

**FINAL**  
**State of Oregon**

**Building Codes Structures Board**

**Regular meeting minutes**

**February 7, 2007**

**Members present:** Martin Brown, acting chair  
Blair Bubenik  
Terry Dieter  
Bruce Dobbs  
Jim Schwager

**Members absent:** Chris Davis

**Staff present:** Andrea Simmons, policy and technical services manager  
Johanna Matanich, assistant attorney general  
Richard Rogers, structural program chief  
Joanie Stevens-Schwenger, communications manager/regional coordinator  
Jerod Broadfoot, regional coordinator  
Celina Patterson, policy analyst  
Marianne Manning, boards coordinator

**Guests Present:** John Caul, Oregon State Fire Marshal  
Alan Seymour, Oregon Department of Energy  
Mike Steffen, Walsh Construction

**I. Board business**

**A. Call to order.**

Acting Chair Martin Brown called the Building Codes Structures Board meeting to order at 9:30 a.m. The meeting was held at Building Codes Division, Conference Room "A," 1535 Edgewater NW, Salem, Oregon.

**B. Roll call.**

Chris Davis was absent, excused.

**C. Approval of agenda and order of business.**

Acting Chair Brown **RULED** the agenda approved with Item VI moved to immediately follow the Executive Session.

**D. Approval of the November 1, 2006 regular board meeting minutes.**

Acting Chair Brown **RULED** the November 1, 2006 regular board meeting minutes approved.

**E. Date of the next regularly scheduled meeting.**

May 2, 2007

**F. Formal farewell to Michael Steffen.**

Andrea Simmons, policy and technical services manager, presented a plaque of appreciation from the governor's office to Michael Steffen, who served on the

Building Codes Structures Board since February 2004. She also presented a letter of personal thanks to him from the administrator's office. Mr. Steffen thanked the members of the board for the opportunity to work with them and for their service to the State of Oregon.

## **II. Public comment – None**

*(Break to clear room for Executive Session.)*

## **III. Executive Session**

**Executive session to consult with legal counsel regarding current litigation and/or consider records exempt from public inspection, under the Public Records Law. ORS 192.660(2)(f) and (h).**

*(Break to allow audience to be seated.)*

*This item heard out of order.*

## **VI. Appeals**

**Consideration of Rowe Properties, LLC v Building Codes Structures Board, et al., settlement agreement.**

**MOTION** by Bruce Dobbs to uphold and ratify the settlement agreement as recommended by the Building Codes Division regarding Rowe Properties, LLC v Building Codes Structures Board, et al.

**MOTION CARRIED UNANIMOUSLY.**

## **IV. Reports**

### **A. Building Codes Division administrator's report.**

Ms. Simmons distributed and discussed a Construction Claims Task Force [information sheet](#) and [executive summary](#). Ms. Simmons noted that task force recommendations will result in a number of legislative concepts.

Ms. Simmons introduced Jerod Broadfoot, regional coordinator for eastern Oregon. Mr. Broadfoot will be based in the Pendleton office.

### **B. Legislative update.**

**Bill summary report.** Ms. Simmons distributed and discussed a [summary of priority bills](#) introduced to the House and Senate and being tracked by the division. Ms. Simmons indicated that division-tracked bills could be viewed on the [division Web site](#), as well as on the [legislative Web site](#). Ms. Simmons discussed the following division sponsored bills:

**House Bill 2219.** Clarifies terminology related to certain licensing and examination fees.

**House Bill 2405.** Expands the division's electronic permitting program to allow local governments to offer a full range of building department services through a one-stop Web site.

**Senate Bill 193.** Addresses changes to the boiler program regarding inspection requirements.

**Senate Bill 192.** Makes changes to enforcement authority.

Ms. Simmons answered questions from the board about these bills.

[Board bylaws](#). Current board bylaws were distributed and discussed.

**C. Program update.**

Richard Rogers, structural program chief, reported that the 2007 Oregon specialty codes would be available soon. The code will be integrated, making insertion pages unnecessary. Negotiations are ongoing with ICC to post the Oregon codes on the ICC Web site in a read-only format.

Mr. Rogers discussed the timeline for the code adoption process of the 2008 Oregon Residential Specialty Code (ORSC). He reported that [code change requests](#) will be accepted from February 15 through April 2, 2007. As part of this code adoption process, a committee has been formed to review row house/town house terminology.

**V. Communications**

**Statewide and pilot program [online permitting](#) presentation.**

Joanie Stevens-Schwenger, communications manager/regional coordinator, distributed and discussed a [presentation](#) about the state's legislative proposal, HB 2405 that would allow local government to offer many services including electronic plan review.

Manager Stevens-Schwenger answered questions regarding fee structures, optional jurisdiction participation, energy savings and computer operating systems required by state and local jurisdictions.

**VII. Unfinished business – None**

**VIII. New business**

**Alternate method for the construction of childcare areas in mercantile occupancies.**

Mr. Rogers discussed a request for an alternate method for limited childcare offered in certain mercantile operations. Many mercantile occupancies (malls, department stores, etc.) now provide limited duration child-care for the convenience of patrons. Given the limited duration of the childcare being provided in the stores, it is not reasonable to expect the same level of fire, life-safety code compliance in "M" occupancies as that required for traditional daycare where supervision may be provided on a 24 hour basis.

It was recommended that the word "subordinate" be changed to "accessory" in item 1. It was also recommended that the words ". . . in accordance with NFPA 13, 2002" be changed to ". . . in accordance with the current OSSC" in Item 4.

**MOTION** by Bruce Dobbs to approve the alternate method of construction as presented by the division, with recommended amendments.  
**MOTION PASSED UNANIMOUSLY.**

**IX. Announcements** – None

**X. Adjournment**

Acting Chair Brown adjourned the meeting at 10:53 a.m.

Respectfully submitted by,

Marianne Manning  
Boards Coordinator