

**DIVISION 100
SPECIAL ALTERNATIVE INSPECTION
PROGRAM RULES**

General Requirements For Programs

918-100-0000

Applicability of Rules

(1) The rules in OAR 918-100-0000 to 918-100-0120 implement the statewide minor installation label, master permit and special alternative inspection programs.

(2) Nothing in these rules shall prohibit a person from purchasing a regular permit in order to insure individual inspection of any installation.

(3) Tri-County regional minor installation labels issued prior to October 1, 2004 are considered valid until expired and may be used in jurisdictions outside the Tri-County region.

(4) The division may adopt policies and procedures to ensure a smooth transition from the Tri-County regional minor label program to the statewide minor label program.

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-100-0010

Definitions

The following definitions are adopted:

(1) "Accessible" means the structural, mechanical, and plumbing installations can be easily inspected because the work is in the open or because there is a designed permanent physical access such as an access panel, door, or similar entry.

(2) "Applicant" is a person authorized to take out a master inspection permit or minor label.

(3) "Closest Office" means:

(a) In the case of the division, the closest office within the state from which appropriate inspectors are dispatched; or

(b) In the case of a municipality, the closest office from which appropriate inspectors serving the facility are dispatched within the municipal boundaries. If a municipality does not have an office from which inspectors are dispatched, the "closest office" is the municipality's executive office or the point of actual dispatch, whichever is closest.

(4)(a) A "Covered Facility" under the master permit program is one or more commercial or industrial buildings or structures under common

ownership or management located within the boundaries of the same inspection jurisdiction:

(A) Within the same complex on contiguous lots; or

(B) Situated at different locations within the municipality and both the inspecting jurisdiction and the permittee agree to treat the buildings or structures as a "covered facility."

(b) A "covered facility" under the master permit program, does not include an apartment or combination of apartments having less than a total of six living units.

(5) "Inspecting Jurisdiction" is the municipality or state serving the area with inspection services.

(6) "Inspection Hours" means the time necessary to do the inspections under the special alternative master permit inspection program. This includes travel to and from the closest office of the inspecting jurisdiction as well as inspector documentation.

(7) "Jurisdictional Inspector" is the inspector for an inspecting jurisdiction.

(8) "Minor Label" is an adhesive sticker with a corresponding log sheet or corresponding online account sold by a jurisdiction or the division for use with minor installation inspection programs.

(9) "New Construction" means:

(a) Creation of a new building shell;

(b) Installation of mechanical and plumbing products as part of the work described in subsection (a) of this section;

(c) Any structural, mechanical, or plumbing work performed in connection with changing the use or occupancy classification of the building, except as permitted by OAR 918-100-0080; or

(d) Any addition which increases the square footage of the building or structure.

(10) "Occupancy Classification" means the designation of a building according to its use or the character of its occupancy into one or more of the occupancy groups as provided in the **Oregon Structural Specialty Code**.

(11) "Repair and Maintenance" means restoring accessible or existing plumbing appliances, appurtenances, fixtures, wastes, vents, or distribution pipes in buildings or structures to a safe and sanitary condition.

(12) "Replacement" means exchanging an existing structural component or mechanical or plumbing product for a similar item which:

(a) Does not change the source or location of power;

(b) Does not exceed the design capacity of the existing system or structure; and

(c) Meets current accessibility and earthquake requirements.

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

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 460.085(1), 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627,

460.085(1), 479.540(15) & 479.570(2)
 Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 30-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04; BCD 17-2008, f. 9-26-08, cert. ef. 10-1-08

Minor Label Programs

918-100-0020

Scope of Minor Installation Label Programs

(1) The statewide minor installation label program is a mandatory statewide program for which labels are sold by the division and used within any jurisdiction.

(a) The division administers the residential, commercial, and industrial plumbing and electrical minor installation label program. Local jurisdictions are required to participate in the program by performing inspections on behalf of the division on a percentage of minor installation labels used by contractors.

(b) Work performed under this program shall conform to the **Oregon Electrical Specialty Code**, the **Oregon Plumbing Specialty Code** and the **Oregon Residential Specialty Code**. The scope of work allowed under this program is defined in OAR 918-309-0220 for electrical installations and OAR 918-780-0140 for plumbing installations.

(2) Jurisdictions may file a request for delegation of optional minor installation programs. Use of a minor installation label by an appropriate person include:

(a) Work performed under the structural commercial and industrial minor label program shall be to the **Oregon Structural Specialty Code**. The scope of work allowed under this program includes:

(A) Alteration, replacement, or repair of up to 100 linear feet of nonbearing, walls and partitions that are not fire resistive and that are not part of the building shell, an exit, or an exit passageway;

(B) Window and door replacements or relocations not part of an exit or exit passageway and fit within existing openings. Replacement windows and doors shall comply with the requirements of current state codes, including but not limited to safety glazing requirements;

(C) Light weight interior awnings under 100 pounds total weight;

(D) Removal and replacement of acoustical ceiling tiles in ceilings not fire-rated of less than 1,000 square feet. Replacement of supporting grid is not included; and,

(E) Minor roofing repairs not exceeding ten percent of the roofing area.

