asphaltic concrete or portland cement concrete is placed;
- (c) Final Inspection. A final inspection ~~shall~~ **may** be made after finish grading and all permanent facilities are in place;
- (d) Coordinating Regulation Inspections. Inspection required by the Coordinating Regulations specified in ~~OAR 918-650-0025~~ **these rules**.

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0085

918-650-0045

General Construction Requirements

General:

(1) Combination Parks. The portions of combination parks which are dedicated to campground, organizational camp, picnic park, mobile home park or recreational vehicle park use ~~shall~~ **must** be identified and each use ~~shall~~ **must** comply with the applicable regulations. Jointly used areas ~~shall~~ **must** be designated accordingly.

(2) Space Separation and Designation. Building or space separation and space designation ~~shall~~ **must** be as follows:

(a) The distance between buildings ~~shall~~ **must** be as required in the **Oregon Structural Specialty Code**;

(b) The distance between spaces ~~shall~~ **must** be as provided in OAR 918-650-0055(1);

(c) Spaces ~~shall~~ **must** be identified by signs or markings corresponding to the letters, numbers or names indicated on the approved plans.

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(3) Access. Each space designed for vehicular use within a recreation park or organizational camp ~~shall~~ **must** have direct access to a park, street or road. The access ~~shall be unobstructed~~ **may not be obstructed** by grade or vertical clearance ~~or~~. The entrance to such roads with impaired clearance ~~shall~~ **must** be provided with warning signs.

(4) Street Width. Park streets intended for use by the public ~~shall~~ **must** be of adequate width to accommodate the planned parking and traffic load. Each traffic lane ~~shall~~ **must** be ten feet minimum width. Where parking is permitted on park streets, each parking lane ~~shall~~ **must** be ten feet minimum width. All two-way streets without parking ~~shall~~ **must** be 20 feet minimum width.

(5) Connection to a Public Way. The park street system ~~shall~~ **must** have direct connection to a public way.

(6) Park Roads and Streets. Roads and streets intended for use by the public ~~shall~~ **must** be designed for minimum nine-ton gross loads and streets and walkways ~~shall~~ **must** be well drained. The street surface may be asphaltic-concrete, portland cement concrete, crushed rock, gravel or other approved surface material.

(7) Cleanable Construction. Fireplaces, fire pits or cooking facilities ~~shall~~ **must** be of cleanable construction and designed to permit easy removal of ash and other waste.

(8) Screens. All openings, except doors with self-closing devices, into the outer air of permanent kitchens, dining rooms, toilets and shower facilities ~~shall~~ **must** be effectively screened. Screens ~~shall be~~ **may not be** less than sixteen mesh per inch, and all screen doors ~~shall~~ **must** be equipped with a self-closing device.

(9) Solid Waste Containers. Solid waste containers ~~shall~~ **must** be in place at the time of final inspection. Solid waste containers or bins ~~shall~~ **must**:

(a) Have tight-fitting lids, covers or closable tops; and

(b) Be durable, rust-resistant, water tight, rodent-proof and washable;

(c)(A) Containers in recreational vehicle parks ~~shall~~ **must** be provided at a rate of one 30-gallon container for each four recreational vehicle parking spaces and be located within 300 feet of each recreational vehicle parking space. Containers may be grouped;

(B) Containers in picnic parks, campgrounds and organizational camps ~~shall~~ **must** be provided at a rate of one 30-gallon container for each 20 occupants or fraction thereof that the camp or park is designed to accommodate. Containers may be grouped.

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EXCEPTION: The requirement for solid waste containers in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(10) Water Systems in Flood Zones. Potable water systems located in, or partially in flood zones, ~~shall~~ **must** be provided with valves to isolate that portion of the system in the flood zone from the rest of the system, and fittings ~~shall~~ **must** be installed to permit flushing and treatment of the flood zone portion of the water system.

[Publications: Publications referenced are available **for review** from the agency **Division**.]

