



January 18, 2011

**Adoption of 2011 Oregon Residential
Specialty Code – structural & mechanical
provisions**

Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on January 18, 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. January 21, 2011.

Live broadcast via the internet:

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

Purpose of the rule:

These proposed rules adopt the structural and mechanical provisions of the 2011 Oregon Residential Specialty Code (ORSC) and Appendix N from the 2010 Oregon Structural Specialty Code, which applies to low-rise residential apartments. The structural and mechanical provisions of the 2011 ORSC are based upon the 2009 edition of the International Residential Code (IRC) and Oregon amendments. Additionally, these proposed rules make various housekeeping changes that provided clarity and consistency among the division's rules.

The 2011 ORSC is scheduled to become effective July 1, 2011.

Citation:

Adopt, Amend & Repeal: 918-001 & 918-480

To view the proposed amendments to the code, click the following:

[Matrix of code changes, Code Chapters, Appendices, and Appendix N \(2010 OSSC\)](#)

History:

The current residential structures code in Oregon is the 2008 Oregon Residential Specialty Code (ORSC), which is based on the 2006 edition of the International Residential Code (IRC) with Oregon amendments. The proposed rules bring the structural and mechanical provisions of the residential code in Oregon up to date by adopting the 2009 edition of the IRC with Oregon amendments. These rules also include amendments to Appendix N in the 2010 Oregon Structural Specialty Code that updates Appendix N to current standards.

The division, in consultation with the board, established April 26, 2010 through July 23, 2010 as the timetable for accepting proposed code amendments for the 2011 ORSC and Appendix N. A code change committee was formed to review the proposed code changes. The committee met seven times between June and September 2010. Recommendations made by the committee were considered by the Residential and Manufactured Structures Board at the board's December 8, 2010 meeting.

Radon mitigation standards and carbon monoxide alarm requirements are included in this code but separate hearings are being held for these requirements.

Contact:

If you have questions or need further information, please contact Hearing Officer Richard Rogers at 503-378-4472, or richard.rogers@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

Adopts structural & mechanical code provisions for the 2011 Oregon Residential Specialty Code.

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

January 18, 2011	9:00 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Richard Rogers
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: OAR 918-480

AMEND: OAR 918-001 & 918-480

REPEAL: OAR 918-001 & 918-480

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 183.335, 455.020, 455.030, 455.055, 455.110, 455.380, 455.525, 455.610 & 455.628

Other Auth.: Ch. 750 2009 Oregon Laws & Ch. 83 2010 Oregon Laws

Stats. Implemented: ORS 183.335, 455.020, 455.055, 455.210, 455.525, 455.610 & 455.628

RULE SUMMARY

These proposed rules adopt the structural and mechanical code provisions of the 2011 Oregon Residential Specialty Code. The structural and mechanical provisions are from the 2009 edition of the International Residential Code with Oregon amendments. These rules also amend Appendix N, which is applicable to low-rise residential apartments and located in the 2010 Oregon Structural Specialty Code. Additionally, these proposed rules include some non-substantive housekeeping changes to administrative rule 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 business.

January 21, 2011 at 5:00 p.m.

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

Patrick Allen		
Signature	Printed name	Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

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 structural & mechanical code provisions for the 2011 Oregon Residential Specialty Code.

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

In the Matter of Adopting, Amending & Repealing: OAR 918-001 & 918-480

Statutory Authority: ORS 183.335, 455.020, 455.030, 455.055, 455.110, 455.360, 455.380, 455.525, 455.610 & 455.628

Other Authority: Ch. 750 2009 Oregon Laws & Ch. 83 2010 Oregon Laws

Stats. Implemented: ORS 183.335, 455.020, 455.055, 455.210, 455.360, 455.525, 455.610 & 455.628

Need for the Rule(s): ORS 455.610 requires the division to adopt, and amend as necessary, a low-rise code “that contains all the requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade.” Furthermore, ORS 455.020 and 455.110 require the division to adopt a uniform state building code that conforms to model building codes generally accepted and in use to govern the “construction, reconstruction, alteration and repair of buildings and other structures” and the “installation and use of mechanical, heating and ventilating devices and equipment” in buildings and other structures.

