

CODEBOOK

STATE OF OREGON • BUILDING CODES DIVISION

JANUARY/FEBRUARY 1998

Senate Bill 35 citations



All Senate Bill 35 (ORS 455.150) citations sent to the Building Codes Division are reviewed by a division investigator prior to being forwarded for compliance action. Currently, about 25 percent of all citations are returned to the originating agency due to lack of information, incorrect service, or other insufficiencies.

In response to this and the popularity of this citation process, there is a change on the form. The form has been redesigned to clarify needed information. When the new citations are printed, a letter of instruction will be sent with a supply of citations. If a local jurisdiction needs or wants to discuss any portion of the process, they can call the Regulatory Services Section of the division and talk with investigator Cameron Lane or Dick Welcome. Either will answer questions or travel to your jurisdiction to conduct training or a question-and-answer session designed to help file successful citations and compliance actions.

Questions or concerns about this program should be directed to Cameron Lane, (503) 373-1239 or Dick Welcome, (503) 378-8190. ■

Senate Bill 35 citations	1
OMDS Q & A	2
Compliance report	5
1998 manufactured home installer/inspector class schedule	9
State takes major steps to reduce landslide and debris flow dangers	10
1998 meetings planned	11
Fair housing accessibility guidelines	12
You and your environment	13
Staff advisory issued	14
Board appointments	14
Board meeting dates	15
Interpretive rulings signed	16

Important notice

To improve the timely delivery of mail to our West Salem BCD office, we have changed our mailing address.

New address:

Department of Consumer & Business Services
Building Codes Division
PO Box 14470
Salem, OR 97309

Elevator permits and licensing renewals should be mailed to the Seattle address:
PO Box 34722, Seattle, WA 98124-1722.

Boiler permit payments should be mailed to the Portland address: PO Box 4475,
Portland, OR 97208.

OMDS Q & A



OMDS Q & A is a regular feature of CodeLink to answer questions about the 1997 Oregon Manufactured Dwelling Standard (OMDS).

Manufactured dwelling carports and awnings

Question 1

Can site-built awnings or carports be attached to and supported by a manufactured dwelling?

Answer

No. Section 805(c) of the OMDS specifically allows listed and approved **prefabricated** awnings and carports to be attached to manufactured dwellings according to their listing. Section 805(b) of the OMDS for **site-built** awnings and carports does not contain the same provisions. Therefore, **site-built** awnings and carports should comply with Section 805(j) of the OMDS which requires them to be self-supported, free-standing structures attached to the manufactured dwelling only with the appropriate flashing or sealing material to provide a weather seal.

Question 2

Can a manufacturer of manufactured dwellings prohibit prefabricated awnings or carports from being attached to their manufactured dwelling?

Answer

Yes and no. Section 104 of the OMDS establishes the OMDS as a preemptive statewide standard, meaning if a contractor or homeowner properly attaches a listed prefabricated awning or carport to the side of a manufactured dwelling according to Section 805(h) of the OMDS, the installation will comply with the state building code and may be approved by the municipal building inspector. If a manufacturer chooses to prohibit the attachment of awnings or

carports to their homes, it becomes a contract issue between the manufacturer, dealer and customer, but not a code issue. Regardless of any known or unknown contracts between the customer and others, the state building code is the minimum standard.

Manufactured dwelling underfloor ducts

Question 1

Are all underfloor ducts required to have R-8 insulation?

Answer

No. Section 603 of the OMDS speaks specifically about heat and air conditioning **crossover** ducts only (going from one section to another section of a multi-section home). So does this mean that all other ducts have no insulation requirements? Again, the answer is no. The only way to provide the correct information is to consider the different ducts one at a time. First: Dryer ducts, range ducts, exhaust ducts, and combustion air ducts are not required to be insulated. Second: All underfloor heating and air conditioning crossover supply ducts are required to have R-8 insulation and meet all the requirements of Section 603 of the OMDS. Third: All underfloor heating and air conditioning crossover return air ducts are required to have R-8 insulation and meet all the requirements of Section 603 of the OMDS. Fourth: Heating and air conditioning supply or return air ducts that are under the floor but are not crossover ducts, are not required to have R-8 insulation but are required to meet the minimum federal standard that calls for R-4 insulation.