(b) Work performed under the mechanical commercial and industrial minor label program shall be to the **Oregon Mechanical Specialty Code**. The scope of work allowed under this program includes:

(A) Moving or replacing duct work not involving fire dampers or penetrations of fire walls, fire assemblies or floors;

(B) Moving grills in duct work; or,

(C) Replacing existing heating, cooling and ventilation equipment.

(3) The minor label program does not include:

(a) New construction, except as allowed under OAR 918-309-0220(3)(a) and (b);

(b) Accessibility retrofit;

(c) Major roof repairs, constituting more than ten percent of roofing area, and reroofing;

(d) Work on fire extinguishing or smoke evacuation systems;

(e) Chemical or industrial liquid waste and vent piping; or

(f) Combination waste and vent systems.

(4) The elevator minor label program is a statewide program for which labels are sold by the division and used within any jurisdiction.

(a) The division administers the elevator minor installation label program. The division shall perform inspections on a percentage of minor installation labels used by contractors.

(b) Work performed under this program shall conform to the **Oregon Elevator Specialty Code**. The scope of work allowed under this program is defined in 918-400-0675.

(5) No more than one minor label for each specialty area or one elevator minor label shall be used on any single project per job site. For the purpose of this rule, a job site means work at the same address.

(6) A minor label is only required when the work otherwise requires a permit. No new permit requirements are created.

(7) If a jurisdiction chooses not to offer the optional minor label program, permits and individual inspections shall continue to be required in each program.

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

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 460.085(1), 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 460.085(1), 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04; BCD 17-2008, f. 9-26-08, cert. ef. 10-1-08

918-100-0030

Minor Label Fees

Minor labels sold by the division for installations governed by these rules shall be sold in lots of ten at a cost of \$125.

Stat. Auth.: ORS 447.072, 447.076, 447.095, 455.020, 455.144(7), 455.154, 455.155, 455.627, 455.844, 455.846,

460.085(1), 479.540(15), 479.570(2) & 479.840
 Stats. Implemented: ORS 447.072, 447.076, 455.154,
 455.155, 455.627, 455.844, 455.846, 479.540(15) &
 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-
 2002, f. 3-8-02, cert. ef. 4-1-02; BCD 31-2005, f. 12-
 30-05, cert. ef. 1-1-06; BCD 17-2008, f. 9-26-08, cert.
 ef. 10-1-08

918-100-0040

Issuance of Minor Labels

The following persons are eligible to purchase minor labels:

(1) Structural and mechanical minor labels. Building owners, the owner's agent or the contractor doing the work, who holds a Construction Contractors Board license.

(2) Plumbing minor labels. Plumbing contractors authorized by OAR 918-780-0130.

(3) Electrical minor labels. Electrical contractors authorized by OAR 918-309-0210.

(4) Elevator minor labels. Elevator contractors authorized by OAR 918-400-0333.

Stat. Auth.: ORS 447.072, 447.076, 455.154, 455.627,
 460.085(1), 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627,
 460.085(1), 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-
 2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. &
 cert. ef. 10-1-04; BCD 17-2008, f. 9-26-08, cert. ef. 10-
 1-08

918-100-0050

Requirements for Persons Using Minor Labels

(1) A person making a minor installation under either a statewide or optional minor label program shall:

(a) Fill in the information required on a minor label and attach it to the electrical panel, or near the installation if no panel is present before work is started; or, for elevators, on or near the controller in the machine space in plain view;

(b) Record the installation in the minor label log sheet or in a minor label online account; and

(c) Return the minor label log sheet to the selling jurisdiction or division office after the ten minor labels are used, or every 12 months from date of sale, whichever occurs first; online account users do not need to return a minor label log sheet.

(2) A plumbing contractor making a minor concealed installation shall notify the division that the work is ready for inspection within 48 hours of completion. Work may not be covered or concealed until an inspection is made or approval to cover is given by the jurisdiction or the division.

(3) A minor label may be used on a job site with existing structural, mechanical, plumbing,

electrical, or elevator permits provided the work is of the type covered by the minor label rules, and the contractor does not have an existing permit for that job site.

(4) Minor installation labels may not be exchanged or transferred.