The current Oregon Residential Specialty Code is based on the 2006 edition of the International Residential Code (IRC), with Oregon amendments. These proposed rules adopt the structural and mechanical code provisions from the 2009 IRC with Oregon amendments, and will be known as the 2011 Oregon Residential Specialty Code. Amendments made by these rules include updates to Appendix N (in the 2010 Oregon Structural Specialty Code) for low-rise residential apartments.

Documents Relied Upon, and where they are available: Senate Bill 79 (2009), House Bill 3450 (2009), Senate Bill 1025 (2010), minutes from the 2011 Oregon Residential Specialty Code Committee – June through September 2010, minutes from the December 8, 2010 Residential and Manufactured Structures Board.

Fiscal and Economic Impact: The division has determined that the adopted code will have some fiscal and economic impact on state agencies, units of local government, small businesses, and members of the public from the purchase of 2011 edition of the Oregon Residential Specialty Code book and training associated with new code provisions. The cost of the code books is estimated to be approximately \$85.00. The overall impact of this cost cannot be determined at this time because it is unknown how many copies of the code book will be purchased, since it will be available online at no cost. Also the associated cost for attending training is unknown since the number of participants is unknown.

The Residential Specialty Code Committee reviewed the fiscal impact of each code change proposal, and determined that building owners, developers, contractors and the general public will be minimally impacted by the proposed rules because of cost increases associated with the proposed code provisions including, but not limited to, additional energy efficiency requirements that reduce energy use in residential structures (Chapter 11) and wall bracing requirements (Chapter 6). Energy efficiency requirements may increase residential construction costs \$500 to \$1,000 per home, which may be offset by the reduced costs associated with energy consumption. Overall, an accurate estimate of the economic impact of these new requirements cannot be quantified at this time because it is dependent on the specifics of a particular building, such as design variables, construction methods, building type, and materials.

Additionally, the Residential and Manufactured Structures Board made the specific finding that the added cost, if any, is necessary to the health and safety of the occupants or 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 proposed rules will have some fiscal impact on State and local building officials and inspectors, and the general public, including building owners, developers, and contractors, in terms of training costs and the purchase of the 2011 edition of the Oregon Residential Specialty Code. The overall impact of this cost cannot be determined at this time because it is unknown how many copies of the code book will be purchased, since it will be available online at no cost and what the associated costs for attending training will be.

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: Small businesses that are subject to these rules include residential and commercial contractors, designers, engineers, architects, and others associated with the construction industry. There are approximately 40,000 licensed active construction businesses in the state of Oregon. Construction businesses are primarily small and medium sized businesses: approximately 90 percent employ fewer than 20 workers, 80 percent fewer than 10, and nearly 75 percent employ fewer than five workers.

The general public, including building owners, developers, and contractors, may be impacted by new provisions surrounding increased energy efficiency requirements and wall bracing requirements. These impacts could result in either an increase or decrease in cost depending on the specific code provision and the structure to which it is applied. The fiscal impact of these changes cannot be determined at this time because it is dependent on the specifics of a particular building, such as design variables, construction methods, building type, and materials.

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 involved in the development of this rule on the 2011 Residential Specialty Code Committee as well as the Residential and Manufactured Structures Board, both of whom reviewed and approved the code amendments represented in these proposed rules.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

Patrick Allen

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534)
FOR ADMINISTRATIVE RULES

AGENCY NAME: Consumer & Business Services
Building Codes Division

ADDRESS: 1535 Edgewater Street NW

CITY/STATE: Salem, OR

PHONE: 503-378-4133

PERMANENT:

HEARING DATE: January 18, 2011

TEMPORARY:

EFFECTIVE DATE: July 1, 2011

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance)

These proposed rules adopt the structural and mechanical provisions of the 2011 Oregon Residential Specialty Code. These rules also include amendments to Appendix N (in the 2010 Oregon Structural Specialty Code) for low-rise residential apartments.

