

State of Oregon
Final

Residential Structures Board

Regular board meeting minutes

October 1, 2008

Members present: Ray Miller, Chairman
David DeHarpport, Vice-chair
Scott Caufield
Phil Damiano
Mike Goodrich
Kathryn Gray
Douglas Lethin

Members absent: None

Staff present: Mark Long, administrator
Andrea Simmons, green building services and legislative affairs manager
Chris Huntington, policy and technical services interim manager
Richard Rogers, structural program chief
Terry Swisher, chief plumbing inspector
David Galati, regional services manager
Kristy Nielsen, policy analyst
Aeron Teverbaugh, policy analyst
Gabrielle Schiffer, green building services coordinator
Shauna Parker, rules coordinator
Debi Barnes-Woods, division boards coordinator

Guests present: Johnathan Balkema, Oregon Home Builders Association (OHBA)
Daniel Rapp, representing the siding industry
Andy Stember, SEAO, JAS Engineering
Chuck Day, Adair Homes
James Bela, Oregon Earthquake Awareness
Eric McMullen, Oregon Fire Marshal's Association
John Caul, OSFM
Alan Seymour, Oregon Department of Energy
Scott Barrie, OHBA
Brady Peeks, Oregon Department of Energy

I. Board business

A. Call to order

Chairman Ray Miller called the Residential Structures Board meeting to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

All members were present.

C. Approval of agenda and order of business

Chair Miller **RULED** the agenda and order of business approved.

D. Approval of the board meeting minutes from:

The minutes of July 2, 2008 were amended as follows:

- Language inserted after Agenda Item VII.A, and before Agenda Item VII.B, “*(Gavel was returned to Chairman Miller for the remainder of the meeting)*”
- Agenda Item VII.E, page 10, in the motion, delete installation vapor barrier and insert “insulation and vapor barrier approval.”

Chair Miller **RULED** the minutes from July 2, 2008 approved as amended.

E. Date of the next meeting

January 7, 2009

F. Board review 2009 board meeting dates

II. Public comment

James Bela, president and founder of Oregon Earthquake Awareness, discussed the ATC-64 project, the development of design and construction guidance for special facilities for vertical evacuation from tsunamis, which provides a means to create areas of refuge within the tsunami inundation zone for communities in which evacuation out of the inundation zone is not feasible.

III. Reports

A. Building Codes Division’s report

Administrator of Building Codes Division Mark Long briefed the board on the packet of information “BCD update.” He touched on rainwater harvesting and wastewater conservation the Oregon State Plumbing Board as well as the Residential Structures Board has approved for Statewide Alternate Method Rulings.

With the upcoming election cycle and legislative session, the Governor’s office, Secretary of State and Attorney General’s Office have provided general guidance for public officials. Ballot Measure 63 was made available to board members as well as the audience.

Administrator Long distributed a draft copy of the fire sprinkler report that was promised at the July board meeting. He discussed the division’s final action that starts on page 12 of the report. He briefed the board on the scope of the fire

sprinkler issue. He said that the division is committed to maintaining a uniform code and feels that local considerations should be addressed prior to a request for a local fire sprinkler requirement. The division will draft procedural rules for local amendment requests.

Administrator Long noted that this report is meant as a guide for local jurisdictions considering requesting a local amendment for fire sprinklers (if the local amendment request rules are adopted). He noted that the division is expecting the rules to go into effect January 1, 2009.

The division is asking the board to review the draft report and get comments back to the division by October 10, 2008.

B. Program update

This item was discussed under the division update.

IV. Communications

A. 2008 Oregon Residential Specialty Code Errata

No board discussion.

B. Statewide Code Interpretation for residential furnace access

Manager of Policy and Technical Services Chris Huntington reported that the majority of jurisdictions and inspectors apply the mechanical provisions of the Oregon Residential Specialty Code. Some electrical inspectors are questioning whether the Oregon Electrical Specialty Code should apply. Because of the confusion of what code sections would regulate the mechanical appliances installed in residential attics or crawl spaces, the division has written a draft interpretation. Section M1305.1.3 regulates residential mechanical appliances installed in attics, and Section M1305.1.4 would regulate the installation of mechanical appliances in underfloor applications. Mechanical equipment/appliance access is regulated under the mechanical provisions of the Oregon Residential Specialty Code and not the Oregon Electrical Specialty Code, which applies to “electrical equipment.”

C. Review Local Amendment Request rules

Chairman Miller and Vice-chair DeHarpport expressed their concerns with allowing local jurisdictions to request local amendments, instead of going through the code change process.

Administrator Long explained that there would be a consistent process in place to accommodate local jurisdictions seeking local amendments for green buildings, historic renovations, and other building code matters.

V. Appeals - None

VI. Unfinished business

Board review and reconsider Section R703.1 of the 2008 Oregon Residential Specialty Code – Means of draining water that enters the siding assembly

Manager Huntington explained that Section R703.1 does not provide a prescriptive requirement for the means of draining water that enters the assembly to the exterior. The division believes that providing a gap or discontinuity is a reasonable requirement to allow for increased consumer protection and address concerns of moisture intrusion in homes. Because of questions pertaining to the division's position on this code section, the draft code interpretation was deferred until the board has its review.

