

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number

Shauna M. Parker	PO Box 14470, Salem, OR 97309	(503) 373-7438
Rules Coordinator	Address	Telephone

RULE CAPTION

Adopts the 2010 Oregon Energy Efficiency Specialty Code
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

March 16, 2010	9:30 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Shane Sumption
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.
ADOPT: 918-460-0500, and 918-460-0510

AMEND: 918-251-0090, 918-305-0030, 918-460-0000, 918-480-0010, and 918-674-0033

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 183.335, 455.020, 455.030, 455.110, 455.505, 455.511, 455.525, & 455.610

Other Auth.:

Stats. Implemented: ORS 183.335, 455.020, 455.030, 455.110, 455.505, 455.511, 455.525 & 455.610

RULE SUMMARY

The proposed rules implement Senate Bill 79 (2009) requiring the director of the Department of Consumer and Business Services to improve the energy efficiency of commercial structures. The proposed rules bring the code requirements up to date by adopting the 2009 edition of the International Energy Conservation Code (IECC) with Oregon specific amendments as the Oregon Energy Efficiency Specialty Code (OEESC). The rules also make various housekeeping changes necessary to adopt the OEESC as a stand alone code, adding new headings, and correcting references to Chapter 13 of the OSSC in favor of citing the OEESC.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Friday, March 19, 2010 by 5:00 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Patrick Allen		
Signature	Printed name	Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

Adopts the 2010 Oregon Energy Efficiency Specialty Code.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Adopting 918-460-050, 0918-460-0510 and Amending 918-251-0090, 918-305-0030, 918-460-0000, 918-480-0010, 918-480-0120, 918-674-0033.

Statutory Authority: ORS 183.335, 455.020, 455.030, 455.110, 455.505, 455.511, 455.525, & 455.610

Other Authority:

Stats. Implemented: ORS 183.335, 455.020, 455.030, 455.110, 455.505, 455.511, 455.525 & 455.610

Need for the Rule(s): Senate Bill 79 required the director to improve the energy efficiency of commercial structures by 15-25% over the 2007 code. ORS 455.505 requires the director to establish uniform energy conservation standards. Additionally, ORS 455.020 and 455.110 require the division to adopt a uniform state building code that conforms to model building codes generally accepted, and in use, to govern the "construction, reconstruction, alteration and repair of buildings and other structures." The law further requires the division to establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort, and security of the residents of Oregon who are occupants and users of buildings, and to further provide for the use of modern methods, materials, and maximum energy conservation. The division, with the approval of the Building Codes Structures Board, may amend the code provided it conforms, insofar as it is practicable, to generally accepted model building codes.

The current energy provisions were drafted by the Oregon Department of Energy and contained in chapter 13 of the Oregon Structural Specialty Code (OSSC). The proposed rules bring the code requirements up to date by adopting the 2009 edition of the International Energy Conservation Code (IECC) with Oregon specific amendments as a stand alone energy code.

The rules also make various housekeeping changes necessary to adopt the Oregon Energy Efficiency Specialty Code (OEESC), adding new headings, and correcting references to Chapter 13 of the OSSC in favor of citing the OEESC.

Documents Relied Upon, and where they are available: 2007 OSSC chapter 13; Building Codes Structure's Board meeting minutes from February 3, 2010, Oregon Commercial Energy Conservation Advisory Committee meeting minutes from March 31, April 14 and 29, May 13 and 28, June 11, and July 8, 2009; and draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are available on the division's website at: www.bcd.oregon.gov .

Fiscal and Economic Impact: The division has determined that the code adopted by the proposed rule will have some fiscal and economic impact on state agencies, units of local government, small businesses, and members of the public. These groups will likely be impacted by increased insulation requirements, higher fenestration ratings, and lower thresholds for the installation of high efficiency mechanical systems and devices. Depending on the specific code provision and the structure to which it is applied, these impacts may result in increased construction costs. These costs will likely be offset by reduced energy usage over 5 years. The increased energy efficiency provisions will likely result in additional construction costs of between \$1.15 and \$2.30 per square foot, or roughly a 1-2% increase in the overall cost of construction for the types of commercial and residential structures subject to this code. An exact fiscal impact of these changes cannot be determined at this time because the impact is dependent upon the specifics of a particular building, including design variables, construction methods, building type, materials, and the point at which the requirements are integrated into the design of the building. The proposed rules will have additional impact on state and local governments, including building officials and inspectors, and the general public, including building owners, developers, and contractors, in terms of training costs and the purchase of the 2010 edition of the OEESC. The cost of

the code book is \$39.00. The overall impact of this cost cannot be determined at this time because it is unknown how many copies of the code book will be purchased, with an online version available for reference at no cost.

The changes to the energy code are specific to increasing the energy efficiency of commercial structures. This increased energy efficiency should have a positive impact on both utilities and building operation costs.