Description of the need for, and objectives of the rule:

ORS 455.610 requires the division to adopt, and amend as necessary, a low-rise code "that contains all the requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade." Furthermore, ORS 455.020 and 455.110 require the division to adopt a uniform state building code that conforms to model building codes generally accepted and in use to govern the "construction, reconstruction, alteration and repair of buildings and other structures" and the "installation and use of mechanical, heating and ventilating devices and equipment" in buildings and other structures.

The current Oregon Residential Specialty Code is based on the 2006 edition of the International Residential Code (IRC), with Oregon amendments. These proposed rules adopt the structural and mechanical code provisions from the 2009 IRC with Oregon amendments, and will be known as the 2011 Oregon Residential Specialty Code. Additionally, these rules amend Appendix N for low-rise residential apartments.

List of rules adopted or amended:

Adopt, Amend & Repeal OAR 918-001 & 918-480.

Materials and labor costs increase or savings:

It is estimated that energy efficiency requirements for a typical home in the proposed 2011 Oregon Residential Specialty Code will increase costs \$500 to \$1,000 depending upon which options are selected from in the code. This initial cost should be offset by the reduced costs associated with energy consumption over an estimated 5-year period. Wall bracing requirements may also increase new home construction costs. However, a typical home is not expected to be impacted by these requirements.

An accurate cost cannot be quantified at this time because it is dependent on the specifics of a particular building, such as design variables, construction methods, building type, and materials.

Estimated administrative construction or other costs increase or savings:

The proposed rules do not impose any additional administrative requirements.

Land costs increase or savings: N/A

Other costs increase or savings: None.

*Typical-Single story 3 bedrooms, 1 1/2 bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME: Richard J. Baumann

EMAIL ADDRESS: Richard.J.Baumann@state.or.us

2011 Oregon Residential Specialty Code
Low-Rise Structural & Mechanical and Housekeeping

918-001-0006

Specialty Code Name Change

~~Effective April 1, 2005, all references in OAR chapter 918, except those found in OAR chapter 918 division 098, are changed from the Oregon One and Two Family Dwelling Specialty Code to the Oregon Residential Specialty Code. Nothing in this rule is intended to change the required criteria or scope of work allowed for permits, licensees, certificates, inspectors or plans examiners.~~

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

Stat. Auth.: ORS 455.144

Stats. Implemented: ORS 455.144

Hist.: BCD 6-2005, f. & cert. ef. 4-1-05

918-480-0001

Reasonable Notice to Interested Parties

Prior to the adoption, amendment or repeal of any rule relating to the ~~One and Two Family Dwelling~~ **Oregon Residential Specialty Code**, the Building Codes Division shall **must** give notice of ~~intended~~ **proposed** action:

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

(2) By ~~mailing a copy of the notice to~~ **notifying** persons **and organizations** on the **interested parties** mailing list established pursuant to **under** ORS 183.335~~(8)~~ and 918-001-0210; ~~and (3) To the Capitol Press Room.~~

Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 183.335

Hist.: BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-480-0002

~~Low-Rise Residential Dwelling Code~~

Specialty Code Name Change

~~Prior to April 1, 2005, any All references in OAR chapter 918 to the Oregon One- and Two-Family Dwelling Specialty Code mean the Oregon Residential Specialty Code shall mean the Oregon One- and Two-Family Dwelling Specialty Code.~~

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

Stat. Auth.: ORS 455.610

Stats. Implemented: ORS 455.610

Hist.: BCD 20-2004, f. 9-30-04, cert. ef. 10-1-04

918-480-0005

~~Minimum Safety Standards for the Design and Construction of Residential Dwellings~~

Adopted Oregon Residential Specialty Code

(1) The **Low-Rise Residential Dwelling Code**, identified in ORS 455.610, shall ~~will~~ be known as the **Oregon Residential Specialty Code**.

(2) Effective ~~April 1, 2008~~ **July 1, 2010**, the **2008 2011 Oregon Residential Specialty Code** **consists of the following:** is the ~~2006~~ Edition of the ~~International Residential Code for One- and Two-Family Dwellings~~, as published by the International Code Council, Inc. and as further amended by the Building Codes Division.

(3) For the ~~purposes of implementing a phase in period for the~~ **2008 Oregon Residential Specialty Code**, the ~~2005 Oregon Residential Specialty Code~~ is adopted for a period of 90 days beginning ~~April 1, 2008~~ and ending ~~June 30, 2008~~.

