



## Notice of Rulemaking Hearing

December 19, 2011

# Mid-cycle amendments to the Oregon Structural Specialty Code

### Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on December 19, 2011 at 9:00 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. December 23, 2011.

### Live broadcast via the internet:

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

### Purpose of the rule:

This proposed rule amends the 2010 Oregon Structural Specialty Code (OSSC) to incorporate mid-cycle amendments. The proposed amendments update referenced National Fire Protection Association (NFPA) standards and exempts certain aircraft hangars from foam fire suppression systems.

### Citation:

Amend OAR 918-460-0015. View the proposed amendments click the following links: [Referenced Standard in Chapter 35](#), and [Chapter 4, Section 412 Aircraft Hangar Buildings](#).

This proposed rule and code amendments would become effective January 1, 2012.

### History:

The division, in consultation with the board, established July 1, 2011 through August 1, 2011 as the timetable for accepting proposed mid-cycle code amendments. The following amendments are being proposed for adoption:

- The most current editions of referenced standards in the OSSC for NFPA 13 and NFPA 72.
- The aircraft hangar provisions in Section 412 are not clear. There are some undefined terms that have led to misunderstanding about when certain rules apply, leading to an inconsistent application of the requirements for foam fire suppression systems. These changes clarify the applicability of the requirements, so that only those hangars that should have foam suppression systems will be required to install them. This will result in substantial savings for hangars that do not require a foam system, but may have been required to install one because the code was misapplied.

The Building Codes Structures Board, at their August 3, 2011 meeting, considered these proposed amendments and recommended that the division forward these changes to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public, or necessary to conserve scarce resources.

### Contact:

If you have questions or need further information, contact Hearing Officer Steve Judson at 503-378-4635, or [Steven.W.Judson@state.or.us](mailto:Steven.W.Judson@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
Rules Coordinator	Address
	(503) 373-7438
	Telephone

**RULE CAPTION**

Updates referenced standards and aircraft hangar requirements in the 2010 Oregon Structural Code  
Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

December 19, 2011	9 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Steve Judson
Hearing Date	Time	Location	Hearings Officer

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

**RULEMAKING ACTION**

**ADOPT:**

**AMEND:** OAR 918-460-0015

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 455.030, 455.110, 455.112

Other Auth.:

Stats. Implemented: 455.110 & 455.112

**RULE SUMMARY**

The proposed rule adopts proposed amendments to update certain National Fire Protection Association standards referenced in the 2010 Oregon Structural Specialty Code (OSSC). The changes bring the referenced standards up to the current editions of NFPA 13, NFPA 13R, NFPA 13D, Installation of Fire Sprinklers, and NFPA 72, National Fire Alarm and Signaling Code series. The proposed rule also amends Section 412, Aircraft Hangars, and exempts certain hangars from foam fire suppression systems. The changes are primarily in OSSC Chapter 4 which contains special detailed requirements based on use and occupancy, and Chapter 35 which contains the referenced standards.

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 business.

December 23, 2011 by 5 p.m.

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

	Mark Long	
Signature	Printed name	Date

**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

Updates referenced standards and aircraft hangar requirements in the 2010 Oregon Structural Code

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

**In the Matter of:** Amending OAR 918-460-0015

**Statutory Authority:** ORS 455.030, 455.110, 455.112

**Other Authority:**

**Stats. Implemented:** ORS 455.110, & 455.112

**Need for the Rule(s):** ORS 455.020 requires the department to adopt a state building code to govern the construction, reconstruction, alteration, and repair of buildings and other structures. ORS 455.110 allows the department, with the approval of the Building Codes Structures Board, to amend the code to conform with nationally recognized code and standards. The department strives to maintain the most current editions of the referenced materials, but often the referenced materials are updated between code cycles. In the current instance, the NFPA issued new editions of the referenced standards, so the 2007 editions now referenced in the Oregon Structural Specialty Code are no longer current. With this amendment, the Oregon Structural Specialty Code will reference the most current standards for NFPA 13 and NFPA 72.

The aircraft hangar provisions in Section 412 are not clear. There are some undefined terms that have led to misunderstanding about when certain rules apply, leading to an inconsistent application of the requirements for foam fire suppression systems. These rules clarify the applicability of the requirements, so that only those hangars that should have foam suppression systems will be required to install them. This will result in substantial savings for hangars that do not require a foam system, but may have been required to install one because the code was misapplied.