Motion by Scott Caufield to reconsider Section R703.1 of the 2008 Oregon Residential Code for means of draining water that enters the siding assembly.

Motion carried unanimously

Johnathan Balkema, Oregon Home Builders Association, director of codes and safety, is asking that the board to rescind the draft statewide code interpretation. He said that a ruling should be issued in its place that clearly defines the means of draining, to not limit or alter the premise of the code. The new ruling should reiterate that proper installation and use of flashings, proper installation and lapping of products, to create a continuous water-resistive barrier, will provide a means of drainage of water that enters the assembly to the exterior.

Daniel Rap, representing the siding industry, discussed the building envelope using a tie-back draining rap. Mr. Rap referred to the handouts made available by the division. He said that if a building is wrapped correctly and flashed correctly, the water would drain out. Mr. Rap suggested that the board look at how a house is protected and flashed rather than what product is used for protecting the house.

Vice-chair DeHarpport agreed that it is the way the home is wrapped with additional flashing around the windows to prevent water leakage that is important, rather than using additional unnecessary products.

Chuck Day, Adair Homes, said that the requirement for "drainage" of water that enters an exterior wall envelope covering is taken care of with the use of a "water-resistive barrier" under the final exterior wall covering.

Kathryn Gray noted that the proposed interpretation does not address the climactic variations in the region. Central Oregon, for example, has very little moisture issues and a change would not be cost effective for builders and the building industry.

Program Structural Chief Richard Rogers noted that the division believes, through the work of the Construction Claims Task Force, that some type of drainage discontinuity or gap needs to be provided.

Scott Caufield pointed out that not only are there changes in code language related to “air gaps” but significant changes have occurred within this code cycle for flashing versus last code cycle where window flashings were removed. Mr. Caufield said that a direct statement is now in code stating that flashing needs to be provided at all windows and doors in a shingle-like fashion. Mr. Caufield recommended that the board assemble a task force to review the issues under discussion and bring a recommendation to the board at its January meeting.

Motion by Scott Caufield to have the division appoint a task force to review this issue and bring a recommendation to the board at its January meeting.

Motion carried unanimously

Interested individuals volunteering for the task force: Board members Scott Caufield and Vice-chair David DeHarpport; Johnathan Balkema, Oregon Home Builders Association; Chuck Day, Adair Homes; and Alan Seymour, Oregon Department of Energy.

VII. New business

A. Board review and approve proposed code change to Section R602.10.9 – Alternate braced panels at interior wall lines

James Bela, Oregon Earthquake Awareness, said that this is an unnecessary process. He noted that the division should send out specific code language when an issue is brought to the board so a clear understanding of the requested change could be reviewed.

Motion by Vice-chairman David DeHarpport to approve the proposed code change for adoption as a temporary rule, 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, and for public hearing and subsequent adoption as a permanent code change to the 2008 Oregon Residential Specialty Code.

Motion carried unanimously

B. Board review and approve proposed code change to Section R613.2 – Window sill height

Structural Program Chief Richard Rogers stated that not requiring a minimum height for window sills is inadequate. He noted that it has become a life/safety issue with children falling from windows. The division is proposing to add Section R613.2 to the residential specialty code as a temporary rule immediately and requests that the board approve the proposal for public hearing and subsequent adoption as a permanent amendment to the 2008 Oregon Residential Specialty Code.

Vice-chair DeHarpport asked why this issue is being brought back to the board. He noted that the board has already approved the code. He noted that the proposal would be an interim amendment and the option for using certain types of windows would not be available for the building community.

Motion by Vice-chair DeHarpport to deny the proposed code amendment allowing the proposed code change to be brought back during the next regular code cycle.

Roll call vote taken:

Yea: Douglas Lethin, Phil Damiano, Vice-chair DeHarpport,

Nay: Kathryn Gray, Mike Goodrich, Scott Caufield, Chairman Miller

Motion failed

Motion by Scott Caufield to approve the proposed code amendment for adoption as a temporary rule, 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, for public hearing and subsequent adoption as a permanent amendment to the 2008 Oregon Residential Specialty Code.

Vice-chair DeHarpport noted that in the board memo for this item under the discussion title it states “Subsequent experience has demonstrated that the life and safety concerns addressed by R613.2 were not adequately regulated by other provisions of the current specialty code.” Mr. DeHarpport stated that adequate evidence has not been provided to the board for review.

Roll call vote taken:

Yea: Kathryn Gray, Mike Goodrich, Scott Caufield, Chairman Miller

Nay: Douglas Lethin, Phil Damiano, Vice-chair DeHarpport,

Motion passed

VIII. Announcements - None

IX. Adjournment

Chairman Miller adjourned the board meeting at 12:00 p.m.

Respectfully transcribed and submitted by,
Debi Barnes-Woods

Division Boards Coordinator