Question 2

Can a manufacturer ship R-4 insulated crossover duct in houses intended for installation in Oregon?

Answer

Yes. Even though the minimum duct insulation in Oregon is R-8 for crossover ducts, the manufacturer is only required to supply a minimum R-4 insulated crossover duct with each multi-section manufactured dwelling according to the federal standards. Unfortunately for the consumer, the R-4 duct would have to be discarded and replaced with an R-8 duct at the time of installation, meaning the consumer is paying for two ducts instead of one. While most manufacturers are considerate enough of their customers to provide the R-8 crossover duct, there is nothing mandating them to do so. Upon installation, the installer and inspector must assure the correct R-8 duct is installed.

Perimeter foundation enclosures

Question 1

When does the perimeter enclosure under a manufactured dwelling become a retaining wall?

Answer

Section 304(l) of the OMDS states perimeter enclosures may support up to eight inches of unbalanced fill without having to be constructed as retaining walls. Section 304(m) of the OMDS states that when there is more than eight inches of unbalanced fill against one side of an underfloor enclosure, retaining walls shall be designed and used to resist the lateral displacement of soil and other materials.

Question 2

Why are the perimeter foundation requirements for manufactured dwellings more than the requirements for site-built housing?

Answer

Perimeter foundations under a site-built house depend on the floor framing to stabilize the top of the foundation wall and help resist the lateral pressures from soil or ground water. Manufactured dwelling perimeter enclosures are not normally tied into the floor system and, therefore, don't have the stabilization afforded site-built homes. To compensate for this difference, manufactured dwelling perimeter enclosures supporting more than eight inches of unbalanced fill are built as retaining walls instead of foundation walls.

Question 3

Are separate permits and fees required for a retaining wall used as the perimeter enclosure under a manufactured dwelling?

Answer

Yes and no. Section 203(a)(1) of the OMDS includes the perimeter enclosure as part of the manufactured dwelling installation permit and permit fee. However, this section describes a state permit fee used in state jurisdictions only. Municipalities who have been delegated the manufactured dwelling installation program may establish their own policy and may require a separate permit and fee for retaining walls.

Question 4

Doesn't Section 111.1, Exception 1.18 of the Oregon One and Two Family Dwelling Specialty Code exempt retaining walls under four feet in height from all permits and fees?

Answer

Yes and no. Most retaining walls used under manufactured dwellings as perimeter enclosures are under four foot in height. However, this exemption is limited by ORS 455.310(2) which disallows the exemption if the retaining wall could adversely affect the structural integrity of the dwelling. In most cases, manufactured dwellings depend on the retaining walls for part of their structural integrity and, therefore, aren't exempt from permits or fees.

Exterior stairways and landings

Question

Is a landing required outside an exterior door of a manufactured dwelling?

Answer

Yes and no. Figure 809.1 of the OMDS shows a landing outside the manufactured dwelling exit door, but this illustration is only an example, **not the code**. Section 810 of the OMDS requires landings to be built according to the Oregon One and Two Family Dwelling Specialty Code. Section 312 of the Oregon One and Two Family Dwelling Specialty Code states a minimum three foot by three foot landing shall be required on each side of an egress door. However, this section of the code also contains an exception which eliminates the requirement for the landing if the exit door is an "in-swing" door so it doesn't swing over the stairs. Exterior storm doors or screen doors that swing over the stairs are also allowed without a landing.

Piers and tie-downs

Question

Are tie-downs required in high-wind areas when a combination of prefabricated piers and concrete piers are used to support a manufactured dwelling?

Answer

Yes. Section 307 of the OMDS requires all multi-section manufactured dwellings supported by prefabricated piers and located in a high wind area to be tied down. Exception two states multi-section manufactured dwellings supported on approved concrete blocks are not required to be tied down. However, the OMDS does not specify how many, the location, or what percentage of piers have to be concrete blocks in order to eliminate the tie-down requirement. The OMDS was written assuming the piers would all be of one type or another, not mixed. Therefore, the way the current standard is written, tie-downs are required as long as there is still one prefabricated pier supporting any part of the manufactured dwelling.