Additionally, the Building Codes Structures Board made the specific finding that the added cost, if any, is necessary to the health and safety of the occupants or the public, or is necessary to conserve scarce resources.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The proposed rules will have some fiscal impact on state and local governments, including building officials and inspectors, and the general public, including building owners, developers, and contractors, in terms of training costs and the purchase of the 2010 edition of the Oregon Energy Efficiency Specialty Code book. New and simplified compliance forms will reduce paperwork for contractors and local governments. There is unlikely to be increased costs of inspections.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: Small businesses that are subject to the code adopted under these rules include commercial contractors, designers, engineers, architects, and others associated with the construction industry. There are an estimated 14,400 construction businesses in Oregon according to 2006 Census data; of those, approximately 13,700 qualify as “small businesses” with 50 or fewer employees. Small businesses may see similar impacts to those seen by local governments and the general public, including either an increase or decrease in cost of compliance depending on the work of the small business. New and simplified compliance forms will reduce paperwork for contractors and local governments. There is unlikely to be increased costs of inspections.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

The proposed rules do not impose any additional reporting or recordkeeping requirements. However, the need for additional professional services may increase, such as needing to hire an engineer or designer for HVAC systems, automatic controls, and envelope design. The exact cost of compliance cannot be determined at this time because it will vary depending on the type of construction the small business is engaged in. Some small businesses will see some increase in costs for these services, while others may see no impact.

c. Equipment, supplies, labor and increased administration required for compliance:

The proposed rules do not require additional equipment, supplies, or labor, or increased administration in order for a small business to comply with these requirements.

How were small businesses involved in the development of this rule? Small businesses are represented on the Building Codes Structures Board, who reviewed and approved the proposed rules.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

Signature	Patrick Allen	Date
	Printed name	

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534)

FOR ADMINISTRATIVE RULES

AGENCY NAME: Department of Consumer and Business Services/Building Codes Division
ADDRESS: 1535 Edgewater St., PO Box 14470
CITY/STATE: Salem, Oregon
PHONE: (503) 373-7529

PERMANENT: **HEARING DATE:** 3/16/2010

TEMPORARY: **EFFECTIVE DATE:**

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance) Adopts the 2010 Oregon Energy Efficiency Specialty Code which includes provisions related to one and two family dwellings and is applicable to residential structures over 4 stories.

Description of the need for, and objectives of the rule: Senate Bill 79 required the director to improve the energy efficiency of commercial structures by 15-25% over the 2007 code. ORS 455.505 requires the director to establish uniform energy conservation standards. Additionally, ORS 455.020 and 455.110 require the division to adopt a uniform state building code that conforms to model building codes generally accepted and in use to govern the "construction, reconstruction, alteration and repair of buildings and other structures." The law further requires the building code to establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort, and security of the residents of Oregon who are occupants and users of buildings, and to further provide for the use of modern methods, materials, and maximum energy conservation. The department, with the approval of the Building Codes Structures Board, may amend the code provided it conforms, insofar as it is practicable, to model building codes generally accepted and in use throughout the United States.

The 2010 OEESC is a stand-alone code where previous energy provisions were contained in the chapters of the Oregon Residential Specialty Code and the Oregon Structural Specialty Code. As part of the switch to a stand-alone code the division is transferring the existing low-rise residential provisions into the OEESC. Additionally, structures over four stories in height are governed by the energy provisions in the OEESC.

List of rules adopted or amended: Adopting 918-460-0500 and 918-460-0510 and Amending 918-251-0090, 918-305-0030, 918-460-0000, 918-480-, 918-674-0033.

Materials and labor costs increase or savings: The division cannot, at this time, determine whether the adoption of the code will result in either a cost increase or savings. An exact fiscal impact of these changes cannot be determined at this time because the impact is dependent upon the specifics of a particular building, including design variables, construction methods, building type, and materials, and the point at which the requirements are integrated into the design of the building.

Estimated administrative construction or other costs increase or savings: This rule does not impose additional administrative requirements on small businesses, based on the limited information available to the division. An estimate of potential cost increases or savings cannot be determined at this time.

Land costs increase or savings: N/A

Other costs increase or savings: No other cost increases or savings are anticipated for detached single-family dwellings.

