

# CODE LINK

STATE OF OREGON • BUILDING CODES DIVISION

WINTER 2007

## Administrator's message

by Mark Long

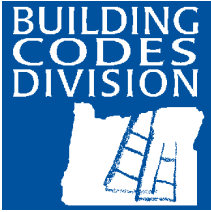


In recent years, Oregon's construction industry has been booming. From Astoria to LaGrande, Portland to Klamath Falls, new commercial buildings and housing developments are evident in every community. But along with this growth and success came some substantial challenges, especially in the area of residential construction. While housing starts grew at record rates, state agencies and the Legislature received reports of construction defects and increased insurance premiums. This trend called for a fresh look at the problem, a holistic approach that responded to both consumers and the industry. The 2005 Legislature created a Construction Claims Task Force, to be staffed by the Department of Consumer and Business Services and the Construction Contractors Board, to look into these issues and make recommendations to the 2007 Legislature.

The Construction Claims Task Force recently released its report and 11 recommendations: six related to the construction industry and five to the insurance industry. While the task force recognized that each of the recommendations, if implemented, would be a positive step, it agreed that a comprehensive approach is necessary. As such, each recommendation is a component of a broad system designed to improve the construction environment in Oregon. These recommendations, which are discussed in more detail on Page 3, encompass changing building codes requirements to prevent moisture intrusion, providing relief to

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consumers by establishing a limited consumer assistance fund, and requiring competency training and certification for those who work on a building's exterior envelope such as siding, roofs, windows, and doors.

To arrive at these recommendations, the task force gathered information, heard from consumers, and studied best industry practices. Over an 18-month time frame, the task force of representatives from the construction and insurance industries and the public met 16 times to research, learn, and discuss the causes and effects of construction defects and their relationship to insurance and liability issues. Panels of insurance and construction experts presented testimony and answered questions. Consumers presented their views. Agency specialists from the Building Codes Division, the Insurance Division, and the Construction Contractors Board offered research, prepared issue papers, and provided administrative support.

To get a complete picture of the extent of the problems, the task force encouraged public participation and operated in a spirit of transparency. A Web site documenting every report, written submission, e-mail exchange, and panel presentation garnered more than 350 subscribers and more than 400 e-mail exchanges. The task force turned six of its meetings over to public comment. Hearing from consumers as well as industry experts was key to developing the recommendations.

In the upcoming weeks, the Legislature will receive the task force's report and discuss the recommendations. Many of the issues for the Building Codes Division require adoption of administrative rules. We also are working on these specific areas/proposals. Taken together, it is the task force's belief that these actions will help reduce construction defects, protect consumers, enhance contractor accountability, and help ensure the availability of contractor insurance. ■

## Stay informed about code updates



### Oregon code adoption process update

- 2007 Oregon Structural Specialty Code (OSSC)
- 2007 Oregon Mechanical Specialty Code (OMSC)

#### Adoption schedule —

Statewide adoption of the 2007 OSSC and OMSC is scheduled for April 1, 2007. These editions of the Oregon Specialty Codes are based on the 2006 International Codes.

#### Adoption process —

The Structural Code Committee and Mechanical Code Committee, on behalf of the division's Structural and Mechanical Boards, review proposals to the OSSC and the OMSC. Actions taken on each OSSC code change proposal are captured in the [2007 OSSC Adoption Action Update](#); actions taken on the OMSC are in the [2007 OMSC Adoption Action Update](#).

#### Amendments are posted to the [Web](#) —

Between code adoption cycles, code amendments are posted on the division's Web site under the applicable code programs. For example, some of the [amendments to the 2004 OSSC](#) include the complete replacement of Chapter 29, a reduction in occupancy separation requirements, new winery provisions, and a change in the threshold requiring panic hardware. For questions about the adoption of the 2007 OSSC or amendments to the 2004 OSSC, please contact Shane Sumption at (503) 378-4635 or [shane.r.sumption@state.or.us](mailto:shane.r.sumption@state.or.us).

#### Sign up for automatic updates —

A great way to stay informed of code changes, amendments, and proceedings is to sign up for BCD's free e-mail notification service. You can sign up for automatic e-mail notification at BCD's [home page](#) under "Online Services." ■

# Construction Claims Task Force finalizes legislative report



The Construction Claims Task Force completed its substantive work at a Dec. 20, 2006 meeting and adopted the final report for submission to the Legislature during a meeting on Jan. 12.

The 2005 Oregon Legislature created the Construction Claims Task Force to address the dual problems of increasing construction claims and rising contractor liability insurance premiums. The Legislature directed the task force to deliver a report of its findings, including recommendations for possible legislation, to the 2007 Oregon Legislature.

Over the past 18 months, the task force held 16 meetings, gathering a wealth of information. More than 30 experts in the construction and insurance fields addressed the task force and offered recommendations for reducing construction claims and ensuring the availability of affordable liability insurance. The task force also held five public comment sessions, receiving comment from representatives of the construction and insurance industries, and members of the public.

Based on discussion and analysis of more than 70 recommendations, the task force has finalized the list of recommendations that will be included in the final legislative report. The task force believes that the 11 recommendations in the report comprise a comprehensive proposal, designed to improve the construction environment in Oregon.

The final recommendations are:

## Construction-related recommendations:

**1. Building Code Requirements:** Preventative measures for dealing with moisture intrusion could curb construction defects. The task force recommends changes to the state building code that will help pre-

vent moisture from entering a building, and changes that will remove moisture from a building.

**2. Construction Contractors Board (CCB) Enforcement and Licensing Changes:**

Stronger enforcement tools and more knowledge of a license applicant's history may help improve the overall quality of contractors. The task force recommends granting CCB — which is the primary licensing agency for construction contractors — additional enforcement authority to address the problem of defective construction.