If you have questions regarding the *1997 Oregon Manufactured Dwelling Standard*, call Patrick Lewis, TAG, (503) 373-1266. ■

Compliance Report

The Building Codes Division is responsible for the enforcement of Manufactured Dwellings and Structures, Plumbing, Structural/Mechanical, Electrical and Boiler/Pressure Vessel Specialty Codes to protect the health and safety of the people of Oregon.

The Director of the Department of Consumer and Business Services found the following violations of the Manufactured Structures & Parks statutes and rules in September 1997:

CITY	NAME	VIOLATION	CIVIL PENALTY ASSESSED
Klamath Falls	William McDowell	No manufactured dwelling alteration permit	\$ 250
	Wm. McDowell Construction		
Salem	Heinz G. Gehrt	Operating a mobile home park with unlighted park walkways	\$ 250
	Sunset Village Mobile Home		

The Electrical and Elevator Board found the following violations of the Oregon Specialty Codes in October 1997:

Astoria	Kevin Condra	No electrical supervising or journeyman's license No electrical permit	\$ 500
Beavercreek	Don W. Phillips	No electrical supervising or journeyman's license	\$ 250
Bend	Bob Claridge	No electrical supervising or journeyman's license	\$ 250
	Bobcat & Sun Construction Co.		
Bend	Sid Davidson	No electrical contractor's license No electrical permit	\$ 500
	Koti Lighting		
Eugene	Mike Wethered	No electrical contractor's license No electrical supervising or journeyman's license	\$ 500
	Wethered Construction Co.		
Florence	Russell Vogt	No electrical supervising or journeyman's license	\$ 250
Gresham	Ray Brewer	No electrical supervising or journeyman's license	\$ 250
	Brewer's Home Improvement		
Hood River	Blake D. Richards	No electrical supervising or journeyman's license No electrical permit	\$ 500
Lakeside	Jerry Dailey	No electrical contractor's license No electrical supervising or journeyman's license	\$ 500
	Jerry's Precision Woodworks		
Merrill	Dave Camilleri	No electrical contractor's license No electrical supervising or journeyman's license	\$ 500
	Dave's Electric		
Oregon City	James L. Merritt	No electrical supervising or journeyman's license	\$ 250
Oregon City	Tri-County Handyman Service Inc.	No electrical contractor's license	\$ 250

CITY	NAME	VIOLATION	CIVIL PENALTY ASSESSED
Pendleton	Gordon's Electric & Heating Inc.	No electrical permit	\$ 500
Portland	Volkmar Betka	No electrical supervising or journeyman's license (four violations)	\$1000
Portland	Dennis Betts	No electrical supervising or journeyman's license	\$ 250
Portland	Jeff Brockett	No electrical supervising or journeyman's license	\$ 250
Portland	Timothy T. Castro	No electrical contractor's license	\$ 250
Portland	Emcon Inc.	No electrical contractor's license No electrical permit	\$ 500
Portland	John Freauff	No electrical permit Made unsafe electrical installation	\$ 750
Portland	Simon Garilballdi	No electrical supervising or journeyman's license	\$ 250
Portland	Bill Henderson	No electrical supervising or journeyman's license	\$ 250
Portland	Cory Lavelle	No electrical supervising or journeyman's license	\$ 250
Portland	Dennis H. Marsh	No electrical contractor's license No electrical permit	\$ 500
Portland	One Star Communications	No electrical contractor's license	\$ 250
Portland	Optec Inc.	Employed unlicensed individuals to make electrical installations (two violations) No electrical permit	\$ 750
Portland	Oregon Electric Construction Inc. dba Allison Electric	No electrical permits (two violations)	\$ 500
Rose Lodge	Ron Helfrich	No electrical supervising or journeyman's license	\$ 250
Salem	Donald Eugene Combs	No electrical supervising or journeyman's license	\$ 250
Salem	Heinz G. Gehrt	Allowed unlicensed individual to make electrical installation Arranged making of unsafe electrical installation	\$1000
Salem	George Martin Construction Inc.	No electrical contractor's license	\$ 250
Salem	Kaeco Inc.	No electrical contractor's license	\$ 250
Salem	Rodney George Martin	No electrical supervising or journeyman's license	\$ 250
Salem	Paul Sturzinger	No electrical contractor's license	\$ 250
	Custom Building Improvements		
Salem	Tom White	No electrical supervising or journeyman's license	\$ 250
Sandy	Ron Huey	Made an unsafe electrical installation ...	No civil penalty
Silverton	T/K Excavation Inc.	No electrical contractor's license No electrical permit	\$ 500

