

**Oregon  
Interpretive Ruling 93-43  
SOLID FUEL-BURNING APPLIANCE EXCEPTION TO  
1993 OREGON ENERGY CODE SECTION 5306**

**Requested By: PPPI MANUAL REVIEW COMMITTEE**

**QUESTION**

Are solid-fuel appliances, wood or coal exempt from Section 5306, of the Oregon energy code, in a single-family dwelling?

**APPLICABLE CODE SECTIONS**

1993 One and Two Family Dwelling Specialty Code (Dwelling Code), Sections R-108.1, R-203.5 and 5306(a).

**BACKGROUND**

On July 26, 1977, and March 1, 1978, the Structural Code Advisory Board, through PPPI-4010, ruled that a wood-burning stove or fireplace may be accepted as the sole source of heat.

Section 5306, Dwelling Code, provides for temperature control, humidity control, temperature zoning and setback and shut-off control, none of which are normally found on solid fuel-burning appliances.

**FINDINGS**

**R-203.5 REQUIRED HEATING:** When required by Table R-201.2, every dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of 68°F. at a point 3 feet above the floor at the design temperature in all habitable rooms.

**R-108.1 GENERAL:** The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternate materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation.

The building official may require that evidence or proof be submitted to substantiate any claims that may be made regarding the proposed alternate.

This interpretation is authorized by ORS 455.060, Rulings on Acceptability of Materials, Designs or Methods of Construction and Attorney General's Opinion OP-5208 issued October 1, 1981, advising the statute permits authoritative interpretations of existing code requirements.

**CONCLUSION**

The Structural Code Advisory Board rules by interpretation that nonducted wood and coal stoves and fireplaces in single-family dwellings are exempt from Section 5306(a)1, 2, 3 and 4.

Interpretive Ruling 93-43 replaces PPPI-4060.

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(signed September 28, 1993)

John Talbott, Chairman  
Structural Code Advisory Board

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Date

The recommendations and findings of the Structural Code Advisory Board are accepted and the conclusions are adopted.

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(signed October 1, 1993)

Gary J. Wicks, Administrator  
Building Codes Agency

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Date