**3. Limited Consumer Assistance Fund:**

In the event that a residential structure contains a defect and an owner is unable to recover some measure of relief from the contractor's assets, the task force recommends that a fund should be at the disposal of the Construction Contractors Board to provide limited relief for homeowners.

**4. Consumer Information:**

The task force recommends giving consumers information on how to proceed early in the construction process and directing consumers to appropriate resources, which may help prevent or alleviate claims.

**5. Residential Permits:**

The task force recommends improving the permitting process by clarifying who is the responsible party for work being done under the permit and providing appropriate licensing and certification information to a local building department.

**6. Building Envelope Training and Competency:**

In order to raise the quality of construction, the task force recommends implementing competency training for people directing work as well as those working on a construction site.

*Continued on Page 4*



**Insurance-related recommendations:**

- 1. First-Party Warranty:** The task force found that a construction warranty can provide clarification for the consumer regarding the specific components of a structure that a contractor must guarantee. The task force recommends the establishment of a two-year first-party warranty and a 10-year structural defect warranty.
- 2. General Liability Coverage:** The task force recommends that general liability insurance obtained by contractors be required to include completed operations liability. This would extend coverage for liability that arises after the job is complete.
- 3. Contractor Group Liability:** The task force found that contractors engaged in certain types of construction projects such as condominiums, multifamily units, and tract homes encountered difficulty obtaining insurance coverage. To better ensure that contractors have access to general liability coverage, the task force recommends streamlining the rate filing requirements for contractor group liability policies.

**4. Voluntary Loss Control Discounts:**

Current law requires that insurers provide statistical or cost accounting support for insurance rate discounts. The task force recommends encouraging insurers to implement voluntary loss control discounts in their rating plans for contractors who adopt task force recommendations and other best practices. Since statistical data for contractor best practices may not be available for several years, the task force recommends that the preliminary statistical report requirement for contractor general liability rate filings be suspended for best practice discounts.

- 5. Data Reporting Requirements:** The task force recommends developing a list of insurance data items for construction claims that insurers will report to the Oregon Insurance Division. This data will be used to review and monitor the effectiveness of task force recommendations.

For more information about the task force, visit the Construction Claims Task Force Web site at <http://egov.oregon.gov/DCBS/CCTF/>. ■

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## BCD creates task force to address townhouse/rowhouse inconsistencies



Historically, the model residential code that Oregon has adopted included townhouses. But previous statutes authorizing the adoption of Oregon’s Residential Specialty Code restricted the scope of residential structures to one- and two- family dwellings. That meant references to townhouses, which are considered multifamily dwellings, were deleted.

Without specific guidance for townhouses/rowhouses, the Building Codes Division

worked with a task force to draft an interpretation for the construction of rowhouses and townhouses, which became known as “Interpretation 00-10,” issued in 2000. With the last adoption of the Oregon Residential Specialty Code, the provisions of 00-10 were incorporated into Appendix O. Ironically, Appendix O’s treatment for rowhouses is, in many aspects, less restrictive than the provisions for townhouses in the model code.

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When the division adopted the low-rise residential code in 2005, it also adopted model code language for the construction of townhouses. Townhouses were defined as construction on a single tax lot, whereas rowhouses were defined as being separated by real property lines.

To address the inconsistencies, BCD has assembled a new task force of industry and local government code experts. The task force will discuss the matter and make recommendations to the division and the Residential Structures Board. At issue are the following:

- The term “rowhouse” does not appear in the model code. Since rowhouses and

townhouses can be constructed in the same manner, should we eliminate the “rowhouse” terminology?

- How to reconcile the differences between the model code’s construction requirements for townhouses and those found in Appendix O.

The task force is slated to convene late this winter or early spring. The division anticipates that the task force recommendations will be incorporated into the adoption of the 2008 Oregon Residential Specialty Code.

For more information contact [Richard Rogers](#), Structural Program Chief, (503) 378-4472. ■

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## BCD proposed legislation



The Building Codes Division is forwarding four bills for legislative consideration. These bills enhance the division’s enforcement and consumer protection tools, provide for consistency among program areas, and promote customer service and regulatory streamlining.

### SB 192

- Creates an expedited license suspension process.
- Clarifies that the Construction Contractors Board (CCB) may consider a suspension by BCD in CCB enforcement actions.
- Makes it a violation of building code laws for anyone to assist a person violate the building code and Building Codes Division (BCD) laws or rules.
- Prohibits employers from employing unlicensed boiler workers.

### SB 193

- Allows a local jurisdiction to inspect certain water heaters that are classified as boilers.
- Allows administrative rule to provide exemptions for boilers and pressure vessels that do not present a danger to public safety and health.

- Removes specific periodic inspection requirements from statute and allows the Board of Boiler Rules to set them by rule.
- Requires insurance company inspectors to perform all required inspections of boilers or pressure vessels that are inspected by the insurance company.

### HB 2219

- Further standardizes terminology, administrative and procedural requirements for license types issued by the division.

### HB 2405

- Authorizes DCBS to develop a full-service electronic permitting program to make available to local building inspection programs statewide.