Stat. Auth.: ORS 447.072, 447.076, 455.154, 455.627,
 460.085(1), 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627,
 460.085(1), 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f.
 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04;
 BCD 17-2008, f. 9-26-08, cert. ef. 10-1-08

918-100-0060

Requirements for Municipalities

At least ten percent of each minor label lot shall be inspected.

(1) For optional programs, the authority having jurisdiction shall inspect within 30 days of return of a minor label log sheet, or of lot completion in an online account. If the work inspected violates the code under which the installation is made, the inspecting jurisdiction may:

(a) Inspect additional installations listed in the log sheet or the online account; and

(b) Charge the person purchasing the minor labels for all new inspections and for all reinspections required at the jurisdiction's hourly inspection rate.

(2) Under the statewide program, the authority having jurisdiction shall inspect the minor installation within 30 days of contacting the homeowner, but no more than 35 days from the date of receipt of the division's request to inspect.

(a) The division shall compensate each inspecting jurisdiction \$75 per inspection for the first minor label installation inspected in a lot. In the event that a jurisdiction is required to perform an inspection on a second or third label, the contractor shall compensate the jurisdiction directly at a uniform flat fee of \$75. If the jurisdiction finds a code violation that requires a second inspection of minor label, the contractor shall compensate the jurisdiction directly at the jurisdiction's hourly rate.

(b) The division shall, upon notice of three failed inspections in the same lot of labels, notify the contractor and the jurisdictions affected by the remaining labels in the same lot. Each jurisdiction shall then notify the contractor that a permit is necessary for each of the remaining installations within the jurisdiction in the same lot of labels, and work shall follow the normal permit and inspection procedures for that jurisdiction.

(c) If, at any time during a three-year period, the division notifies jurisdictions of two or more lots of minor labels under subsection (b) of this section, the division shall no longer issue minor label sheets to the contractor for a period of one year, upon final determination. Normal permit and inspection procedures for the applicable jurisdiction shall be followed. The contractor shall return any unused minor labels to the division.

(d) Any contractor wishing to appeal a denial of the use of minor labels is entitled to a contested case hearing under the Administrative Procedures Act, ORS chapter 183.

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04; BCD 17-2008, f. 9-26-08, cert. ef. 10-1-08

Master Permits

918-100-0070

Issuance of Master Permits

Master permits shall be issued to the following persons electing to be inspected under the master permit program, if the jurisdiction offers this program:

(1) Structural and mechanical master permit. Contractors having a verified Construction Contractors Board registration, owner or operator of the covered facility.

(2) Plumbing:

(a) Plumbing contractors having a certificate of registration under ORS 447.030 and a verified Construction Contractors Board registration;

(b) Covered facilities having plumbing employees with a certificate of competency under ORS Chapter 693.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94

918-100-0080

Work Qualifying for the Master Permit Program

(1) A master permit allows construction work in a covered facility if:

(a) The work is not "new construction" as defined in these rules and ORS 455.190;

(b) The occupancy classification of the building is not changed to a more hazardous occupancy as a result of the work; and

(c) Work is governed by the state building codes and a permit is otherwise required.

(2) The master permit program allows:

(a) Structural, mechanical and plumbing construction or alterations that are not new construction except as permitted in this section and ORS 455.190;

(b) Non-structural demolition carried out in conjunction with or necessary for construction allowed under this program;

(c) Repair and maintenance;

(d) Interior tenant remodeling;

(e) Accessibility upgrades; or

(f) Changes of occupancy as described in this section, provided the building official determines the proposed alterations may be satisfactorily reviewed and inspected under a master permit.

(3) Exclusions. A master permit does not allow:

(a) Work on one- and two-family dwellings, and associated accessory buildings, and an apartment building or apartment complex having six or less living units;

(b) New construction; or

(c) Major roof repairs and reroofing unless preapproved by the inspecting jurisdiction.

(4)(a) Where state code requires plan review for any of the construction covered by section (2) of this rule, an expedited, within 24 hours, review can be requested as provided in subsection (b) of this section;

(b) The request for expedited review shall be filed with the inspecting jurisdiction; and

(A) Contain a statement of a state-licensed professional architect or engineer whose practice is in the program area covered certifying fire and life safety issues do not exist or are addressed, and the proposed construction meets code requirements;

(B) Contain a copy of drawings signed by the licensed professional; and

(C) Be requested at least ten working days prior to the work.

(5) No work shall be covered or installation made operational until inspected, tested or approved by the inspecting jurisdiction.

Stat. Auth.: ORS 455.040, 455.144, 455.190 & 479.560

Stats. Implemented: ORS 455.190

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 30-2000, f. 12-27-00, cert. ef. 1-1-01

918-100-0090

Master Permit Fees

(1) The master permit fee for inspection hours shall be the hourly charge of the inspecting jurisdiction. The hourly charge may include the direct costs of providing the service, such as salaries, materials and supplies, as well as indirect expenses, such as supervision, overhead and staff support. However, the fee level is subject to ORS 455.210.