(4) ~~During the 90-day phase in period established in subsection (3), all building departments in the state are required to accept plans for low-rise residential dwellings designed to either the~~ **2008 Oregon Residential Specialty Code** or to the ~~2005 Oregon Residential Specialty Code~~.

(3) The 2009 Edition of the International Residential Code for One- and Two-Family Dwellings, Chapters 1 through 24 and Chapter 44, Appendices E, F, G, H, K, R, and T as published by the International Code Council, Inc. and as further amended by the division. Chapters 25 through 43, Appendix A, B, C, D, I, J, L, M, N, O, P, Q, and S are not adopted as part of the Oregon Residential Specialty Code.

(4) Low-rise multi-family dwelling construction is adopted in Appendix N of the Oregon Structural Specialty Code.

(5) Applicability of code changes to pending applications. Code requirements in effect at the time a plan review or permit application is filed shall ~~controls~~ the construction under the application unless the applicant agrees to be controlled by subsequent changes.

[Publications: Publications referenced are available for review at the division. See division Web site for information on purchasing publications.]

Stat. Auth.: ORS 455.020, 455.030, 455.110, 455.380 & 455.525

Stats. Implemented: ORS 455.610

Hist.: DC 11-1986, f. 6-30-86, ef. 7-1-86; DC 6-1987(Temp), f. & ef. 4-3-87; Renumbered from 814-031-0005; BCA 3-1990, f. 1-30-90, cert. ef. 4-1-90; BCA 7-1990(Temp), f. 3-23-90, cert. ef. 4-1-90; BCA 21-1990, f. 8-28-90, cert. ef. 9-24-90; BCA 30-1990, f. 12-21-90, cert. ef. 1-1-92; BCA 8-1991, f. 4-10-91, cert. ef. 7-1-91; BCA 32-1991(Temp), f. & cert. ef. 9-30-91; BCA 1-1992, f. & cert. ef. 2-6-91; BCA 4-1992(Temp), f. 3-4-92, cert. ef. 3-5-92; BCA 6-1992, f. 3-24-92, cert. ef. 3-27-92; BCA 13-1992, f. 6-29-92, cert. ef. 7-1-92; BCA 28-1992(Temp), f. 12-30-92, cert. ef. 1-1-93; BCA 3-1993(Temp), f. & cert. ef. 3-3-93; BCA 7-1993, f. 4-28-93, cert. ef. 5-1-93; BCA 10-1993(Temp), f. & cert. ef. 6-11-93; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98, Renumbered from 918-480-0000; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 5-2008, f. 2-22-08, cert. ef. 4-1-08

918-480-0010

Amendments to the Oregon Residential Specialty Code

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

~~(2) Effective April 1, 2008:~~

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

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

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

~~(4) Effective October 1, 2008, the following sections of the 2008 Oregon Residential Specialty Code are amended:~~

~~(a) Section R-109.1.4.1 Moisture content.~~

~~(b) Section R-318.2 Moisture content.~~

~~(5) Effective February 1, 2009, following sections of the **2008 Oregon Residential Specialty Code** are amended:~~

~~(a) Section R-602.10.9 Interior braced wall support.~~

~~(b) Section R-613.2 Window sills is added~~

~~(c) Section R-613.2.1 Operation for emergency escape is added~~

~~(d) Chapter 43 Referenced Standards.~~

~~(6) Effective October 1, 2009, the following sections of the **2008 Oregon Residential Specialty Code** are amended:~~

~~(a) Section AG-106 Entrapment Protection For Swimming Pool And Spa Suction Outlets is added.~~

~~(b) Section AG-107 Abbreviations.~~

~~(c) Section AG-108 Standards.~~

(7)(a) ~~Effective January 1, 2010, the following sections of the **2008 Oregon Residential Specialty Code** are amended:~~

~~(A) Section R703.1 General~~

~~(B) Section R703.1.1 Exterior Wall Envelope~~

~~(b) Changes to the **2008 Oregon Residential Specialty Code** made by subsection (a) of this section are subject to a grace period ending March 31, 2010. During the grace period, the building official must approve installations that meet either the standard adopted under Section R703.1 prior to this amendment or the standard established by this amendment.~~