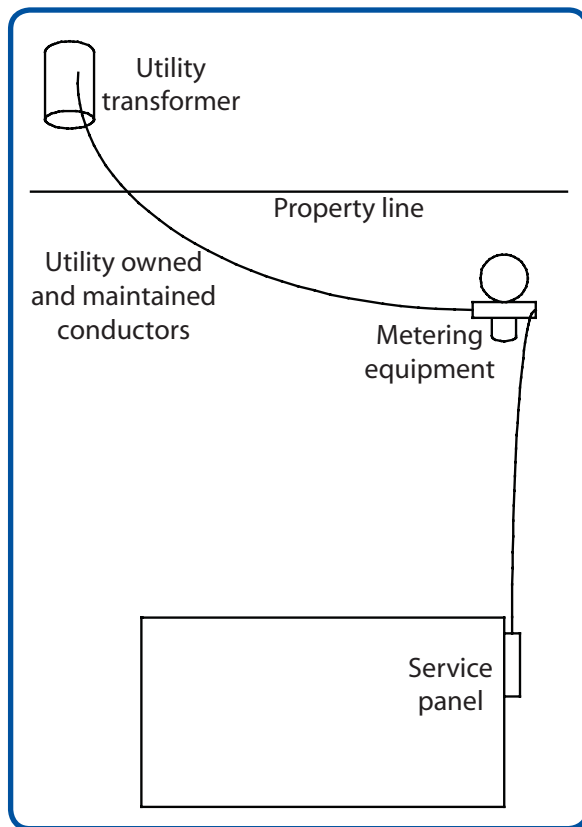
More information, a bill tracking guide, and links to legislative proceedings are available on the division’s [Web site](#). Check under “Top Links” on the home page. ■

# Electrical installation ownership and maintenance responsibility

by Dennis Clements, acting chief electrical inspector



Public utilities that provide electrical power to residential, commercial, agricultural, and industrial customers own and maintain the system of substations, cables, transformers, and poles required to distribute power. These installations are regulated by the National Electrical Safety Code and are not subject to state requirements for permits and licensing of individuals performing the work.



Electrical installations that are owned by the customer or end user are regulated by NFPA 70, the National Electrical Code. The rules regarding grounding electrode systems, service disconnecting means, burial depth for conductors, and wire ampacities are very different (just to mention a few of the most significant areas of difference between the NESC and the NEC).

The transformer and the conductors to the meter are unquestionably owned and maintained by the utility company. However, the conductors from the meter to the service panel on the structure being served can belong to either the utility company or the customer.

Customer-owned components of an electrical distribution system are required by the NEC to be adequately protected by overcurrent devices, and the customer must be able to de-energize the system at the source (service disconnecting means). If the service entrance conductors in the illustration are customer owned, the NEC requires a grounding electrode system and service disconnecting means at the meter, with overcurrent protection adequate for the wire size.

If the service entrance conductors are utility owned from the meter to the mast for the service panel, (with main breaker as service disconnect), the NEC does not apply, and the utility company could install a #2 aluminum triplex for a 200 amp service! To reiterate, the utility owns and maintains these unfused conductors, even though they are installed on private property.

But when ownership and maintenance responsibility changes from utility company to customer, regulation and enforcement of the Oregon Electrical Specialty Code and the NEC begins. ■

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# Residential kitchen-hood requirements by Micheal D. Ewert



Questions often arise about the need for, or the requirement of, an exhaust hood over a domestic kitchen stovetop in the *Oregon Residential Specialty Code (ORSC)*. Some believe the code requires some form of ventilation/exhaust in residential kitchens, and they're partially right: Ventilation is required, but a range hood is not.

The terms “ventilation” and “exhaust” are often intermingled to mean the same thing — and in reality they do sometimes work in unison — but they are not the same. Range hoods are mechanical exhaust systems designed to capture air contaminants (such as cooking odors, moisture, or smoke) at their source and to exhaust such contaminants to the outdoor atmosphere. Ventilation is the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

The requirements for ventilation in the ORSC can be found in Section R303.2, which states that all habitable rooms are to be provided with an aggregate glazing area of 8 percent of the floor area, with a minimal openable area of 4 percent of the floor area being *ventilated*. The purpose of the glazing and the portion that is openable is to provide both natural light and natural ventilation. Since a kitchen is considered a habitable room, it would require (at a minimum) a window, door, or other opening that opens directly to the outdoors, with an aggregate opening of at least 4 percent of the floor area. Section R303.2 also allows the use of adjoining rooms when determining this ventilation requirement.

Two exceptions modify the requirements of Section R303.1. Exception 1 permits the glazed area to be fixed or “non-openable” when an approved mechanical ventilation system or whole-house mechanical ventilation system is installed. The mechanical ventilation system must provide at least 0.35 air change

per hour in each habitable room. Exception 2 allows for artificial light in lieu of natural light. Be aware that Section R310 has additional requirements concerning emergency egress in bedrooms, and these requirements may supersede the exceptions found in R303.2. So if the kitchen and/or adjoining rooms fulfill the natural ventilation requirements of R303.1, no further mechanical ventilation is required, and there is no requirement for stovetop exhaust.

Section M1502.3 states: “*Where* domestic kitchen cooking appliances are equipped with ducted range hoods or down-draft exhaust systems, the *fans shall be sized* in accordance with Table M1506.3.” This section does not require an exhaust hood over domestic kitchen cooking appliances, it only provides the performance requirements for sizing the exhaust hoods when one is installed.

Section M1502.1 gives information on how to install a ducted hood. The range hood shall discharge to the outdoors through a single-wall duct, have a smooth interior surface, be air tight, and be equipped with a backdraft damper. This section also prohibits range hood ducts from terminating into an attic or crawl space or other areas inside the building. The only exception to ducting a hood to the outside is the use of a recirculating or ductless range hood. Ductless range hoods can only be used when the requirements found in R303.1 are met for either natural or mechanical ventilation of the habitable space.

In conclusion, room ventilation, whether natural or mechanical, and the use of a range hood to remove cooking odors, moisture, or smoke are separate issues. Whether or not a kitchen range hood is installed, the provisions of Section R-303.1 must be met. Range hoods are like other appliances identified in the code — they're not specifically required, but when installed they must meet certain performance requirements in order to be effective. ■

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# New energy conservation requirements in the 2007 OSSC

by Alan Seymour, Oregon Department of Energy



This article summarizes new code requirements in Chapter 13 of the 2007 Oregon Structural Specialty Code (OSSC) that become effective April 1, 2007.