**Documents Relied Upon, and where they are available:** The 2010 Oregon Structural Specialty Code, minutes and materials from the Building Codes Structures Board meeting November 2, 2011, and the draft rules are available for review from the division's rules coordinator located at 1535 NW Edgewater Street, Salem, Oregon, 97304 and are posted on the division's website: [www.bcd.oregon.gov](http://www.bcd.oregon.gov). The National Fire Protection Association's 2010 NFPA 13 and 2010 NFPA 72 standards referenced in the proposed rules are available for viewing at the division's offices located at 1535 NW Edgewater Street, Salem, Oregon, 97304.

**Fiscal and Economic Impact:** The department has not identified any increase or decrease in the overall cost of construction from the changes to the referenced NFPA standards. The changes to aircraft hangar fire suppression systems requirements will have a positive impact on affected buildings by lessening construction costs. The Building Codes Structures Board made the finding that the added cost of these changes, if any, is necessary to the health and safety of the occupants or the public or 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)): These amendments may impact state and local governments, designers, contractors, and building owners, but as stated above, the cost of compliance, if any, cannot be determined because these changes may either increase and decrease the cost of construction, depending on the particulars of the building design or modifications.

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: Designers, contractors, and owners of aircraft hangars may be affected. The number of aircraft hangars affected is very small, but information on the exact number is not available because local jurisdictions do not track or report the number of aircraft hangars constructed.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None. These changes do not change the reporting, recordkeeping and other administrative activities required for compliance.

c. Equipment, supplies, labor and increased administration required for compliance: There will be cost savings from these rules for affected aircraft hangars. The savings are not quantified because they will vary depending on the building, but there will be savings in most if not all construction subject to this code section. A 40,000 square foot aircraft hangar that will no longer be required to install a foam type fire suppression system will save between \$200,000 - \$300,000. As stated,

construction will be less expensive for aircraft hangars subject to these changes. Supplies, if any will be minimal. There will be no change in the cost of administration. The decrease in the cost of labor cannot be determined because it depends on the particulars of the construction.

**How were small businesses involved in the development of this rule?** Small businesses are represented on the Building Codes Structures Board, the body that reviews and makes recommendations to Director of the Department of Consumer and Business Services.

**Administrative Rule Advisory Committee consulted?** No.

If not, why?: The updated standards do not substantively change the 2010 Oregon Structural Specialty Code, the changes to the section on aircraft hangar fire suppression system requirements are a code clarification, and the aircraft hangar amendments result in a cost savings.

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Signature	Mark Long Printed name	Date
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## **918-460-0015**

### **Amendments to the Oregon Structural Specialty Code**

The **2010 Oregon Structural Specialty Code** is adopted and amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the **2010 Oregon Structural Specialty Code** are placed in this rule, showing the section reference, a descriptive caption, and a short description of the amendment.

(1) Effective January 1, 2011 the **2010 Oregon Structural Specialty Code** is amended by adding Section 1811 Radon Control Methods for Public Buildings and Section 1812 Radon Control Methods for R-2 and R-3 Occupancies.

(a) Radon mitigation provisions in Section 1811 applicable to new public buildings are adopted January 1, 2011 but do not become enforceable until April 1, 2013 as authorized by Chapter 83, 2010 Laws (Senate Bill 1025).

(b) Radon mitigation provisions in Section 1812 applicable to residential buildings indentified as Group R-2 or R-3 are adopted January 1, 2011 but do not become enforceable until April 1, 2011 as authorized by Chapter 83, 2010 Laws (Senate Bill 1025).

(2) Effective April 1, 2011 the **2010 Oregon Structural Specialty Code** Section 908 “Emergency Alarm Systems” is amended by adding new subsection 908.7 requirements for Carbon Monoxide Alarms.

(3) Effective May 13, 2011, Section 2308.9.3.2 alternate braced wall panel adjacent to a door or window opening is amended for tie-down devices.