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0090

918-650-0050

Toilets

(1) Toilet facilities ~~complying with OAR 918-650-0025(1)(d) shall~~ **must** be provided in every recreation park or organizational camp. They ~~shall~~ **must** be convenient and accessible and ~~shall~~ **must** be located within 500 feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(2)(a) Sanitary facilities ~~shall~~ **must** be as required in **Table 2**;

(b) Toilet Bowls. Toilet bowls for public use ~~shall~~ **must** be elongated bowls with open-front seats. Any room with flush toilets ~~shall~~ **must** be provided with a floor drain as required in the **Oregon Plumbing Specialty Code**;

(c) Signs. Toilets ~~shall~~ **must** either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets ~~shall~~ **must** be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them ~~shall~~ **must** be constructed in accordance with the **State Building Code**;

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(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities shall **must** be equipped with a urinal.

(3) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, shall **must** be constructed and located in accordance with the requirements of the Department of Environmental Quality.

Table 2

Recreation Parks

Number of Picnic, Camping or Parking Spaces	Number of Toilets		Lavatories for Parks with Flush Toilets ^{1,2}	
	Men ^{1,2}	Women	Men	Women
1-15	1	1	1	1
16-30	1	2	1	2
31-60	2	3	2	3
61-1003	3	4	3	4

¹One additional lavatory shall **must** be provided for each two toilets when more than six toilets are required.

²Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

³Campgrounds in recreation parks and picnic parks with more than 100 spaces shall **must** provide one additional toilet per sex for each additional 30 spaces or fraction thereof.

Organizational Camps

Design Maximum Number of Campers for Each Sex	Overnight for Every 10	Overnight for Every 20	Day Use Only for Every 20 ²
Number of Toilets			
Men ¹	1		1
Women	1		1
Lavatories for Camps with Flush Toilets			
Men	1		1
Women	1		1
Bathing Facilities Tub or Shower ³			
Men		1	
Women		1	

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¹Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

²When the day use persons exceed 100, one toilet and one lavatory shall must be provided for each additional 50 persons or fraction thereof.

³Bathing facilities are not required for camps where persons are present for three nights or less.

Toilets Required:

~~(4) Toilet facilities complying with OAR 918-650-0025(1)(d) shall be provided in every recreation park or organizational camp. They shall be convenient and accessible and shall be located within 500 feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.~~

EXCEPTION: The requirement for toilets in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

~~(5)(a) Sanitary facilities shall be required as follows:~~

~~(A) Recreation Parks:~~

~~(i) 1-15 Picnic, Camping or Parking Spaces:~~

~~(I) Number of Toilets: Men^{1,2} -1; Women -1;~~

~~(II) Lavatories for Parks with Flush Toilets^{1,2}; Men -1; Women -1.~~

~~(ii) 16-30 Picnic, Camping or Parking Spaces:~~

~~(I) Number of Toilets: Men^{1,2} -1; Women -2;~~

~~(II) Lavatories for Parks with Flush Toilets^{1,2}; Men -1; Women -2.~~

~~(iii) 31-60 Picnic, Camping or Parking Spaces:~~

~~(I) Number of Toilets: Men^{1,2} -2; Women -3;~~

~~(II) Lavatories for Parks with Flush Toilets^{1,2}; Men -2; Women -3.~~

~~(iv) 61-1003 Picnic, Camping or Parking Spaces:~~

~~(I) Number of Toilets: Men^{1,2} -3; Women -4;~~

~~(II) Lavatories for Parks with Flush Toilets^{1,2}; Men -3; Women -4.~~

NOTES:

¹One additional lavatory shall be provided for each two toilets when more than six toilets are required.

²Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

³Campgrounds in recreation parks and picnic parks with more than 100 spaces shall provide one additional toilet per sex for each additional 30 spaces or fraction thereof.