The following are the most significant changes to Chapter 13 in the 2007 code. You can read more specific information about each change that you are interested in.

- Economizer Changes (for dedicated computer server, electronic equipment, or telecom switch rooms)
- Residential HVAC, Performance Requirements
- Non-Residential HVAC, Performance Requirements
- Track Lighting Alternative and Total Limitation
- Separation of Canopy and Parking Garage Lighting Budget
- Alternate Systems Analysis for Residential Buildings
- Below Grade Wall Vapor Retarder is Not Required
- Editorial Changes

## Economizer Changes

Several changes address economizer cooling requirements for dedicated computer server rooms, electronic equipment rooms, or telecom switch rooms.

A new exception was added to the general economizer cooling requirement, Oregon Structural Specialty Code (OSSC), section 1317.3. This new exception allows water-side economizers, with outdoor air temperature cooling specifications more conducive to HVAC equipment that was specifically designed for these types of rooms or buildings.

Two new exceptions were created in 1317.13 that apply to existing buildings for two different applications:

1. **New** cooling equipment installed in **existing dedicated computer server, electronic equipment, or telecom switch rooms** in **existing** buildings. This exception allows up to a total of 600,000 Btu/hr of **new cooling equipment** without meeting the economizer requirement.
2. **New** cooling equipment installed in **newly dedicated computer server, electronic equipment, or telecom switch rooms** in **existing** buildings. This exception allows up to a total of 240,000 Btu/hr of **new cooling equipment** without meeting the economizer requirement.

## Residential HVAC, Performance Requirements

This aligns Oregon's code with the federal equipment efficiency standard, which regulates the manufacturing and importation of HVAC equipment. States are expected to adopt the federal standards within a reasonable amount of time. As of Jan. 23, 2006, the federal standard for the following equipment has become effective.

Heat pumps (1308.2.1) less than 65,000 Btu/hr capacity shall have a heating season performance factor (HSPF) of not less than 7.7, a seasonal energy efficiency ratio (SEER) of not less than 13.0. The prior requirement was an HSPF of 6.8.

Air conditioners (1308.2.2) less than 65,000 Btu/hr capacity shall have a SEER of not less than 13.0. The prior federal standard was an SEER of 10.0.

The federal standard for boiler efficiency is included in code (1308.2.6).

These requirements would apply to residential occupancy buildings three stories or less in height that are applicable in the Structural Specialty Code.

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## Non-Residential HVAC, Performance Requirements

This aligns Oregon's code with the federal equipment efficiency standard, which regulates the manufacturing and importation of HVAC equipment.

The U.S. Department of Energy (USDOE) worked with the industry for many years to develop new performance standards. In 2001, these standards were rolled back by the President's order. This action prompted many states to reenact the original proposal by USDOE and industry.

USDOE since has opted to approve performance requirements (or values very similar) to those that states were asking for. With the reenactment of those standards, Oregon had a date that is in conflict with the federal standard. The new dates and performance specifications would realign Oregon's code with federal standards and put industry on notice of the effective date for installation.

Consequently, there are different effective dates and sometimes different values stated within footnotes contained on Tables 13-L and 13-M (that were originally set to be effective Oct. 1, 2007).

## Track Lighting Alternative and Total Limitation

The track lighting allowance/calculation is now performed at 50 watts-per-lineal foot of track. Ten feet of installed track would be assigned 500 watts rather than 375 watts.

In order to accommodate for new energy-efficient lighting technology, there is a new exemption for tracks employing in-line current limiters or low-voltage transformers. The load of this track lighting is now defined by the VA rating of the transformer or the VA rating of the in-line current limiter.

## Separation of Canopy and Parking Garage Lighting Budget from Interior Lighting Budget

Parking garages and exterior canopies are now calculated separately from the building for the purposes of calculating interior connected lighting power (1313.4.1 and 1313.4.2).

## Alternate Systems Analysis for Residential Buildings

The process was clarified in the previous Residential Specialty Code cycle. These requirements (1306.1) would also apply to residential occupancy buildings three stories or less in height that are applicable in the Structural Specialty Code.

## Below Grade Wall Vapor Retarder is Not Required

Below-grade (basement) walls are not required to have a vapor retarder (1307.1.8.1). While this requirement was updated in the residential building envelope requirements and not the non-residential requirements, the science behind this allowance would apply to any below-grade application.

## Editorial Changes

There were several editorial or corrective changes and most are minor and will not be mentioned in this article. A noteworthy change was clarification to the definition for "exterior door" (1302). Several metric conversions were corrected. These are provided in parenthesis, adjacent to standard values.

Any building department staff members who would like to have a refresher course on energy requirements within the building specialty codes, either structural or residential, or both, can contact Jenifer Wetherbee, at (800) 221-8035 or (503) 378-5049 (Salem) to schedule a visit. You may also contact Alan Seymour to discuss any of the new code language at (800) 221-8035 or (503) 378-5049 (Salem) or [alan.seymour@state.or.us](mailto:alan.seymour@state.or.us). ■

# Code interpretations



BCD issues code interpretations, site-specific interpretations, and alternate method rulings to clarify code requirements and to help ensure the consistent application of code throughout Oregon. A complete listing of code interpretations is available on the division's [Web site](#) by going to "Interpretations" from the home page.

During this quarter the division issued a revision of a mechanical code interpretation that deals with the "point of delivery" for liquefied petroleum gas.

## Oregon Mechanical Specialty Code

**No:** 2004 OSSC Section 1621.1 and 2007 OSSC (effective on April 1, 2007) Section 1613.1

**Subject:** "Point of Delivery" – Liquefied Petroleum Gas

**Sections:** Oregon Mechanical Specialty Code (OMSC), Section C202, Definitions, and Oregon Residential Specialty Code (ORSC), Section G2403, General Definitions

**Editions:** 2004 OMSC and 2005 ORSC

**Date:** Revised Oct. 1, 2006

### Question

What is the demarcation point concerning the regulatory authority for liquefied petroleum gas (LPG) systems in residential, multifamily, commercial, and/or industrial construction?