(2) Advance estimated payments may be required by the inspecting jurisdiction when the master permit is obtained, or during the term of the permit, provided an annual accounting and credit or refund is given based on actual time spent for inspections. All requirements must be in ordinance, rule or other binding regulations of the inspecting jurisdiction.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94

918-100-0100**Requirements for Applicants**

An applicant electing to have a covered facility inspected under a master permit shall:

(1) Take out an annual master permit with the inspecting jurisdiction, designate the covered facility involved, define whether the work will be done by exempt employees, licensed plumbing employees or registered contractors or any combination, and pay the required fees;

(2) Create and keep records of all master permit installations showing what was done, the employee or contractor doing the work, when it was done and material used;

(3) File reports covering work done every three months and make the original records available for the jurisdictional inspector;

(4) Arrange an inspection schedule with the inspecting jurisdiction. Every covered facility shall be inspected at least once a year, or more frequently if deemed necessary by the inspecting jurisdiction based upon the size, use or occupancy of the building;

(5) Not cover until inspected, tested and approved;

(6) Make corrections required upon inspection regardless of who did the work;

(7) Pay, upon request from the inspecting jurisdiction, the fee for the inspection hours used to service the facility or facilities;

(8) Take out a timely separate permit, pay fees and have individual inspections for installations outside the scope of a master permit.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94

Delegation of Alternative Inspection Programs**918-100-0110****Delegation of Special Inspection Programs**

Each municipality providing industrial and commercial structural, mechanical and plumbing specialty code inspections can request delegation provided it:

(1) Files a timely notice under ORS 455.148 or 455.150 covering the basic programs and serves the required parties, the state in case of a county, and county and state in case of a city;

(2) Files separate requests for delegation of optional special master permit and minor label inspection programs for commercial and industrial structural, mechanical or plumbing installations with the division at the same time and with the same parties in subsection (a)

of this section and includes as relevant:

(a) A proposed time line and method by which the municipality shall adopt random inspections or master permit inspections or both within its jurisdiction and notify persons within its inspection boundaries;

(b) A description of the inspection area to be covered and specific identification of covered facilities which cross-jurisdictional lines that are included or excluded in the requested delegation:

(A) If a covered facility crosses jurisdictional lines, delegation shall only be allowed if the facility is to be served by one inspecting jurisdiction for all of its inspection needs covering the program for which master permit application is sought and there is consent by the adjacent jurisdictions. The only exceptions are where a logical division of the covered facility can be made and there is no additional expense or loss of convenience to the facility or where a facility crossing jurisdictional lines is constructed after delegation of the program;

(B) The request for delegation shall explain how facilities that cross-jurisdictional boundaries will be inspected, and how the relevant code shall be enforced, if the facility elects to be inspected under the master permit program. Copies of agreements with surrounding jurisdictions, dispute resolution agreements or a statement there is no related facility that crosses jurisdictional lines are acceptable;

(C) An explanation shall be provided regarding how fees shall be established with the facility. Copies of prototype agreements with facilities or agreements with adjacent jurisdictions are acceptable;

(D) An agreement that if a disagreement arises between applicant and any adjacent jurisdiction over who should provide complete services to a facility that crosses a jurisdictional line, the division may immediately assign the facility to any jurisdiction to provide complete inspection services covering the program under which there is a disagreement. If applicant is not assigned the authority, applicant shall cooperate in allowing the assigned jurisdiction to operate in its territory and in bringing any enforcement actions necessary involving that facility.

(3) Files a master permit inspection operating plan briefly describing how the programs will be administered including:

(a) Local policies and procedures for operating the program;

(b) The certifications of each jurisdiction plans examiner and inspector assigned to the program including the person licensed as an engineer when required by ch. 368, 2003 Oregon Laws;

(c) Accounting procedures.

(4) Renewal of delegation. No additional procedures are required for renewals. As long as the municipality continues to provide structural, mechanical and plumbing specialty code inspections, the renewal is automatic upon notice under ORS 455.148 or 455.150 of continuation or request.

Stat. Auth.: ORS 455.040, 455.144 & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 30-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02

918-100-0120

Clarification of Jurisdiction

(1) If an inspecting jurisdiction chooses not to offer the optional minor label program or master permit program, permits and individual inspections shall continue to be required in each program area involved; and

(2) The delegation process shall not shift any inspection authority or boundary from one inspecting jurisdiction to another unless there is express agreement between the granting and receiving jurisdictions under OAR 918-100-0110.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02