~~(B) Organizational Camps~~

~~(i) Design Maximum Numbers of Campers for Each Sex; Overnight for every 10:~~

~~(I) Number of toilets: Men -1; Women -1;~~

~~(II) Lavatories for Camps with Flush Toilets: Men -1; Women -1;~~

~~(ii) Design Maximum Numbers of Campers for Each Sex; Overnight for every 20: Bathing Facilities Tub or Shower³: Men -1; Women -1.~~

~~(iii) Design Maximum Numbers of Campers for Each Sex; Day Use only for every 20²:~~

~~(I) Number of toilets: Men¹ -1; Women -1;~~

~~(II) Lavatories for Camps with Flush Toilets: Men -1; Women -1;~~

NOTES:

¹Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

²When the day use persons exceed 100, one toilet and one lavatory shall be provided for each additional 50 persons or fraction thereof.

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³~~Bathing facilities are not required for camps where persons are present for three nights or less.~~

~~(b) Toilet Bowls. Toilet bowls for public use shall be elongated bowls with open front seats. Any room with flush toilets shall be provided with a floor drain as required in the **Plumbing Specialty Code**;~~

~~(c) Signs. Toilets shall either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets shall be indicated by appropriate direction signs;~~

~~(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them shall be constructed in accordance with the **State Building Code**;~~

~~(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities shall be equipped with a urinal.~~

~~(6) Nonwater Carried Toilets. Nonwater carried toilets, including, but not limited to, chemical or vault toilets or pit privies, shall be constructed and located in accordance with the requirements of the Department of Environmental Quality.~~

[Publications: Publications referenced are available **for review** from the agency **Division**.]

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; BCA 7-1988, f. & ef. 4-1-88; Renumbered from 814-029-0095; Administrative Reformatting 1-19-98

918-650-0055

Special Rules for Overnight Campgrounds

(1) Spacing. Each camping space shall **must** be large enough to accommodate the designated class of recreational vehicle or tent and be located a minimum of ten feet from any other camping space, building or building appurtenance or any boundary line abutting upon a public street or highway, and five feet from any property line. The space area shall **must** be designed to minimize the obstruction of any public or private roadway or walkway by vehicles or tents.

(2) Faucets. Camping space faucets and hydrants shall **must** be equipped with an approved back flow prevention device as required by the **Oregon Plumbing Specialty Code**.

(3) Gray Water Waste Disposal System. Recreation parks which supply water shall **must** provide a sewage disposal system or a gray water waste disposal sump for each six spaces that meets the requirements of the Department of Environmental Quality.

[Publications: Publications referenced are available **for review** from the agency **Division**.]

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.770, 456.755 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0100

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Special Rules for Organizational Camps

Sleeping Spaces. Permanently installed beds or bunks ~~shall~~ **must** have:

(1) A minimum of 30 inches of lateral separation between beds and a minimum of 30-inch vertical separation between tiers of beds or between the top tier and the ceiling.

(2) A maximum of two tiers of bunks.

(3) Not less than ten inches of space between the floor and the underside of the beds. In lieu of such space, a bed may have a continuous base which is attached to the floor.

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0105

918-650-0065

Temporary Recreation Parks

(1) The ~~Administrator~~ **building official** may exempt any requirement of ~~OAR chapter 918, division 650~~ **these rules** regarding toilets, waste water disposal, spacing or plan review and plan review fees, to meet special short-term campground needs if public health will not be endangered.

(2) Exemptions issued under this rule ~~shall~~ expire on the date stated in the exemption, but no exemption ~~shall be~~ **is** valid for more than six months.

(3) The ~~Administrator~~ **building official** may establish reasonable conditions for the operation of a temporary park.

