

Building Codes Structures Board

Rescheduled meeting minutes

September 30, 2009

Members present: Martin Brown, acting Chairman
Chris Davis
Terry Dieter
Bruce Dobbs
Rene Gonzalez
Eric McMullen
Thomas Sjostrom

Members absent: Bill Wellard
Steven Wood

Staff present: Patrick Allen, administrator
Richard Rogers, structural program chief
Chris Huntington, policy and technical services interim manager
Celina Patterson, policy analyst
Shauna Parker, rules coordinator
Debi Barnes-Woods, division boards coordinator

Guests Present: Bob Sinclair, Powers Fasteners, field engineer
Kent Carlson, Powers Fasteners, field technical service manager
Keith Bohren, Simpson Strong-tie Company
James Bela, president and founder of Oregon
Earthquake Awareness
John Caul, Oregon State Fire Marshal's Office
Chris Burnett, Simpson Strong-tie Company
M. Finzen, Simpson Strong-tie Company
Alan Seymour, Oregon Department of Energy
Lori Graham, City of Portland
Ann Hushagen, Oregon Department of Energy
Tonya Habg, SEAO
Andy Stember, SEAO

I. Board business

A. Call to order

Acting Chairman 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 Street NW, Salem, Oregon.

B. Roll call

Bill Wellard and Steven Wood were both absent excused.

C. Approval of agenda and order of business

The amended agenda was further amended moving existing Agenda Item VIIE first under new business followed by moving existing new business items B, C, and D before existing item A.

Acting Chair Brown **RULED** the agenda approved as amended.

D. Approval of the July 8, 2009 regular board meeting minutes

Acting Chair Brown **RULED** the July 8, 2009 board meeting minutes approved.

E. Date of the next regularly scheduled meeting

November 4, 2009. This meeting may be moved to accommodate board member schedules.

II. Public comment

It was discussed among board members that the time allowed for public comment will remain 5 minutes during this item but for the remaining agenda items, the time allowed for public testimony will be changed to 2 minutes due to the length of the agenda.

James Bela, president and founder of Earthquake Awareness, discussed earthquakes that trigger tsunamis and vertical evacuation buildings being built specifically for individuals during tsunamis.

III. Reports

A. Building Codes Division administrator's report

Manager of Policy and Technical Services Chris Huntington highlighted staff changes at the division noting that Mark Long is still at the Oregon Department of Energy as the Acting Director, which means Patrick Allen continues to serve as acting administrator of Building Codes Division. Andrea Simmons, recently appointed acting deputy administrator of Building Codes Division, has accepted a promotional opportunity at the Oregon Department of Energy. The division recruited for the deputy administrator position, hiring Berri Leslie from the Division of Finance and Corporate Securities.

Manager Huntington reviewed the [BCD Update packet](#) noting some of the rulemaking activities.

House Bill 3462, passed by the 2009 Legislature, has two major components related to inspector certification. First, it authorizes the division to establish renewal periods and fees for certifications (Phase I). Second, it authorizes the division to create a pilot program to develop specialized inspector certifications and training. (Phase II). A committee was established to focus exclusively on implementing the first phase of HB 3462 rulemaking, dealing with the inspector and building official certification renewal periods, processes, and fees. Phase II will begin later this fall and will follow a separate process.

Manager Huntington discussed Senate Bill 79, outlining what the bill accomplishes:

- Creates a task force on energy performance scores
- Requires an increase in the energy efficiency of 10-25 percent in commercial structures and 10-15 percent in residential structures by 2012

- Authorizes the development of a voluntary “reach code” containing construction methods for achieving higher levels of energy efficiency than under the statewide codes

Manager Huntington discussed the division’s process of forming a committee to prepare for the adoption of the nation’s first statewide solar energy code.

Manager Huntington then discussed the progress of the full-service system for ePermitting. The new on-line service will continue to supply access for ordering permits, but it will also include streamlined plan review of construction plans, along with on-line submissions of project approval and inspection tracking services. The first jurisdictions are expected to join the full-service system by early 2010.

IV. Communications - None

V. Appeals - None

VI. Unfinished business - None

(The order of the new business items were amended)

VII. New business

E. Board selects members for the Construction Industry Energy Board

Manager Huntington reminded the board of the details of House Bill 2950. He noted that the new board will review and consider energy efficiency related code standards and proposals. All recommendations will go to the administrator for final approval. Manager Huntington said that the Building Codes Structures Board needs to select two of its members with practical experience in construction to also serve on the Construction Industry Energy Board. He added that the new board is required by statute to meet at least twice a year.

Terry Dieter asked that this board receive notification under "Communications" of discussions at the Construction Industry Energy Board meetings.

