



## Notice of Temporary Rule

July 12, 2011

### Clarifying Inspection and Plan Review for Reach Code Buildings

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#### **Purpose of the rule:**

This temporary rule clarifies which certifications are required for inspecting buildings under the Oregon Reach Code. The Oregon Reach Code does not alter any of the existing certification rules. This rule clarifies that individuals certified to inspect particular specialty codes may also inspect the corresponding provisions of the Reach Code.

This rule becomes effective July 12, 2011.

#### **Citation:**

Amend: 918-098-1000

#### **Effect of the rule:**

The Reach Code does not establish new certification requirements for plan review and inspection of buildings under the Reach Code. The Oregon Reach Code builds off of the existing specialty codes. Individuals who are certified to inspect or review plans under the specialty codes are also authorized to provide those functions for the corresponding sections of the Reach Code. This temporary rule is necessary to clarify the authority to enforce the provisions of the Reach Code.

The Division is working on the process for making these rules permanent.

#### **Contact:**

If you have questions or need further information, please contact Policy Analyst Aeron Teverbaugh at 503-373-2160, or [Aeron.Teverbaugh@state.or.us](mailto:Aeron.Teverbaugh@state.or.us).



Secretary of State  
Certificate and Order for Filing  
**TEMPORARY ADMINISTRATIVE RULES**  
A Statement of Need and Justification accompanies this form.

I certify that the attached copies\* are true, full and correct copies of the TEMPORARY Rule(s) adopted upon filing by the

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	(503) 373-7438
	Address Telephone

to become effective July 12, 2011 through December 31, 2011.

**RULE CAPTION**

Clarifying Reach Code Plan Review and Inspections

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

**RULEMAKING ACTION**

List each rule number separately, 000-000-0000.

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

**ADOPT:**

**AMEND:** 918-098-1000

**SUSPEND:**

Stat. Auth.: ORS 455.720 & 455.500

Other Auth.:

Stats. Implemented: ORS 446.250, 455.622, 455.720 & 455.500

**RULE SUMMARY**

This rule clarifies which certifications are required for inspecting buildings under the Oregon Reach Code. The Oregon Reach Code does not alter any of the existing certification rules. The Oregon Reach Code builds off of the existing specialty codes. This rule clarifies that individuals certified to inspect particular specialty codes are also charged with inspecting the corresponding provisions of the Reach Code.

Patrick Allen	
Authorized Signer	Date
	Printed name

**STATEMENT OF NEED AND JUSTIFICATION**

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Consumer and Business Services, Building Codes Division  
Agency and Division

918  
Administrative Rules Chapter Number

**In the Matter of:** Amending 918-098

**Rule Caption:** Clarifying Reach Code Plan Review and Inspections

**Statutory Authority:** ORS 455.720 & 455.500

**Other Authority:**

**Stats. Implemented:** ORS 446.250, 455.622, 455.720 & 455.500

**Need for the Temporary Rule(s):** This rule is necessary to clarify the certification requirements for buildings constructed under the Oregon Reach Code. The commercial provisions of the Reach Code became effect on July 1, 2011. The statute that authorized the Reach Code states that it does not alter any existing certification requirements. The Oregon Reach Code builds off of the existing specialty codes. This rule clarifies that inspections and plan review of Reach Code buildings are conducted by individuals who hold certifications under the specialty code corresponding to the Reach Code provision inspected.

**Documents Relied Upon, and where they are available:** 2011 Oregon Reach Code and draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are available on the division's website at: [www.bcd.oregon.gov](http://www.bcd.oregon.gov) .

**Justification of Temporary Rule(s):** The commercial provisions of the Reach Code became effect on July 1, 2011. This rule is necessary to clarify the certification requirements for buildings constructed under the Oregon Reach Code. Failure to enact this rule will result in serious prejudice to the public interest because of a lack of clarity on the authority to conduct inspections. The statute that authorized the Reach Code states that it does not alter any existing certification requirements. The Oregon Reach Code builds off of the existing specialty codes. This rule clarifies that inspections and plan review of Reach Code buildings are conducted by individuals who hold certifications under the specialty code corresponding to the Reach Code provision.

\_\_\_\_\_  
Authorized Signer

Patrick Allen  
Printed name

\_\_\_\_\_  
Date

## **918-098-1000**

### **Purpose and Scope**

(1) These rules establish minimum training, experience, certification, and certification renewal requirements for building officials and persons who perform specialty code plan review and inspections in this state.

(a) The certification requirements for commercial plumbing and electrical inspectors are located in OAR 918-695-0400 through 918-695-0410 and 918-281-0000 through 918-281-0020.

(b) Plan review and inspections required under the Oregon Reach Code are to be performed by individuals who, in accordance with these rules, OAR 918-281, or OAR 918-695, are certified to conduct plan review or inspections under the specialty code that corresponds to the Reach Code provision.

(2) Nothing in these rules is intended to allow a person to violate statute or rule or change certification and licensing requirements set forth in statute.

(3) Nothing in these rules prevents the director from waiving procedural requirements in the rare circumstance where substantial compliance is impracticable.

Stat. Auth.: ORS 455.720 & 455.500

Stats. Implemented: ORS 446.250, 455.622, 455.720 & 455.500

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 6-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 20-2011(Temp), f. & cert. ef. 7-12-11