(4) On November 1, 2011, the **2010 Oregon Structural Specialty Code** is amended to include revisions to the federal regulations for Title II and Title III of the Americans with Disabilities Act, and Oregon-specific amendments. These amendments are not enforceable until March 1, 2012. The amendments include:

(a) Replace Chapter 11 with Chapter 11 from the 2009 edition of the International Building Code (IBC), as amended to include Oregon-specific amendments;

(b) Amend Chapter 9 by adding 2009 IBC Table 907.5.2.3.3, Visible Alarms;

(c) Amend Chapter 10 by adding 2009 IBC Section 1007, Accessible Means of Egress;

(d) Amend Chapter 34 by adding 2009 IBC Section 3411, Accessibility for Existing Buildings;

(e) Amend Chapter 11 by adding Section 1111, accessibility standards for clustered mailboxes;

(f) Add as referenced standards American National Standards Institute (ANSI) Standard 117.1, 2003 Edition, Sections 101-106, 201-203, 301-309, 401-406.11, 406.13, 406.14, 501-506, 601-611, 701-708, 801-807, 901-904, and 1001-1005.

**(5) Effective January 1, 2012, the 2010 Oregon Structural Specialty Code is amended as follows:**

**(a) Fire Sprinklers. The reference in Chapter 35 to NFPA 13-07, Installation of Sprinkler Systems, is deleted and replaced with NFPA 13-10, Installation of Sprinkler Systems.**

**(b) Fire Sprinklers. The reference in Chapter 35 to NFPA 13D-07, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, is deleted and replaced with 13D-10, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.**

**(c) Fire Sprinklers. The reference in Chapter 35 to NFPA 13R-07 Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height is deleted and replaced with 13R-10 Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.**

**(d) Fire Alarms. The reference in Chapter 35 to NFPA 72-07, National Fire Alarm Code, is deleted and replaced with 72-10, National Fire Alarm and Signaling Code.**

**(e) Aircraft Hangars. The reference in Chapter 35 to NFPA 409-04, Aircraft Hangars, is deleted and replaced with NFPA 409-11, Aircraft Hangars.**

**(f) Aircraft Hangars. Amended Section 412.4.5 for foam fire suppression systems for certain hangars.**

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

Stat. Auth.: ORS 447.231, 447.247, 455.030, 455.110 & 455.112

Stats. Implemented: ORS 447.247, 455.110, 455.112, & Chapter 488, Section 5, 2011 Oregon Laws

Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCD 6-1994, f. 2-25-94, cert. ef. 5-1-94; BCD 22-1994, f. 9-28-94, cert. ef. 1-1-95; BCD 31-1994(Temp), f. & cert. ef. 12-23-94; BCD 32-1994, f. & cert. ef. 12-30-94; BCD 2-1995, f. & cert. ef. 2-9-95; BCD 5-1995, f. & cert. ef. 3-15-95; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96;

BCD 6-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 12-1997, f. 9-10-97, cert. ef. 10-1-97; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 24-1998(Temp), f. & cert. ef. 12-1-98 thru 5-29-99; Temporary Rule repealed by BCD 3-1999, f. 3-12-99, cert. ef. 4-1-99; BCD 5-1999, f. 6-17-99, cert. ef. 10-1-99; BCD 12-1999(Temp), f. 9-23-99, cert. ef. 11-1-99 thru 4-28-00; BCD 2-2000 f. 1-14-00, cert. ef. 4-1-00; BCD 20-2000, f. 9-15-00, cert. ef. 10-1-00; BCD 8-2001, f. 7-17-01, cert. ef. 10-1-01; BCD 18-2001, f. 12-21-01, cert. ef. 1-1-02; BCD 14-2003, f. 8-13-03, cert. ef. 10-1-03; BCD 18-2003(Temp) f. & cert. ef. 11-14-03 thru 5-11-04; BCD 5-2004, f. & cert. ef. 4-1-04; BCD 16-2004, f. 9-24-04, cert. ef. 10-1-04; BCD 21-2004, f. & cert. ef. 10-1-04; BCD 9-2005(Temp), f. & cert. ef. 4-7-05 thru 9-30-05; BCD 14-2005, f. & cert. ef. 7-5-05; BCD 18-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 22-2005, f. 9-29-05, cert. ef. 10-1-05; BCD 23-2005, f. 9-29-05, cert. ef. 10-1-05; BCD 1-2006, f. & cert. ef. 2-1-06; BCD 9-2006, f. 6-30-2006, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07; BCD 9-2008 (Temp), f. & cert. ef. 6-25-08 thru 12-22-08; BCD 20-2008, f. 9-30-08, cert. ef. 10-1-08; BCD 4-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 1-2011, f. 2-15-11, cert. ef. 4-1-11; BCD 14-2011, f. & cert. ef. 5-13-11