### Answer

The demarcation point, as it pertains to regulatory authority between the State Fire Marshal Office and Building Codes Division, is the "Point of Delivery," which is defined in the OMSC and the ORSC as the first stage regulator.

There are typically two, and possibly three, regulatory authorities involved in the installation of an LPG system.

1. State Fire Marshal Office (SFM) (which includes an exempt jurisdiction\*). The SFM regulates the installation and placement of LPG tanks, and all associated piping up to and including the system's first stage regulator. The SFM has the statutory authority (ORS 480.420) to issue permits, conduct inspections, and regulate these installations using appropriate codes and standards, which in this case is the Oregon Fire Code, NFPA 58 and NFPA 54. The SFM office also regulates the licensing of LP installers under ORS 480.432.
2. Building Codes Division (BCD) or a local jurisdiction charged with enforcement of the state adopted mechanical codes.
3. Oregon Public Utility Commission (PUC)  
BCD and local jurisdictions shall issue permits and conduct inspections for all work installed after the first stage regulator. Depending on occupancy classification, this work may be regulated under the OMSC or the ORSC. NFPA 54 may be used as an alternate to the prescriptive testing requirements found in the code. In addition, systems supplying 10 or more customers are subject to federal laws, which are regulated through the Oregon Public Utilities Commission.

\* An exempt jurisdiction is a local fire department that has formally been exempted from statutes, rules, and regulations administered by the State Fire Marshal, based on the local fire department's adoption of adequate regulations generally conforming to state and national standards concerning fire prevention. See ORS 476.030(3). ■

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# BCD files permanent rules



Working with its boards, customers, and stakeholders through a public process, BCD has completed rulemaking actions in a number of areas during the past year, many of which contributed to the division's goal of bringing consistency to processes and proceedings in all code program areas.

A complete listing of BCD projects, including rulemaking, is available on the division's Web site <http://www.bcd.oregon.gov> at "About Us," then go to "BCD Project Status Report."

## Permanent Rules

### Board meeting process rules

**Effective date:** Jan. 1, 2007

**Purpose:** Establish standard board meeting processes for the division's seven advisory boards.

**Highlights:** These rules include provisions that standardize board meeting agendas, rules of order, and a process for providing public comment at the Electrical and Elevator Board, the Building Codes Structures Board, the Mechanical Board, the Residential Structures Board, the Board of Boiler Rules, the Plumbing Board, and the Manufactured Structures and Parks Advisory Board.

**Citation:** Adopts OAR 918-040. Repeals OAR 918-225-0230, 918-251-0070, 918-400-0260, and 918-690-0400.

**Contact:** Chris Huntington, policy analyst, [chris.s.huntington@state.or.us](mailto:chris.s.huntington@state.or.us), (503) 373-1247

### Oregon Elevator Specialty Code 2005 Supplement and Addenda Rules

**Effective date:** Jan. 1, 2007

**Purpose:** These rules adopt a nationally published supplement and addenda to the Oregon Elevator Specialty Code.

**Highlights:** These proposed rules adopt the nationally published 2005 Supplement and Addenda to the Safety Code for Elevators and

Escalators, ASME A17.1, 2004 Edition, as amendments to the Oregon Elevator Specialty Code. The code amendments correct code references, eliminate duplicative language, and clarify existing code requirements. These amendments also allow for the use of new technologies as an option, but do not mandate any change from existing requirements.

**Citation:** Amends OAR 918-400-0455. Adopts OAR 918-400-0458.

**Contact:** If you have any questions or need further information, please contact Grant Zadow, interim chief elevator inspector, at [grant.c.zadow@state.or.us](mailto:grant.c.zadow@state.or.us) or (503) 378-5838. For technical elevator specialty code questions, please contact Ron Crabtree, assistant chief elevator inspector, at [ronlinda6067@msn.com](mailto:ronlinda6067@msn.com) or (541) 944-5809.

### Electrical Product Certification Exemption

**Effective date:** Jan. 1, 2007

**Purpose:** This rule provides an exemption from product certification for a narrow class of electrical equipment in the event of an emergency repair or replacement.

**Highlights:** This rule allows a customer-owned electrical distribution system exceeding 600 volts to be installed, in the case of an emergency repair or replacement, without product certification. The equipment must still meet the standard in the ANSI IEEE C37.70 series. The installer must provide the local jurisdiction written evidence that the equipment meets this standard within 72 hours of the completion of the installation. A jurisdiction may require product certification or take other appropriate steps if any of these requirements are not met.

**Citation:** Adopts OAR 918-261-0034.

**Contact:** Dennis Clements, acting chief electrical inspector, at [dennis.i.clements@state.or.us](mailto:dennis.i.clements@state.or.us) or (503) 378-4459. ■

# Compliance report

The Board of Boiler Rules found the following violations of the Oregon Boiler Safety Laws in September 2006:

CITY	NAME	VIOLATION	PENALTY
Astoria .....	Ron Dugan.....	No boiler/pressure vessel individual certification.....	\$1,000
Coos Bay .....	Wayne Hill .....	No boiler/pressure vessel individual certification.....	\$1,000
Gresham.....	Randy E. Ritmiller .....	No boiler/pressure vessel individual certification.....	\$1,000
Hillsboro.....	Terry Stewart.....	No boiler/pressure vessel individual certification.....	\$1,000
Portland .....	Siemens Logistics and Assembly Systems Inc. ...	No boiler/pressure vessel business license, no boiler/pressure vessel installation permit (3 violations).....	\$4,000
Portland .....	Joe Mageske .....	No boiler/pressure vessel individual certification.....	\$1,000
Portland .....	Dennis Wix.....	No boiler/pressure vessel individual certification.....	\$1,000
Portland .....	Siemens Building Technologies Inc. ....	No boiler/pressure vessel installation permit.....	\$1,000
Portland .....	Spirit Enterprises of Oregon Inc. ....	No boiler/pressure vessel installation permit (2 violations).....	\$2,000
Portland .....	Cascade Plumbing Co. ....	Employed individual without proper certification to make installation, no boiler/pressure vessel business license, no boiler/pressure vessel installation permit.....	\$3,000
Salem .....	Oregon Cascade Plumbing & Heating Inc. ....	No boiler/pressure vessel installation permit (2 violations).....	\$1,000
Seaside.....	Diamond Heating Inc. ....	Employed individual without proper certification to make installation, no boiler/pressure vessel installation permit.....	\$2,000
Vancouver, WA .....	Wellons Inc. ....	Failure to ensure that persons employed have correct certification and are properly supervised .....	\$1,000

The Electrical and Elevator Board found the following violations of the Oregon Electrical Safety Laws in September 2006:

CITY	NAME	VIOLATION	PENALTY
Bend .....	Ian B. Minsker .....	No electrical contractor license, no electrical permit, no supervising or journeyman license .....	\$3,000
	Daminsk Building		

Culp Creek.....	Anthony O. Barton.....	No electrical contractor license, no electrical permit, no supervising or journeyman license .....	\$3,000
Eugene .....	Diversified Electronics Inc. ....	Allowed unlicensed individual to make electrical installation.....	\$1,000
Eugene .....	Jonathan B. Grippe .....	No supervising or journeyman license .....	\$1,000
Grants Pass.....	Frank Yarbro .....	No supervising or journeyman license, unsafe installation .....	\$2,000
Gresham.....	John D. Zeller.....	No supervising or journeyman license .....	\$1,000
Gresham.....	Gresham Locksmith Inc. ....	Allowed unlicensed individual to make electrical installation, no electrical permit.....	\$2,000
Irvine, CA.....	Allied Modular Building Systems Inc. ....	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit.....	\$3,000
John Day .....	Toby G. Parsons .....	No supervising or journeyman license .....	\$1,000
John Day .....	Tye Parsons.....	No supervising or journeyman license .....	\$1,000
Kirkland.....	Daniel S. Laney .....	No supervising or journeyman license .....	\$1,000
Kirkland, WA.....	Logix Controls .....	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit .....	\$3,000
Mount Vernon .....	Steve A. Parsons.....	As supervising electrician, failed to ensure individuals had proper licenses to make electrical installation (2 violations).....	\$2,000
Paramount, CA .....	Benjamin Melendez.....	No supervising or journeyman license .....	\$1,000
Portland .....	Kelly E. Lay .....	No electrical contractor license, no electrical permit, no supervising or journeyman license .....	\$3,000
Portland .....	Darren L. Luethe .....	No supervising or journeyman license .....	\$1,000
Salem .....	Homeland Solutions Inc. ....	Allowed unlicensed individual to make electrical installation (2 violations), no electrical contractor license, no electrical permit .....	\$3,000
Salem .....	Daniel Lee Gardner .....	No electrical contractor license, no electrical permit, no supervising or journeyman license, unsafe installation .....	\$4,000

Salem .....	Hugh E. Boyanton .....	As supervising electrician, failed to ensure individuals had proper licenses to make electrical installation.....	\$1,000
Salem .....	John M. Kelley .....	No supervising or journeyman license .....	\$1,000
Silverton.....	Greg D. Nelson .....	No electrical contractor license, no electrical permit, worked outside the scope of the journeyman license, by working without a general supervising electrician.....	\$3,000
Springfield .....	D. Foster Construction LLC .....	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit.....	\$3,000
Tacoma, WA .....	Burkhart Dental Supply Co. ....	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit, unsafe installation .....	\$4,000
Vernonia .....	Casteel Construction C & S Inc. ....	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit.....	\$3,000
Vernonia .....	Thomas L. Casteel.....	No supervising or journeyman license .....	\$1,000
Waldport .....	Digital Comfort Inc. ....	Allowed unlicensed individual to make electrical installation, no electrical permit (3 violations) .....	\$4,000
Waldport .....	Erich T. Knudson .....	No supervising or journeyman license (8 violations).....	\$1,000

The director of the Department of Consumer and Business Services found the following violations of the Oregon Specialty Codes in September 2006:

CITY	NAME	VIOLATION	PENALTY
Portland .....	Spirit Enterprises of Oregon Inc. ....	Violated a final order .....	\$0
Salem .....	Daniel Lee Gardner .....	Violated a final order .....	\$5,000

The Plumbing Board found the following violations of the Oregon Plumbing Specialty Codes in October 2006:

CITY	NAME	VIOLATION	PENALTY
Cottage Grove .....	DL Inc. ....	No plumbing business .....	\$1,000
Cottage Grove .....	Seth A. Casson .....	No journeyman plumber license .....	\$1,000
Hillsboro.....	Truscapes LLC .....	Allowing unlicensed individuals to make plumbing installations.....	\$1,000

Milwaukie	Ioan Ciprian Bolohan	No journeyman plumber license	\$1,000
Milwaukie	Nelson G. Flores	No journeyman plumber license	\$1,000
Portland	Gabriel F. Bogdan Delta Plumbing	Allowing unlicensed individuals to make plumbing installations	\$1,000
Saint Helens	Steven M. Smith	No journeyman plumber license	\$1,000
Saint Helens	Metal Building Systems Inc.	No plumbing business license	\$1,000
Saint Paul, MN	Mike Young	No journeyman plumber license	\$1,000
Saint Paul, MN	Dave Feuhr	No journeyman plumber license	\$1,000
Saint Paul, MN	Ecolab Inc.	Allowing unlicensed individuals to make plumbing installations, (2 violations), no plumbing business license	\$18,000
Salem	Jet Mechanical LLC	Allowing unlicensed individuals to make plumbing installations (2 violations)	\$2,000
Salem	Craig Patterson	No journeyman plumber license	\$1,000
Springfield	Robert A Pederson	No journeyman plumber license	\$1,000
Troutdale	Yuriy M Havrylovych	No journeyman plumber license	\$1,000