CITY	NAME	VIOLATION	CIVIL PENALTY ASSESSED
Sisters	Keeton-King Construction Inc...	No electrical contractor's license (second violation) No electrical permit	\$ 750
Tigard	Geo A. Morlan Plumbing & Appliance Co.	Made an unsafe electrical installation	\$ 500
Vale	Ralph Iholtz/Vale Electric	No electrical permit	\$ 250
Concord, CA	ICF Communications Systems Inc.	No electrical contractor's license No electrical permits (three violations)	\$1000
San Diego, CA	H. M. Electronics Inc.	No electrical contractor's license (four violations) No electrical permits (four violations)	\$2000
Everett, WA	William D. Chaffant	No electrical supervising or journeyman's license	\$ 250
Seattle, WA	Mark Bellesiles	No electrical supervising or journeyman's license	\$ 250
Seattle, WA	Commercial Sound Inc.	No electrical contractor's license No electrical permit	\$ 500
Seattle, WA	National Sign Corporation	No electrical contractor's license No electrical permits	\$ 500

The Electrical and Elevator Board found the following violations of the Electrical Safety Law in November 1997:

Boring	Wright 1 Electric Inc.	Allowed two unlicensed individuals to make electrical installations	\$ 500
Klamath Falls	Russell Jay Davis	No electrical supervising or journeyman's license	No civil penalty
North Bend	Lawrence D. Van Hoof	No electrical supervising or journeyman's license	\$ 250
Portland	Jens Finn Bjerg Edwards	No electrical supervising or journeyman's license	\$ 250
Portland	Darrick S. Rio	No electrical supervising or journeyman's license	No civil penalty
Portland	Sturm Elevator Inc.	Installed elevator without prior plan approval	\$ 250
Salem	Dennis A. Smith	Permitted unlicensed individual to make electrical installation No electrical permit	\$ 750
Salem	Dennis Tomlin	No electrical supervising or journeyman's license	\$ 250
Sandy	Donald Hentges	No electrical supervising or journeyman's license	\$ 250
Sherwood	Raymond C. Johnisee	No electrical supervising or journeyman's license	\$ 250
Sherwood	R. C. Johnisee Properties Inc.	No electrical contractor's license	\$ 250
Sweet Home	Manuel Victor	No electrical contractor's license No electrical permit	\$ 500

CITY	NAME	VIOLATION	CIVIL PENALTY ASSESSED
The Dalles	Raymond Swift	No electrical supervising or journeyman's license	\$ 250
Tigard	Robert S. Lavelle	Did not ensure electricians had valid electrical licenses	\$ 250

The Director of the Department of Consumer and Business Services found the following violations of the Oregon Specialty Codes in December 1997:

Bend	Daniel Chase	No electrical and building permits	\$ 500
Brookings	David T. Northum	No building permit	\$ 250
Eugene	David Ketcherside	No electrical permit	\$ 250
	Greenhill Landscapes		
Grants Pass	Paul Hadjes Sr	No amusement ride operating permit	\$ 250
North Bend	Lawrence D. Van Hoof	No electrical or plumbing permits	\$ 500
	Lawrence Van Hoof Plumbing		
Portland	Scott Barela	No plumbing permit	\$ 250
Portland	Handyman Mobile Home Service & Supply LLC	No plumbing permit	\$ 250
Portland	Ni-Lah-Sha Village	No electrical permit	\$ 250
Salem	Henry M Guist	No foundation footings inspection	\$ 250
	Sierra Construction & Development Co.		
Sherwood	R. C. Johnisee Properties Inc.	No electrical, plumbing or building permits	\$ 750
The Dalles	Raymond Swift	No building permit	\$ 250
Tigard	Geo A. Morlan Plumbing & Appliance Co.	No plumbing permit	No civil penalty