~~(8) Effective January 1, 2011, the **2008 Oregon Residential Specialty Code** is amended by adopting **Appendix F Radon Control Methods**. This provision is adopted January 1, 2011 but do not become enforceable until April 1, 2011 as authorized by Chapter 83, 2010 Laws (Senate Bill 1025).~~

~~(9) Effective April 1, 2011, the **2008 Oregon Residential Specialty Code** is amended for the purposes of adopting Section R326, requirements for carbon monoxide alarms.~~

~~(10) Effective April 1, 2011, Appendix N of the **2010 Oregon Structural Specialty Code** is amended for the purpose of adopting the carbon monoxide alarm requirements in **2008 Oregon Residential Specialty Code**, Section R326.~~

NOTE: The amendments are published in their entirety in Table 2 R beginning on page 9.

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

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

Stats. Implemented: ORS 455.610

Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCA 29-1993, f. 11-24-93, cert. ef. 12-1-93; BCD 6-1995, f. 3-31-95, cert. ef. 4-1-95; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 22-1996(Temp), f. 10-1-96, cert. ef. 10-4-96; BCD 5-1997, f. 3-21-97, cert. ef. 4-1-97; Administrative Reformatting 1-19-98; BCD 3-1998, f. 1-29-98, cert. ef. 4-1-98; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 19-2000(Temp), f. & cert. ef. 8-15-00 thru 2-10-01; BCD 32-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 3-2001, f. 2-9-01, cert. ef. 3-1-01; BCD 2-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 22-2002(Temp), f. 9-13-02 cert. ef. 10-1-02 thru 3-29-03; BCD 30-2002, f. 12-6-02, cert. ef. 1-1-03; BCD 1-2003(Temp), f. & cert. ef. 1-10-03 thru 3-31-03; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07; BCD 5-2008, f. 2-22-08, cert. ef. 4-1-08; BCD 13-2008(Temp), f. & cert. ef. 7-3-08 thru 12-30-08; BCD 21-2008, f. 9-30-08, cert. ef. 10-1-08; BCD 24-2008(Temp), f. & cert. ef. 10-6-08 thru 4-1-09; BCD 1-2009, f. 1-30-09, cert. ef. 2-1-09; BCD 8-2009, f. 9-30-09, cert. ef. 10-1-09; BCD 5-2010, f. 5-14-10, cert. ef. 7-1-10

918-480-0020

One- and Two-Family Dwelling Permit Fees

(1) Effective July 1, 1999, the Building Codes Division fees for administration of the **Oregon One- and Two-Family Dwelling Residential Specialty Code** are found in **Table 1-A** of the

~~Oregon Structural Specialty Code and Table 1-A of the Oregon Mechanical Specialty Code~~ as reprinted in the ~~One and Two-Family Dwelling Specialty Code~~ as adopted in OAR 918-480-0005. These fees are based on 130 percent of the **Uniform Building Code** and **Uniform Mechanical Code** as published by the International Conference of Building Officials, as authorized in ORS 455.210.

(2) ~~Amend~~ Table 1-A Structural Permit Fees as follows: [Table printed beginning on page 8.]

(3) ~~Amend~~ Table 1-A Mechanical Permit Fees as follows: [Table printed beginning on page 6.]

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

Stat. Auth.: ORS 455.020 & 455.210

Stats. Implemented: ORS 455.210

Hist.: BCD 8-1999(Temp), f. & cert. ef. 7-1-99 thru 12-27-99; BCD 11-1999, f. 9-7-99, cert. ef. 10-1-99; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04

918-480-0030

Phased Project and Deferred Submittal Fees

When requested to review and approve plans for phased construction or deferred plan submittals under the ~~One and Two-Family Dwelling~~ **Oregon Residential Specialty Code**, the following fees in addition to the applicable plan review and permit fees ~~shall~~ apply:

(1) Phased Permits. There ~~shall be~~ **is** an application fee of \$50 for each separate phase of the project. In addition, the plan review fee ~~shall be~~ **is** increased in an amount equal to 10 percent of the building permit fee calculated according to OAR 918-480-0020 using the value of the particular phase of the project, not to exceed an additional \$1,500 for each phase.