The director of the Department of Consumer and Business Services found the following violations of the Oregon Specialty Codes in October 2006:

CITY	NAME	VIOLATION	PENALTY
Portland	Kelly E. Lay	Violated a final order (2 violations)	\$10,000
Saint Paul, MN	Ecolab Inc.	Violated a final order	\$1,000

The director of the Department of Consumer and Business Services found the following violations of the Oregon Specialty Codes in October 2006:

CITY	NAME	VIOLATION	PENALTY
Eugene	Consider It Done Construction LLC	No permit	\$1,000
Lincoln City	Thomas E. Ware EveryWare Construction	No permit	\$1,000
Portland	Kelly E. Lay	No permit (2 violations)	\$2,000
Vancouver, WA	Peter J. Moran Superior Choice Plumbing	No permit	\$1,000

The Electrical and Elevator Board found the following violations of the Oregon electrical safety laws in November 2006:

CITY	NAME	VIOLATION	PENALTY
Bend	Kristopher J. Brown	No electrical contractor license (2 violations), no electrical permit, (2 violations), no supervising or journeyman license (2 violations)	\$6,000
Brush Prairie, WA	Mark Winston	No supervising or journeyman license	\$1,000
Eugene	S & M Rock and Loam Inc.	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit	\$3,000
Eugene	Curt Hanes	No supervising or journeyman license	\$1,000
John Day	S and C Electric Co.	Allowed unlicensed individual to make electrical installation (2 violations)	\$2,000
Klamath Falls	Winema Electric Inc.	No electrical contractor license	\$1,000
Louisville, KY	Jefferson Audio Video Systems Inc.	Allowed unlicensed individual to make electrical installation, no electrical contractor license	\$2,000
Louisville, KY	Cyril Ted Embry	No supervising or journeyman license	\$1,000
Portland	Otis Elevator Co.	Installed or altered elevator without prior plan approval	\$1,000
Portland	Abel J. Cotan	No supervising or journeyman license	\$1,000
Portland	Accord Electric LLC	Allowed unlicensed individual to make electrical installation, no electrical permit	\$2,000
Portland	Marius Michael M & M Electrical Services	Allowed unlicensed individual to make electrical installation	\$1,000
Portland	Marius Michael	As supervising electrician, failed to ensure individuals had proper licenses to make electrical installation	\$1,000
Portland	Elevator Solutions Inc.	Installed or altered elevator without prior plan approval	\$1,000
Portland	DMS-Electric Inc.	Allowed unlicensed individual to make electrical installation	\$1,000
Salem	Valley Property Maintenance LLC	Allowed unlicensed individual to make electrical installation, no electrical contractor license, no electrical permit	\$3,000

Vancouver, WA	Eduard Popov	No supervising or journeyman license	\$1,000
Vancouver, WA	Vasile Petrita	As supervising electrician, failed to ensure individuals had proper licenses to make electrical installation	\$1,000
Vancouver, WA	Seth A. Lulay	No supervising or journeyman license	\$1,000
Vancouver, WA	Big Sky Electric Inc.	Allowed unlicensed individual to make electrical installation (2 violations), no electrical permit	\$3,000
Vancouver, WA	Peter I. Yarmelenko	No supervising or journeyman license	\$1,000
Vancouver, WA	Scott A. Erager	As supervising electrician, failed to ensure individuals had proper licenses to make electrical installation (2 violations), as supervising electrician, failed to ensure permit was obtained	\$3,000
Woodburn	Stanley Schmidt	No electrical contractor license, no supervising or journeyman license	\$2,000

The Board of Boiler Rules found the following violations of the Oregon Boiler Safety Laws in December 2006:

CITY	NAME	VIOLATION	PENALTY
Portland	Advanced American Construction Inc.	No boiler/pressure vessel business license, no boiler/pressure vessel installation permit	\$2,000
Portland	Randy Rosin	No boiler/pressure vessel individual certification	\$1,000
Portland	Charles Daily	No boiler/pressure vessel individual certification	\$1,000

The Plumbing Board found the following violations of the Oregon Plumbing Specialty Codes in December 2006:

CITY	NAME	VIOLATION	PENALTY
Salem	Paladin Plumbing Inc.	Allowed unlicensed individuals to make plumbing installations	\$1,000
Salem	Jet Heating Inc.	Allowed unlicensed individuals to make plumbing installations	\$1,000
Salem	Michael S. Helm Jr.	No journeyman plumber license	\$1,000

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# Code adoptions slated for April 1



Effective April 1, the state adopts the 2007 Oregon Mechanical Specialty Code (OMSC) and the 2007 Oregon Structural Specialty Code (OSSC). The Building Codes Division, in consultation with Mechanical Board and the Building Codes Structures Board, started the code adoption and amendment process last year, accepting amendment proposals from March 1 to April 14.

The new OMSC consists of the 2006 edition of the International Mechanical Code (IMC), Oregon amendments, and the 2006 International Fuel Gas Code (IFGC) as an appendix. The new OSSC consists of the 2006 edition of the International Building Code (IBC) with Oregon amendments.

Since the code books are projected to be available in bookstores statewide by Feb. 1, the division will not provide a “transition period” during which contractors and designers can use either the new or the former code for a project. In years past, when the new code was not published on time, the division provided a tran-

sition period. The period usually lasted 60 to 90 days from the adoption date of the new code.