The Board of Boiler Rules found the following violations of the Oregon Specialty Codes in December 1997:

Bend	Gary D. Knight/dba Knight Mechanical	Employed unlicensed individual to make boiler installations	\$ 500
Bend	Dave Kiepert	No boiler/pressure vessel certification	\$ 500
Bend	Raymond G. Spencer	No boiler/pressure vessel business license No boiler/pressure vessel certification	\$1000
Corvallis	Oregon State University	No operating permit	\$ 500
Corvallis	Beaver Plumbing & Heating Inc.	No operating permit	\$ 500
Eugene	C & K Petroleum Equipment	No installation permit	\$ 500
Portland	John H. Illias	No boiler/pressure vessel certification	\$ 500
Salem	Joseph Chappell/dba Steri-Tech	No installation permit	\$ 500

CITY	NAME	VIOLATION	CIVIL PENALTY
Tualatin	Air Liquide America Corp.....	No operating permit	ASSESSED \$1000
		(two violations)	
Tualatin	D & D Acquisitions Inc.	No boiler/pressure vessel business license No installation permit (two violations)	\$1500
American Falls, ID	G & I Metal Fab. Inc.	No installation permit (second violation)	\$1000
Meridian, ID	Cloverdale Plumbing Co. Inc.	No installation permit (two violations)	\$2000

1998 manufactured home installer/inspector class schedule



The Oregon Manufactured Housing Association and the Building Codes Division will once again jointly present two-day classes for manufactured dwelling installers, limited installers, and certified manufactured home installation inspectors.

Classes will be:

February 4 & 5	Holiday Inn	Wilsonville
April 15 & 16	Double Tree Hotel	Springfield
June 17 & 18	Riverhouse Convention Center	Bend
August 19 & 20	Double Tree Hotel	Pendleton
October 14 & 15	Double Tree Hotel	Medford
December 9 & 10	Holiday Inn	Wilsonville

Additional information may be obtained from the division by calling (503) 373-1268 or the Oregon Manufactured Housing Association at (503) 364-2470. ■

State takes major steps to reduce landslide and debris flow dangers



The following is from a November 13, 1997, news release by the Oregon Department of Forestry:

It's been almost one year since record rainfall triggered a series of landslides and debris flows that killed five people in Douglas County, closed major highways, and raised issues about the influence of forest practices on steep slopes.

Since last November's tragic events, the State of Oregon has taken steps to reduce the risk of forest landslides and debris flows on both the natural environment and public safety and property. Debris flows can be the most dangerous. They can race down draws, gathering rocks and logs and then spread fan-like across lowlands where homes and highways are often located.

During 1997, Governor John Kitzhaber, the Oregon Board of Forestry, the Legislature, state agencies and forest landowners combined efforts to address a number of major issues. Governor Kitzhaber instituted his Debris Avalanche Action Plan, which directed several state agencies to seek solutions to these issues. In addition, Senate Bill 1211 was enacted to give the state forester authority to prohibit clear-cut harvesting and road building on high-risk sites above homes and public roads.

The state is ready to announce two key short-term measures: an early warning system to alert people of heightened debris flow hazards and a new brochure on landslides and debris flows.

The services are provided by the Department of Geology and Mineral Industries (DOGAMI), Forestry (ODF), Emergency Management (OEM), Administrative Services (DAS), Transportation (ODOT), Divi-

sion of State Lands (DSL) and Building Codes Division (BCD).

The early warning system will be used during periods of predicted and measured intense rainfall that may trigger landslides. During these periods, ODF meteorologists and geotechnical specialists will forecast storms and measure rainfall at several coastal sites. They will make the decision to issue an "advisory" or "warning." The National Weather Service will disseminate the advisory or warning along with its severe weather alerts. DOGAMI will respond to news media inquiries during the watch or warning, and OEM will coordinate outreach through local emergency managers and businesses.

"The alert will be region-specific and will warn of the possibility of rapidly moving landslides near areas of steep slopes, canyons, gorges and fans at the mouths of draws and canyons," said Donald A. Hull, state geologist.