*Typical-Single story 3 bedrooms, 1 ½ bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME: Aeron Teverbaugh

EMAIL ADDRESS: aeron.teverbaugh@state.or.us

Adoption of the 2010 Oregon Energy Efficiency Specialty Code
DRAFT RULES
February 11, 2010

DIVISION 460

STRUCTURAL AND ENERGY EFFICIENCY SPECIALTY CODES

918-460-0000

Reasonable Notice to Interested Parties

Prior to the adoption, amendment, or repeal of any rule relating to the **Oregon Structural Specialty Code or the Oregon Energy Efficiency Specialty Code**, the Building Codes Division shall **must** give notice of the proposed action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date;

(2) By mailing a copy of the notice to **notifying persons and organizations** on the **interested parties** mailing list established pursuant to **under** ORS 183.335(8) and OAR 918-001-0210; and

(3) ~~To the Capitol Press Room.~~

Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 183.335

Hist.: DC 63, f. & ef. 12-5-75; DC 9-1983, f. & ef. 3-15-83; Renumbered from 814-026-0000 & 814-026-0001; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

Oregon Energy Efficiency Specialty Code

918-460-0500

Adopted Oregon Energy Efficiency Specialty Code

(1) Effective July 1, 2010, the 2010 Oregon Energy Efficiency Specialty Code is the 2009 edition of the International Energy Conservation Code, as published by the International Code Council, and amended by the Building Codes Division.

(2)(a) For the purposes of implementing a phase-in period for the 2010 Oregon Energy Efficiency Specialty Code, Chapter 13 of the 2007 Oregon Structural Specialty

Code is adopted for a period of 90-days beginning July 1, 2010 and ending September 30, 2010.

(b) During the 90-day phase-in period established in subsection (2)(a), all building departments in the state are required to accept plans for commercial structures designed to either the 2010 Oregon Energy Efficiency Specialty Code or to Chapter 13 of the 2007 Oregon Structural Specialty Code.

(c) Applicability of code changes to pending applications. Code requirements in effect at the time a plan review or permit application is filed controls the construction under the application unless the applicant agrees to be controlled by subsequent changes.

Stat. Auth.: ORS 455.020, 455.030, 455.110, 455.505, & 455.511

Stats. Implemented: ORS 455.110 & 455.511

Hist.: NEW

918-460-0510

Amendments to the Oregon Energy Efficiency Specialty Code

The 2010 Oregon Energy Efficiency Specialty Code is adopted and amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the 2010 Oregon Energy Efficiency Specialty Code are placed in this rule, showing the section reference, a descriptive caption, and a short description of the amendment.

Stat. Auth.: ORS 455.030, 455.110, & 455.511

Stats. Implemented: ORS 455.030, 455.110, & 455.511

Hist.: NEW

**Rules Referencing the OSSC
Draft Rules: 2-11-10**

918-251-0090

Definitions

For purposes of OAR chapter 918, divisions 251 through 311, unless otherwise specified, the following shall apply:

(1) "Appliance" as applied to the limited maintenance specialty contractor license established by ORS 479.630, means any built-in or permanently-connected electrical utilization equipment, not including lighting fixtures, other than industrial, that is installed or connected as a unit to perform one or more functions such as clothes washing, air conditioning, food mixing, deep frying, etc.

(2) "Approved" when referring to electrical product certification means approved in Oregon or for Oregon by the Electrical and Elevator Board.

(3) "Balance of system" as it relates to renewable electrical energy systems are those products, equipment, and systems for the conversion, control and storage of electrical energy.

(4) "Board" means Electrical and Elevator Board.

(5) "Building" means a structure that stands alone or that is isolated from adjoining structures by area separation walls as identified in ~~Section 504.6~~ **Chapter 7** of the **Oregon Structural Specialty Code** adopted in OAR chapter 918, division 460, with all openings therein protected by approved fire doors as required.

(6) "Certification Mark" is identification on an electrical product indicating that the product has been certified under ORS 479.760.

(7) "Certified Electrical Product" is an electrical product certified under ORS 479.760 to which a label or other identifying mark.

(8) "Continuously Employ" means a person, including a person leased from a worker leasing company licensed under ORS 656.850, during time periods when electrical work for which they are responsible is performed, devotes their entire time of employment to tasks of

supervising, designing, laying out, planning, controlling, and making electrical installations for the electrical contractor for which the supervisor is registered as signing supervisor.

(9) "Custom Made" means electrical products that are designed for a specific purpose and location.

(10) "Document" means prepare records itemizing what was checked, why it was checked, when it was done, how it was checked, what was determined, and who did the work.

(11) "Electrical Specialty Code" means the National Electrical Code with Oregon amendments.

(12) "Electrical Specialty Code Inspector," formerly referred to as "A-Level Electrical Inspector," is a person certified to inspect under the **Oregon Electrical Specialty Code**.

(13) "Energy generation," as it relates to renewable electrical energy generation equipment, are those products, equipment, and systems in renewable electrical energy systems that produce or convert electrical energy.

(14) "Engineer" is an individual who has completed a minimum four-year degree program in electrical engineering or electrical technology with power specialty, from an accredited college or university and has received a Bachelor of Science degree.

(15) "Field Evaluation" means the evaluation of electrical products by an approved field evaluation firm.