(2) Deferred Submittals. The fee for processing and reviewing deferred plan submittals ~~shall be~~ **is** an amount equal to 65 percent of the building permit fee calculated according to OAR 918-480-0020 using the value of the particular deferred portion or portions of the project. This fee is in addition to the project plan review fee based on total project value.

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

Stat. Auth.: ORS 455.020

Stats. Implemented: ORS 455.020

Hist.: BCD 26-2001, f. 12-28-01, cert. ef. 1-1-02

918-480-0100

Purpose and Scope

(1) The building official may allow an alternate to the minimum requirements of the ~~One and Two-Family Dwelling~~ Oregon Residential Specialty Code as authorized by ORS 455.610, which may include, but is not limited to, installation of an automatic fire sprinkler system, where it is determined the fire apparatus means of approach to a property or the fire fighting water supply serving a property, does not meet the local standards adopted in accordance with the applicable fire code and state building code requirements. The rule ~~shall apply~~ applies only to dwellings and habitable rooms within accessory structures built under the ~~One and Two-Family Dwelling~~ Oregon Residential Specialty Code unless otherwise stated in the land use approvals for accessory structures built under this code.

(2) These rules are not intended to automatically require construction elements that are not otherwise required by the ~~One and Two-Family Dwelling~~ Oregon Residential Specialty Code.

(3) A request for an alternate under these rules may be approved only where the property is included in an area:

(a) Where there is an established and recognized provider of fire protection services; and

(b) Where there are local standards adopted in accordance with applicable fire code and state building code requirements identified for fire fighting water supply or fire apparatus access roads that include any or all of the following: public access roads, shared private access roads and private driveways.

[Publications: Publications referenced are available ~~from~~ for review at the agency.]

Stat. Auth.: ORS 455.610

Stats. Implemented: ORS 455.610

Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-480-0110

Definitions

For the purpose of these rules:

(1) “Fire Apparatus Means of Approach” may include a public access road, a shared private access road or a private driveway.

(2) “Private Driveway” means a private road giving fire apparatus access from a public access road or shared private access road to a building or buildings on a single property.

Stat. Auth.: ORS 455.610
Stats. Implemented: ORS 455.610
Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-480-0120

Approval of an Alternate Method of Construction

The building official ~~shall~~ **must** ensure the following criteria have been met when allowing the use of an approved alternate method of fire protection under the scope of these rules:

- (1) The alternate ~~shall~~ **must** be at the request of the applicant;
- (2) For lots of record created on or after January 1, 2002, the building official ~~shall~~ **must** confirm the fire official having authority has, in accordance with the adopted fire code:
 - (a) Approved the alternate to adopted fire apparatus access road, private driveway or fire fighting water supply standards during the land use approval process; and
 - (b) The approved alternate has been recorded on the property deed as a requirement for future construction.
- (3) For lots of record created before January 1, 2002, the building official ~~shall~~ **must**, prior to authorizing an alternate allowing the development of a parcel that could not otherwise be developed because it cannot meet adopted fire access road, private driveway or fire fighting water supply standards, consult with the fire official having authority to approve an alternate to fire access and water supply standards under the adopted fire code;
- (4) Providing the requirements of this rule are met, the local building official is authorized to enforce the conditions of an approved alternate method of construction when it is part of the building construction; and
- (5) When the approved alternate is a fire sprinkler system, the minimum standard for installation within one- and two-family dwellings ~~shall~~ **must** be the ~~1999 Edition of NFPA 13-D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes~~ **as adopted by reference in the Oregon Residential Specialty Code.**

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

Stat. Auth.: ORS 455.610
Stats. Implemented: ORS 455.610
Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-480-0130