A new brochure is also available this month that will tell what the landslide and debris flow hazards are, how Oregonians can protect themselves, and who they can turn to for help. The brochure will be distributed through state agencies, county planning and building offices, and local businesses.

"These short-term measures are in addition to a number of other key actions that will offer a comprehensive solution to this complicated issue," said Jim Brown, state forester. "The comprehensive solution to this problem is bigger than just forestry, bigger than better warning systems, design standards, or even land-use planning. But all these are pieces of the puzzle we need to fit together."

Please see "landslide and debris," Page 11

Other projects and measures that address landslides and debris flows include:

- Implementation of Senate Bill 1211. Already, a number of private landowners have deferred harvesting on high-risk sites for public safety reasons. As part of Senate Bill 1211, a panel will examine the responsibilities of government, forest landowners, and private individuals; the existing science related to these issues; and the variety of existing statutory and administrative policies. The panel will introduce legislation in 1999 that clarifies roles, responsibilities, and funding needs.
- ODF is conducting an intensive “ground-based” study to examine relationships among forest practices, landslides, and flooding. A preliminary report will be made to the Board of Forestry in January 1998.
- A hazard-mapping project is underway that will help identify areas at high risk of debris flow damage.
- An independent, vigorous geotechnical study is nearing completion of the forest land slides that resulted in fatalities last November. The purpose is to try to determine the cause of the slides and whether forest practice violations may have contributed to slope failure.
- A team of scientists from Oregon State University is drafting a report to the governor on forest practices and landslides. It will examine the relationship of harvesting to landslides.

Note: Copies of the brochure *Landslides in Oregon* were distributed to local building officials by BCD and ODF and to local planners and emergency managers by DOGAMI. Additional information may be obtained by contacting the public affairs office, Department of Forestry, (503) 945-7422. ■

1998 meetings planned

Sun	Mon
1	2
8	9

Joe Brewer, administrator, and Etta Foote, field operations manager, will continue holding meetings around the state in 1998 to discuss questions or concerns regarding the building codes programs serviced by the state. Topics at these open forums will include levels of service, the code adoption process, and Senate Bill 35 operations.

The first meeting will be January 29, 7 p.m., at the Building Codes Division board room, 1535 Edgewater NW, Salem.

Listed below is the tentative schedule for the remainder of the year:

February — Lane County/Tillamook County

March — Clatsop County

April — Morrow County

May — Coos County/Curry County

June — Umatilla County/Wallowa County

July — Grant County/

Jefferson County/Crook County

September — Douglas County

October — Lake County

November — Wasco County

There are no meetings scheduled for August and December at the present time.

Fair housing accessibility guidelines



The division was recently informed there is confusion about the Fair Housing Act and the state building code requirements for construction of residential apartments, condominiums, and townhouses. Since the original adoption of the Fair Housing Act, and the initial interpretations made by HUD, clarifying information was issued in the Federal Register. Following is an excerpt from the June 28, 1994, Register entitled “Fair Housing Accessibility Guidelines: Questions and Answers.”

The requirements for creating adaptable dwelling units and accessible common areas apply to apartments, **single-story** (zero lot line) townhouses, villas, or patio apartments and condominiums. The Register states, “The Fair Housing Act makes no distinctions based on ownership.” The excerpt reads:

“Section 1: Dwellings Subject to the New Construction Requirements of the Fair Housing Act.

The issues addressed in this section concern the types of multifamily dwellings (or portions of such dwellings) designed and constructed for first occupancy after March 13, 1991, that must comply with the design and construction requirements of the Fair Housing Act.

1. Townhouses

(a) *Q. Are townhouses in non-elevator buildings which have individual exterior entrances required to be accessible?*

A. Yes, if they are single-story townhouses. If they are multistory townhouses, accessibility is not required. (See the discussion of townhouses in the preamble to the Guidelines under ‘Section 2—Definitions [Covered Multifamily Dwellings]’ at 56 FR 9481, March 6, 1991, or 24 CFR Ch. I, Subch. A, App. III.)