Stat. Auth.: ORS **455.020, 455.110 &** 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0109; BCA 15-1992(Temp), f. & cert. ef. 8-7-92; BCA 8-1993, f. 4-29-93, cert. ef. 5-1-93

918-650-0070

Alternate, Materials and Interpretations; Appeals

(1) These rules are not intended to prevent the use of any alternate material, design, or method of construction for recreation parks or organizational camps which the rules do not specifically prescribe, provided that the ~~issuing authority~~ **building official** has approved such alternate.

(2) Modifications. Wherever there are practical difficulties involved in carrying out the provisions of ~~OAR 918, division 650, the issuing authority~~ **these rules, the building official**

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may grant modifications for individual cases, provided the ~~issuing authority shall first find~~
building official:

(a) Determines that a special individual reason makes the strict compliance with the letter of OAR 918, division 650 impractical ~~and~~;

(b) Ensures that the modification does not lessen any fire protection requirements or any degree of structural integrity or create any health or safety hazards-; **and**

(c) Maintains the details of any such action granting modifications ~~shall be recorded and entered in the files of the issuing authority~~ **municipality.**

Stat. Auth.: ORS ~~455.680, 456.755, 456.770 & 456.837~~ **455.020, 455.110 &** 455.680,

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0110

918-650-0075

Existing Parks

(1) Parks or camps existing ~~when OAR 918, division 650 are promulgated~~ **prior to September 18, 1987** may have their existing use continued if the use was legal at the time of construction, provided that this continued use is not a threat to life, health, property, and general welfare of the public and is maintained in a safe and healthful condition.

(2) Any alteration to a recreation park or organizational camp ~~shall~~ **must** comply with the requirements of ~~OAR 918, division 650~~ **of ORS Chapter 446 and these rules** for new parks or camps ~~and ORS Chapter 446.~~

Stat. Auth.: ORS ~~455.680, 456.755, 456.770 & 456.837~~ **455.020, 455.110 &** 455.680,

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0115

918-650-0080

Enforcement

(1)(a) ~~Permit Issuing Authority.~~ As set forth in ORS ~~456.837~~ **455.680**, the permit issuing authority with respect to the construction of recreation parks and organizational camps is the ~~Building Codes Agency~~ **Division**;

(b) Delegation to ~~Counties~~ **municipalities.** The ~~Administrator shall~~ **Division may** delegate to any ~~county board of commissioners~~ **municipality** which requests any of the authority, responsibilities and functions of the ~~Administrator~~ **Division** relating to recreational parks, organizational camps and picnic parks as defined in ORS 446.310, including but not limited to plan review and sanitation inspections if the ~~administrator~~ **Division** determined that

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the county municipality is willing and able to carry out the rules of the Administrator Division relating to such authority, responsibilities and functions. The Administrator shall Division may review and monitor each county's a municipality's performance under this subsection. In accordance with ORS 183.310 to 183.550, the Administrator Division may suspend or rescind a delegation under this subsection. If it is determined that a county municipality is not carrying out such rules or the delegation is suspended, the unexpended portion of the fees collected under subsection (c) of this section shall OAR 918-650-0030(4)(a) must be available to the administrator Division for carrying out the authority, responsibility and functions under this section;

~~(c) County Fees. The Administrator shall determine, by administrative rule, the amount of fee which the county may charge and retain for any function undertaken pursuant to subsection (b) of this section. The amount of the fees shall not exceed the costs of administering the delegated functions. The county, quarterly, shall remit 15 percent of the collected fees to the administrator for monitoring county programs and for providing informational material necessary to maintain a uniform state program;~~

~~(d) State Party to County Suit. In any action, suit or proceeding arising out of county administration of functions pursuant to subsection (b) of this section and involving the validity of a rule adopted by the administrator, the administrator shall be made a party to the action, suit or proceeding.~~

(2) Plan Review and Inspection. The issuing authority shall building official must perform plan reviews and construction inspections to assure that the construction complies with the approved plans.