“We’re happy that the publishing process is on target this code cycle,” said Twyla Knowles, assistant manager of the policy and technical services section. “Eliminating the transition period will help eliminate any confusion about the code in effect at the time of submittal.”

If contractors or designers wish to use elements of the former code, they should discuss alternate method designs with the local building official.

Contact: Richard Rogers, [richard.rogers@state.or.us](mailto:richard.rogers@state.or.us) or (503) 378-4472.

For information on proposed amendments to the OSSC, visit the BCD Web site at <http://www.bcd.oregon.gov/committees/structural.html> and then click on “[New proposals as amended by committee](#)” and “[Matrix of code changes](#).”

OSMC information contact: Mike Ewert, [mike.d.ewert@state.or.us](mailto:mike.d.ewert@state.or.us) or (503) 373-7529. ■

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## Board meetings can be viewed live over the Web



In an initiative aimed at providing Oregonians better access to public proceedings, BCD launched a new video streaming program in January. Video streaming allows the public to “virtually” attend public board meetings by viewing the proceedings live over the Web.

The division is piloting the initiative on behalf of the Department of Consumer and Business Services. The first live broadcast of a public meeting took place Jan. 10 with the video streaming of the year’s first Residential Structures Board meeting. Board member Kathryn Grey, who attended the meeting by teleconference, also watched the broadcast over the Web and noted that the meeting was easy to tune in to and view.

“Transparency in communications, proceedings, and operations is a top priority for the division,” said Mark Long, BCD administrator. “Our goal is to make it easy for citizens to access our information and services and participate in proceedings. Video streaming is another step in the direction of opening government’s doors to broader citizen participation, access, and scrutiny.”

Citizens can either go to the link “View board meetings” on the “Top Links” section from BCD’s home page, [www.bcd.oregon.gov](http://www.bcd.oregon.gov), or go to “Boards” on the home page and follow the links to “View board meetings.” Board meetings will be archived and accessible on the “Boards” page of the division’s Web site. ■

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# 2007 BCD board meeting dates

	Sun	Mon
1		2
8		9

## ELECTRICAL & ELEVATOR BOARD

Meets on the fourth Thursday of every other month:

- March 22
- May 24
- July 26
- Sept. 27
- Nov. 29

## BOARD OF BOILER RULES

Meets quarterly on the first Tuesday of the 3rd, 6th, 9th, and 12th months:

- March 6
- June 5
- Sept. 11
- Dec. 4

## BUILDING CODES STRUCTURES BOARD

Meets quarterly on the first Wednesday of the 2nd, 5th, 8th, and 11th months:

- Feb. 7
- May 2
- Aug. 1
- Nov. 7

## MECHANICAL BOARD

Meets quarterly on the first Wednesday of the 3rd, 6th, 9th, and 12th months:

- March 7
- June 6
- Sept. 12
- Dec. 5

## STATE PLUMBING BOARD

Meets on the third Friday of every other month:

- Feb. 16
- April 20
- June 15
- Aug. 17
- Oct. 19
- Dec. 14

## MANUFACTURED STRUCTURES & PARKS BOARD

- March 8
- Sept. 13

## RESIDENTIAL STRUCTURES BOARD

Meets on the first Wednesday of each quarter:

- April 4
- July 11
- Oct. 3

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

Meetings begin at 9:30 a.m. Meetings may be canceled or rescheduled.

**This calendar reflects adjustments to the regular meeting schedule to accommodate for holidays.**

All board information is posted on the BCD Web site: [www.bcd.oregon.gov/boards.html](http://www.bcd.oregon.gov/boards.html).

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## Code forums Q&A



Code forums give Portland metro-area contractors, architects, engineers, inspectors, and building officials the opportunity to discuss and agree on code clarifications. The tri-county building officials have agreed to use the forum code clarifications for inspection standards. Anyone working in a jurisdiction outside of the tri-county region should contact the local building official for inspection standards. You can

find more information about code forums on the division's Web site, <http://www.bcd.oregon.gov/programs/tricounty/codeforums.html>. The 2007 code forum schedule will be available after Feb. 15. ■

**Winter 2006**



# Access a wealth of information on the BCD Web site



Are you a licensed tradesperson looking for license renewal information? Are you an interested party looking for information about rulemaking hearings? Are you a tradesperson looking for code interpretation? That information and much more can be found at [www.bcd.oregon.gov](http://www.bcd.oregon.gov). The sections listed below represent only a small portion of the information available to you online.

## Public Notices -

[http://www.oregonbcd.org/public\\_notices.html](http://www.oregonbcd.org/public_notices.html)

- Board and committee meeting notices
- Notices of rulemaking hearings
- Notice of adopted rules
- Industry notices
- Uninhabitable drug lab properties lists

Sign up for e-mail notification about general board and committee information, hearing updates, and rule updates in this section.

## Statutes and Rules -

[http://www.oregonbcd.org/statutes\\_rules.html](http://www.oregonbcd.org/statutes_rules.html)

- Newly adopted rules and notices of rulemaking

- Oregon Revised Statutes – BCD’s “two column” ORS compilation
- Oregon Administrative Rules – BCD’s “two column” OAR compilation
- Oregon Secretary of State (for all Oregon Administrative Rules)
- Oregon State Legislature (for all Oregon Revised Statutes)

## Code Programs -

<http://www.oregonbcd.org/codeprograms.html>

- Adopted codes in Oregon
- Code forums
- Code programs
- History of Oregon-adopted and amended codes
- Code interpretation – description and process
- Alternate method rulings – description and process
- Site-specific interpretations – description and process

Find information about ordering code books or answers to the tri-county code forum questions here. ■



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[www.bcd.oregon.gov](http://www.bcd.oregon.gov)

## CODE LINK

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