(b) *Q. Does the Fair Housing Act cover four one-story dwelling units that share common walls and have individual entrances?*

A. Yes. The Fair Housing Act applies to all units in buildings consisting of four or more dwelling units if such buildings have one or more elevators; and ground floor dwelling units in other buildings consisting of four or more dwelling units. This would include one-story homes, sometimes called ‘single-story townhouses,’ ‘villas,’ or ‘patio apartments,’ regardless of ownership, even though such homes may not be considered multifamily dwellings under various building codes.

(c) *Q. What if the single-story dwelling units are separated by firewalls?*

A. The Fair Housing Act would still apply. The Guidelines define covered multifamily dwellings to include buildings having four or more units within a single structure separated by firewalls.

2. Commercial Space

Q. If a building includes three residential dwelling units and one or more commercial spaces, is the building a ‘covered multifamily dwelling’ under the Fair Housing Act?

A. No. Covered multifamily dwellings are buildings consisting of four or more dwelling units, if such buildings have one or more elevators; and ground floor dwelling units in other buildings consisting of four or more dwelling units. Commercial space does not meet the definition of ‘dwelling unit.’ Note, however, that title III of the ADA applies to public accommodations and commercial facilities, therefore an independent determination should

be made regarding applicability of the ADA to the commercial space in such a building (see the introduction to these questions and answers, which provides some background on the ADA).

3. Condominiums

(a) *Q. Are condominiums covered by the Fair Housing Act?*

A. Yes. Condominiums in covered multifamily dwellings are covered by the Fair Housing Act. The Fair Housing Act makes no distinctions based on ownership.

(b) *Q. If a condominium is pre-sold as a shell and the interior is designed and constructed by the buyer, are the Guidelines applicable?*

A. Yes. The Fair Housing Act applies to design and construction of covered multifamily dwellings, regardless of whether the person doing the design and construction is an architect, builder, or private individual. (See discussion of condominiums in the preamble to Guidelines under 'Section 2—Definitions [Dwelling Units]' at 56 FR 9481, March 6, 1991, or 24 CFR Ch. I, Subch. A, App. III.) ■

You and the environment



By Pat Lewis, program specialist, BCD

I don't know about you, but when the sun does finally come out in Oregon, the last thing I want to do is work on my house.

Ever had to spend your entire summer painting your house or your entire summer's wages paying someone to paint it for you? Or how about the annual stripping, cleaning and refinishing of your deck? Home ownership is great, but maintenance is certainly a drawback.

An alternative to tedious upkeep is vinyl, and it's available in siding, soffit material, posts, railings, fences, and decking material. A vinyl fence and deck distributor in Salem, Oregon, has a saying: "Wood is good but vinyl is final."

Although vinyl may cost more than some of the wood composite or cement board siding materials, the payback comes pretty fast. In fact, the first time you have to repaint or

replace your regular siding, the cost of the new paint or siding will probably more than pay for that original difference.

Saving trees and manufacturing energy is one great advantage of using vinyl products, but saving my energy is what really appeals to me. I find the idea of hosing off my house and deck once a year a very attractive alternative to scraping and refinishing or repainting.

Nothing can replace the warmth and feel of wood. Real wood provides a sense of solid construction, quality, and security. Plus, some people don't like the "plastic" look some vinyl products give to a home.

Of course, vinyl is not for everyone, but it is an alternative to consider. ■

Staff advisory issued



The following advisory interpretation was recently issued by the Technical Advisory Group:

Program: Electrical

Subject: Scope of electrical work a Limited Maintenance Specialty Contractor/HVAC may perform.

Source: Oregon Revised Statutes and Oregon Administrative Rules

Reference: ORS 479.630 and OAR 918-282-0040

Date of issue: October 10, 1997

Prepared by: Kearby Sprague, Assistant Chief Electrical Inspector

Question:

May a limited maintenance specialty contractor extend a branch circuit from a junction box under a manufactured dwelling to a disconnect mounted on the outside wall of the dwelling? The branch circuit will provide power to an air-conditioning unit.

Determination:

No.

Analysis:

ORS 479.630(12) and OAR 918-282-0040(1)(a) states this contractor may service, repair, or replace, and (b) states this contractor may maintain, service, repair, or replace the equipment on the load side of the disconnect switch located at or on the electrical product. When there is no existing disconnect, a properly licensed electrical contractor or homeowner shall extend the circuit to the disconnect and unit.