Conventional Light Frame Construction

As per ORS 455.628, construction documents designed, prepared and sealed by an Oregon licensed architect or engineer, who has a valid Oregon Inspector Certification, and is also certified in the state of Oregon as one and two family dwelling plans examiners or is certified by the International Code Council as a Residential Building Inspector, are not required to obtain plan review for conventional light frame construction for detached one and two family dwellings. For the purpose of this rule, “Conventional Light Frame Construction” ~~shall be~~ is defined as a type of construction that complies with the requirements under the latest edition of the ~~Oregon One and Two Family Dwelling~~ Oregon Residential Specialty Code (~~Code~~) and subject to the following limitations:

(1) Buildings ~~shall~~ must be designed such that its vertical and horizontal structural elements are primarily formed by a system of repetitive wood or light gage steel framing members as allowed by the ~~code~~ Oregon Residential Specialty Code;

(2) Buildings ~~shall~~ must be subject to the maximum height and story limitations as specified in the ~~code~~ Oregon Residential Specialty Code;

(3) Bearing wall floor-to-floor heights ~~shall~~ may not exceed those specified in the ~~code~~ Oregon Residential Specialty Code;

(4) All design loads, including wind and seismic loading ~~shall~~ may not be less than those allowed by the ~~code~~ Oregon Residential Specialty Code;

(5) Site topography and site geotechnical limitations ~~shall~~ may not exceed those allowed by the ~~code~~ Oregon Residential Specialty Code; and

(6) Buildings subject to the irregular building limitations as specified in the ~~code~~ Oregon Residential Specialty Code.

Stat. Auth.: ORS 455.020, 455.030 & 455.628

Stat. Implemented.: ORS 455.628

Hist.: BCD 11-2004, f. 8-13-04, cert. ef. 10-1-04

918-480-0140

Certificates of Occupancy- Residential

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

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

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

(4) (3) Before the certificate of occupancy is issued, the general contractor or owner who was issued the structural permit for construction must provide to the building official the contact information and relevant license information for the general contractor, as well as any electrical contractor, H-VAC contractor and plumbing contractor that performed work on the residential dwelling or townhouse.

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

Stat. Auth.: ORS 455.055

Stat. Implemented: ORS 455.055

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

918-480-0150

Low Volume Window Label Program

(1) As used in this rule:

(a) “Exempt fenestration product” means a skylight or solarium that is exempt from the thermal performance standards established in the **Oregon Residential Specialty Code**.

(b) “Manufacturer” has the definition provided in Section ~~NF1110.1~~ **NF1111.1** of the **Oregon Residential Specialty Code**.

(c) “Window produced in low volume” has the definition provided in Section ~~NF1110.1~~ **NF1111.1** of the **Oregon Residential Specialty Code**.

(2) Manufacturers of windows produced in low volume or exempt fenestration products must participate in a labeling program administered by the division. Participating manufacturers ~~shall~~ **must**:

(a) Print their own labels, subject to standards established in the **Oregon Residential Specialty Code**;

(b) Attach an appropriate label to each window produced in low volume or exempt fenestration product produced for installation in Oregon;

(c) Comply with any other applicable labeling requirements established in Section ~~NF1113~~ **NF1114** of the **Oregon Residential Specialty Code**; and

(d) Maintain a log in which the attachment of each label is recorded.

(3) A manufacturer participating in the division's labeling program must obtain, from the division, a log for recording the attachment of labels to either windows produced in low volume or exempt fenestration products. A participating manufacturer ~~shall~~ **must** record in its log the type of window produced in low volume or exempt fenestration product that was labeled, the label's production number, and the date the label was attached. A copy of a manufacturer's labeling program log for the previous year ~~shall~~ **must** be sent to the division by no later than January 31st of each year. The log ~~shall~~ **must** also be made available to the division upon request.

(4) Participating manufacturers may not:

(a) Sell, exchange, or transfer their labels to another manufacturer;

(b) Purchase or obtain labels produced by another manufacturer; or

(c) Produce or use labels in excess of the maximum established by Section ~~NF1113~~ **NF1114** of the **Oregon Residential Specialty Code**.

Stat. Auth.: ORS 455.525

Stat. Implemented: ORS 455.525

Hist.: BCD 26-2008 (Temp), f. & cert. ef. 11-3-08 thru 5-1-09; BCD 36-2008, f. 12-31-08, cert. ef. 1-1-09