Chair Brown asked about the energy provisions of the code. Which board will be reviewing the provisions of Chapter 13? Will it be the Building Codes Structures Board or the Construction Industry Energy Board? Manager Huntington noted that the energy code (Ch. 13) had been reviewed by the BCSB in the past and that the division plans to take it to the BCSB for approval this cycle, it is one of the items that could fall under the purview of the energy board in the future, such as the solar code etc.

Nominations were now open for the two positions

Bruce Dobbs nominated himself noting that he has owned an engineering consulting business for 20 years designing buildings and has conducted energy

analysis for several hundreds of buildings, sits on the energy trust advisory committee, is a member of the US Green Building Council, and is a registered mechanical engineer. Mr. Dobbs is interested in making buildings more sustainable.

Rene Gonzalez nominated himself due to his position on the Building Codes Structures Board, a general contractor, as defined in ORS 701.005, specializing in the construction of buildings more than three stories above grade. Mr. Gonzalez has been a general contractor for 22 years and is involved in energy efficiency as a contractor.

Terry Dieter nominated himself noting that the architects of Oregon would be interested in having a seat on the new board. Besides his position on the board representing the architects of Oregon, he has been an architect for over 20 years, and would bring experience as a building owner. Mr. Dieter did say however that because he is currently on sabbatical, he is unable to commit.

Public testimony

James Bela, president and founder of Earthquake Awareness, noted that by electing members from the board cuts the Building Codes Structures Board out of the code process. Mr. Bela suggested that the board not fill the positions and allow the process to be conducted the same as for other boards by filling out an interest form and sending it to the governor. Mr. Bela “strongly encouraged them not to have people there so that the board could have some influence.”

First seat for the Construction Industry Energy Board was now open

Roll call vote taken:

Thomas Sjostrom, Erick McMullen, Rene Gonzalez, Bruce Dobbs, Terry Dieter, Chris Davis, and Chair Brown all voted for Bruce Dobbs.

By unanimous consent, Bruce Dobbs now holds the first position on the Construction Industry Energy Board.

Second seat for the Construction Industry Energy Board was now open

Roll call vote taken:

Thomas Sjostrom, Eric McMullen, Rene Gonzalez, Bruce Dobbs, Terry Dieter, Chris Davis, and Chair Brown all voted for Rene Gonzalez.

By unanimous consent, Rene Gonzalez now holds the second position on the Construction Industry Energy Board.

B. Board reviews and approves proposed change to Section 2104.7 in the 2007 Oregon Structural Code

Structural Program Chief Richard Rogers explained that this proposed change would be up-dating the standard for cleanouts to a dimension that is consistent with the Masonry Standards Joint Committee to 5 foot, 4 inches. Also, industry has requested that the Oregon amendment allowing a prescriptive minimum

cleanout dimension of 1 1/8 inch by 4 1/4 inches be maintained but be relocated to a more appropriate section of Chapter 21.

Motion by Eric McMullen to approve the proposed changes as recommended to be sent to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

C. Board reviews and approves proposed change to Section 310.2 in the 2007 Oregon Structural Specialty Code – Definition of Lodging House

Structural Program Chief Richard Rogers noted that a need to specify a maximum occupant load for structures to qualify as Lodging Houses is needed. The division is proposing a modification to the definition of Lodging House to include that the total number of guests shall not exceed 16.

Public testimony

James Bela, president and founder of Earthquake Awareness, noted that the definition for bed and breakfast for the number of guests should be in the code and not in the definition.

Motion by Terry Dieter to approve proposed recommended changes to be sent to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

D. Board reviews and approves proposed change to Tables 1613.5(1) and 1613.5(2) in the 2007 Oregon Structural Specialty Code – Structural Design

Structural Program Chief Richard Rogers explained that the division is proposing to modify the current Oregon amendment, which allows, as an alternative, the design values for buildings to be taken from the maps issued by the United States Geological Survey on its Web site or the “Ground Motion Parameter Calculator,” a Java Application available free through the USGS Web site.

Public testimony

James Bela, president and founder of Earthquake Awareness, explained that it is necessary to have a higher design strength if the ground is to shake for 3 to 5 minutes during an earthquake. He urged the board not to vote in favor of the proposed change, which in Mr. Bela’s opinion would lower the standards.

Motion by Chris Davis to approve proposed recommended changes to be sent to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

A. Review and make recommendations for adoption of the 2010 Oregon Structural Specialty Code.

Chair Brown recognized the Chair of the code committee, Terry Dieter, as well as the members who worked on the document for the 2010 Oregon Structural Specialty Code and thanked the proponents who sent code changes.