(3) Correction Notice for Violations. All deviations from the requirements of the statutes or OAR 918, division 650 shall these rules must be specified in writing and a copy furnished to the permittee. An additional copy of this notice may be posted at the site of work or mailed or delivered to the permittee or the permittee's agent at the address shown on the permit. The issuing authority building official may provide information as to the meaning or application of the statutes or OAR 918, division 650, but shall not design or layout work for contractors, owners, or user rule. Refusal, failure or neglect to correct deviations from the minimum standards specified in the notice of violation within 20 days of receipt or posting of the notice of violation shall may be considered a separate violation of the statutes or chapter 918, division 650 these rules.

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(4) Stop Orders. Whenever any work is being done contrary to the provisions of ~~OAR 918, division 650~~ **these rules**, the ~~issuing authority~~ **building official** may order the work stopped by notice in writing served on any person engaged in causing such installation to be made, or by posting a copy thereof at the site of the installation, and thereafter no person ~~shall~~ **may** proceed with the work until authorized to do so by the ~~issuing authority~~ **building official**.

(5) Suspension or Revocation The ~~issuing authority~~ **building official** may, in writing, suspend or revoke a permit issued under ~~provisions of OAR 918, division 650~~ **these rules**, whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any rules, regulations or statute.

(6) Right of Entry. Whenever it may be necessary to make an inspection to enforce any provision of ~~OAR 918, division 650~~ **of these rules**, or whenever the ~~issuing authority~~ **building official** has reasonable cause to believe that there exists in any building or upon any premises any condition which makes that building or those premises unsafe under ~~OAR 918, division 650~~ **under these rules**, the ~~issuing authority~~ **building official** may enter that building or those premises at any reasonable time to inspect them or to perform any duty imposed upon the ~~issuing authority~~ **building official** by ~~OAR chapter 918, division 650~~ **these rules**. If that building or those premises be occupied, the ~~issuing authority shall~~ **building official must** first present proper credentials and demand entry; and if that building or those premises be unoccupied, the ~~issuing authority shall~~ **building official must** first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the ~~issuing authority shall~~ **building official may** have recourse to every remedy provided by law to secure entry.

(7) Liability. ~~The issuing authority or any employee charged with the enforcement of OAR 918, division 650, acting in good faith and without malice for the jurisdiction in the discharge of the issuing authority's duties, shall not thereby render themselves liable personally and the employee hereby is relieved from all personal liability for any damages that may accrue to person or property as a result of any act required or by reason of any act of omission in the discharge of the employee's duties. Any suit brought against the issuing authority or its employees, because of such act or omission performed by the issuing authority in the enforcement of OAR 918, division 650 shall be defended by the legal department of the jurisdiction until final termination of the proceedings.~~

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~~(8) Unconstitutionality. If any section, subsection, sentence, clause or phrase of OAR 918, division 650 is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of OAR 918, division 650. The Building Codes Agency hereby declares that it would have passed OAR 918, division 650, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases which might subsequently be declared unconstitutional.~~

~~(9) Appeals. Any person aggrieved by the final decision of a county appeals board (or of the responsible officer of a county where no county appeals board exists) or of a subordinate officer of the Agency as to the application of any provision of OAR 918, division 650, may appeal that decision to the Administrator within 30 days after the date of the decision. The appellant shall submit a fee of \$20, payable to the Agency, with the appellant's request for appeal. The final decision of the county board or officer or the state officer shall be subject to review and final determination, as to the technical and scientific applicability of OAR 918, division 650, by the appropriate appeals board.~~

(7) Appeals.

(a) Any person aggrieved by the final decision of a municipal appeals board or of a subordinate officer of the Division as to the application of any provision of these rules may, within 30 days after the date of the decision, appeal that decision as provided for in ORS 455.690.

(b) Alternate appeals process. A person aggrieved by a decision made by a building official may appeal the decision as specified in ORS 455.475.

Stat. Auth.: ORS 455.020, 455.110, 455.475, 455.680, 456.755, 456.770 & 456.837 455.690

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0121