Extending a circuit and mounting a disconnect is beyond the scope of work allowed by a limited maintenance specialty contractor/hvac. This advisory applies to all types of buildings. ■

Board appointments



James Griffith and **Richard Rogers** have been appointed to the Building Codes Structures Board. Griffith served as building official for the City of Portland for nine years and serves as chairman of the Oregon Remodelers Association governmental affairs committee. He fills the remodeler board position vacated by David Love. His term will expire June 30, 1998.

Rogers fills the prefabricated structures builder position vacated by Jeffrey Starkey. He is Blazer Industries' code specialist and works with building officials, fire marshals, and inspectors in the seven western states. His term expires June 30, 2001.

Stephen Frantz was appointed to the Board of Boiler Rules, replacing Joe Wood, whose term expired. Frantz occupies the manufacturer/owner/user of nuclear vessels position. His background includes director of the Reed Reactor Facility at Reed College and decommissioning engineer with Portland General Electric. His term expires November 30, 2001.

Henry McDonald was appointed to the Plumbing Board, replacing Melissa Frank, whose term expired. He served as a building inspector in Lincoln County and has been the building official for the City of Hermiston since 1991. His term expires November 30, 2001. ■

Board meeting dates

MEETINGS ARE
HELD IN THE
SALEM BCD
CONFERENCE
ROOM AT 1535
EDGEWATER ST.
NW, UNLESS
OTHERWISE
SPECIFIED.

ELECTRICAL & ELEVATOR BOARD _____

Meets at 9:30 a.m. on the 4th Thursday of each month:

- January 22
- February 26

BUILDING CODES STRUCTURES BOARD _____

Meets at 9:00 a.m. on the 1st Wednesday of each month:

- January 7
- February 4

MANUFACTURED STRUCTURES & PARKS ADVISORY BOARD _____

Meets at 9:30 a.m. on the 2nd Thursday of each quarter:

- February 5**

** January meeting rescheduled

STATE PLUMBING BOARD _____

Meets at 9:00 a.m. on the 3rd Friday of every other month:

- February 20

BOARD OF BOILER RULES _____

Meets in Portland at 9:30 a.m. on the 1st Tuesday of each quarter:

- March 3



Subscription and address corrections

- Address correction — Send to:
BUILDING CODES DIVISION
1535 EDGEWATER ST. NW
PO BOX 14470
SALEM, OR 97309

- New subscription — Enclosed is my check payable to DCBS for \$25 for the calendar year 1998 (Jan. – Dec.) subscription.

Send to:

DEPARTMENT OF CONSUMER
& BUSINESS SERVICES
FISCAL SECTION
350 WINTER ST. NE, ROOM 21
SALEM, OR 97310

Name: _____

Title/Company: _____

Address: _____

City/State/ZIP: _____

Phone: (_____) _____

DEPARTMENT USE ONLY 1087/70050

Interpretive rulings signed



The following interpretive rulings have been signed:

97-10 clarifying Section 701.1.2 of the 1996 Oregon Plumbing Specialty Code on the use of plastic piping in fire-rated buildings and assemblies.

97-11 explaining the proper method to calculate electrical permit fees for recreational vehicle parks.

Copies of these rulings were mailed to building officials. People not affiliated with a jurisdiction may request a copy from their local building official or call Louann Goffin, (503) 373-7438. ■

CODE LINK

STATE OF OREGON • BUILDING CODES DIVISION

CodeLink is the bimonthly publication of the Oregon Department of Consumer & Business Services Building Codes Division.

Editor

Louann Goffin

Design & Layout

DCBS Communications

BCD Administrator

Joseph A. Brewer III



In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats.

Call the editor, (503) 373-7438.

Information in *CodeLink* may be republished without permission.

Visit our Internet Web site at
<http://www.cbs.state.or.us/external/bcd>



Building Codes Division
1535 Edgewater St. NW
PO Box 14470
Salem, OR 97309

Bulk Rate
U.S. Postage
PAID
Salem, OR
Permit No. 24

Address Correction Requested