

DIVISION 450
SEASONAL FARMWORKER HOUSING

918-450-0005**Seasonal Farmworker Housing**

(1) Purpose and Scope of This Rule:

(a) Is authorized by ORS 455.380;

(b) Creates a uniform application and method for computing construction permit fees; and adopts seasonal farm worker housing standards; and

(c) Applies even though the applicant for a permit does not otherwise meet the requirements of ORS Chapter 455 and rules under that chapter.

(2) Issuance of Permits: Regardless of the provisions of ORS 455.150:

(a) The application for construction permits throughout the state for the rehabilitation of existing seasonal farm-worker housing, shall be filed on a uniform application form provided by the division or on a reasonable facsimile of the form;

(b) The fee for the structural portion of the building permit for rehabilitation of seasonal farm-worker housing shall be computed by taking the value of work that will be added to the existing structure, dividing it in one-half, rounding the resulting amount to the nearest dollar and applying that amount to the valuation table for determining the structural portion of the permit fee. All other methods of computing permit fees shall be uniform throughout the state and shall follow the methods established by the division for the applicable specialty code.

(3) Seasonal Farm Worker Housing Standards:

(a) Adoption: The minimum health and safety standard for the rehabilitation of existing seasonal farm worker housing outside of city limits is the **Oregon Occupational Safety and Health Code**, OAR 437-004-1120 (Agricultural Labor Housing and Related Facilities) effective October 1, 1998, which is adopted by reference;

(b) Interpretation: The subsections of the Occupational Safety and Health Code, OAR 437-004-1120 listed below, are only applicable to the enforcement of health and safety construction standards as follows:

(A) OAR 437-004-1120(9)(b) does not waive the requirements of the **Oregon Plumbing Specialty Code**;

(B) OAR 437-004-1120(11)(a)(D) does not waive the requirements of the **Oregon Mechanical Specialty Code**;

(C) The reference to the **Uniform Building Code** in OAR 437-004-1120(12)(e) and (f) is changed to **Oregon Structural Specialty Code, Chapter 1, Section 1003**.

(c) Any new construction must be built in compliance with the **State Building Codes**, unless otherwise exempted; and

(d) The following subsections of the Occupational Safety and Health Code, OAR 437-004-1120, are not adopted for enforcement of health and safety construction standards for the rehabilitation of existing seasonal farm worker housing:

(A) OAR 437-004-1120(5);

(B) OAR 437-004-1120(6)(b), (c), (g), (h), (j), (k) and (l);

(C) OAR 437-004-1120(7)(a), (b), (d), (e), (h), (i) and (k);

(D) OAR 437-004-1120(8)(e); the last sentence of (f); (g), (h), (k); the first sentence of (l); (m), (q), (t) and (w);

(E) OAR 437-004-1120(10)(a), (b), (c), (d), (e) and (f);

(F) OAR 437-004-1120(11)(a), (e), (f), (g), (h), (i), (j), (m) and (o);

(G) OAR 437-004-1120(12)(a), the second sentence;

(H) OAR 437-004-1120(13);

(I) OAR 437-004-1120(14);

(J) OAR 437-004-1120(15); and

(K) OAR 437-004-1120(16).

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

Stat. Auth.: ORS 455.380

Stats. Implemented: ORS 455.380

Hist.: BCA 29-1989(Temp), f. 12-8-89, cert. ef. 12-15-89; BCA 12-1990, f. & cert. ef. 6-1-90; BCA 2-1993(Temp), f. 2-12-93, cert. ef. 2-15-93; BCA 5-1993, f. 4-5-93, cert. ef. 4-15-93; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98