Structural Program Chief Richard Rogers noted that he would like the board to review the code in sections, which are listed in the [matrix](#) of the proposals to the 2010 Oregon Structural Specialty Code.

The first section in the matrix to be reviewed was substantial requirement changes in the 2009 Model Code. Structural Program Chief Richard Rogers reviewed each item number in this section with no questions from the board.

Motion by Bruce Dobbs to uphold the recommendations made by the code committee for the substantial changes to the 2009 Model Code.

Motion approved unanimously

Editorial and non-substantial requirement changes in the 2009 Model Code were reviewed. Program Chief Richard Rogers reviewed each item number in this section.

Chair Brown inquired if by adopting Chapter 14, some type of rain-screen would then be required and installed on all new construction of commercial buildings.

Structural Program Chief Richard Rogers said that on the commercial side of the code, it would read “and a means of draining water to the exterior that enters the assembly.” The commercial side would not require a drain plane.

Chair Brown also noted that editorial changes need to occur in Chapter 27 where references are made to Chapter 10 for disability access, which Oregon has removed. Structural Program Chief Richard Rogers noted that other editorial changes need to occur in emergency standby that should be added to Chapter 27 and referenced to Chapter 4.

Public testimony

James Bela, president and founder of Earthquake Awareness, noted that Appendix A through K should all be published as part of the Oregon Code.

Structural Program Chief Richard Rogers addressed Mr. Bela’s comments by saying that Appendix A through K are reproduced in the code.

Motion by Terry Dieter to uphold the recommendations made by the code committee and editorial changes made by the board for the editorial and non-substantial changes to the 2009 Model.

Motion approved unanimously

Existing Oregon amendments were reviewed. Program Chief Richard Rogers reviewed each item number in this section.

Motion by Terry Dieter to uphold the recommendations made by the code committee for the existing Oregon amendments.

New amendment proposals (public) were reviewed. Program Chief Richard Rogers reviewed each item number in this section.

Chair Brown noted that OSSC 10-04 Section 1501.2 adds rooftop fall protection to anchorage requirements, which was originally disapproved by the code committee. The committee's reasons for denial addressed issues such as lack of clarity and the difficulties in the field of applying a prescriptive code requirement to a variety of roof configurations including interference with mechanical equipment and other roof top applications.

Structural Program Chief Richard Rogers said that although the merits of the code change language may be debated, the division believes it is nonetheless appropriate to direct code users to OSHA's administrative rules governing fall protection systems and practices. It is the division's intent to insert a [text box](#) at the end of Section 1501.1 of the Oregon Structural Specialty Code. The language that will appear in the text box is not enforceable through the authority established in ORS 455 and is provided solely for the readers consideration. Although no board action is required for this action to occur, the division welcomes suggestions from the board.

Public testimony

James Bela, president and founder of Earthquake Awareness, noted that individuals from the public are in favor of this code change and encouraged the board to reverse the committee's vote and allow the code change to go forward to the public hearing process.

James Bela, president and founder of Earthquake Awareness, discussed OSSC 10-13. Section 1608.2 changes base document for determining snow loads. He noted that there is a continuing problem with snow loads. He said that the minimum was 25 pounds per square foot for years. Mr. Bela's argument is that there are volcano's in the Pacific Northwest, in which an inch of volcanic ash weighs 5 pounds per square foot. And, he noted that if it rains on the volcanic ash that would add another 5 pounds per square foot. Mr. Bela was not in favor of lowering the snow load below 25 pounds.

Motion by Bruce Dobbs to uphold the recommendations made by the code committee for the new amendment proposals from the public.

New amendment proposals to alternate method #08-05 IEBC were reviewed. Program Chief Richard Rogers explained that the 06 alternate methods will be updated to the 09 alternate methods in the IEBC and brought back to the board at a later date for the board to review the scientific and technical facts related to the alternate methods. No motion was required at this time for this section.

New amendment proposals (BCD) were reviewed. Program Chief Richard Rogers reviewed each item number in this section.

Motion by Terry Dieter to uphold the recommendations made by the code committee for the new amendment proposals from BCD.

There was no board discussion on the existing statewide alternate methods and existing statewide interpretations, and the items did not need a motion from the board.

Public testimony

James Bela, president and founder of Earthquake Awareness, noted that anchor bolts and sill plates are an issue and should be brought to the board for discussion.

Motion by Terry Dieter to approve recommend modifications made at the board meeting and approve changes as recommended by the Structural Code Change Committee to be sent to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

VII. Announcements – None

VIII. Adjournment

Acting Chair Brown adjourned the meeting at 12:00 p.m.

Respectfully transcribed and submitted by,

Debi Barnes-Woods
Division Boards Coordinator