(16) "Indorsement" is a designation within the restricted energy electrical area showing qualifications and training regarding a product area. It determines the scope of restricted energy electrical activity authorized under a restricted energy electrical license.

(17) "Industrial Electronic Equipment" means a device, appliance, motor, or machine regulated, operated, or controlled through fiber optics or by a combination of electron tubes, capacitors, resistors, impedance transformer, and relays; the control circuit, and/or the power circuits having electrons flowing through a vacuum, metallic vapor, gas tubes, or transistors as used in an industrial plant.

(18) "Industrial Plant", for purposes of licensing and electrical master permit inspection program, means an establishment engaged in industrial production, or service, or a school, hospital, sewer plant, water plant, commercial office building, building occupied by the state or a local government entity, or an institution. For purposes of the elevator program, "industrial

plant" does not include a school, hospital, commercial office building, building occupied by the state or a local government entity, or an institution where the elevators are accessible to and used by persons other than the employees of that building.

(19) "Installation" includes external and field wiring, service contracts or warranties by the seller or manufacturer concerning the longevity of the equipment or parts after the original installation. It does not include "start-up" activities where new equipment is placed in service, and that type of work related to delivering and setting in place a piece of machinery.

(20) "Inverter", as it relates to renewable electrical energy generation equipment, is a product, equipment or system that converts direct current into alternating current.

(21) "Jurisdictional Inspector" is a state or municipal inspector having inspection responsibility within their jurisdiction over electrical products or their installation, or both.

(22) "Labeled" means a label, symbol or other identifying mark of a Nationally Recognized Testing Laboratory (NRTL), field evaluation firm or the division that is attached to an electrical product indicating the product is manufactured according to approved standards and tested or evaluated for specific end uses or both.

(23) "Lighting Fixture" is a complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamp to the power supply.

(24) "Limited Energy System" means those systems that include Class 1, Class 2 or Class 3 systems as defined by Section 725.2 of NFPA 70 (National Electrical Code) and audio systems, communication systems and power-limited fire alarm systems, covered in the **Oregon Electrical Specialty Code**.

(25) "Listed Product" means a product was examined and accepted by a Nationally Recognized Testing Laboratory (NRTL) to meet a particular product standard and is maintained on a list of the listing laboratory.

(26) "Maintain" means to preserve electrical equipment in a good sound condition.

(27) "Maintenance" Compare with repair, replacement, and maintain for definition.

(28) "Minimum Electrical Installation Safety Code" means the adopted **Oregon Electrical Specialty Code**.

(29) "Nationally Recognized Testing Laboratory (NRTL)" means a laboratory recognized by the Federal Occupational Safety and Health Administration (OSHA) under 29 CFR 1910.7.

(30) "NEMA" means the National Electrical Manufacturers Association.

(31) "Off grid system" is a stand-alone system, connected to a structure, whose electrical systems are not connected to a utility-supplied electrical production and distribution network.

(32) "On grid system" is an electrical power system connected to a structure whose electrical systems are also connected to a utility-supplied electrical production and distribution network.

(33) "Plug-in Replacement" is a part, component or assembly designed to be inserted directly into a mating receptacle or socket such as printed circuit boards, control relays, control harnesses or other equipment connected by a cord or cable and plug assembly. A plug-in replacement does not have any field wiring that is connected to the plug-in part or assembly.

(34) "Power Circuitry" means that portion of the system, other than control, that provides electrical power to utilization equipment.

(35) "Registered Professional Electrical Engineer" is an individual licensed by the State of Oregon Board of Engineering Examiners as a professional electrical engineer under OAR chapter 820, division 10.

(36) "Renewable Electrical Energy System" as it relates to electrical energy generation, is the total components and subsystems that, in combination, convert wind energy, solar energy, micro-hydroelectricity, photovoltaic energy or fuel cell energy into electrical energy suitable for connection to a utilization load.

(37) "Repair" means to restore worn or damaged parts to a good, sound condition by means other than replacement.

(38) "Replacement" means substitution of complete units of damaged or worn equipment with similar new or used equipment of a size and rating that does not exceed the design capacity of the existing product.

(39) "Signing Supervising Electrician" or "Signing Supervisor" is a licensed supervising electrician who has been authorized by the electrical contractor to sign permits.

(40) "Similar Equipment," as applied to the limited maintenance specialty contractor license established by ORS 479.630(12), means components of light fixtures other than ballasts.

(41) "Special Deputy" means a person certified by the board or Chief Electrical Inspector to perform special deputy inspections allowed under ORS 479.760.

(42) "Stand-alone system" is a renewable electrical energy system that supplies power independently of an electrical production and distribution network.

(43) "Up to the load side of the inverter", as it relates to electrical energy generation equipment, is the renewable electrical energy system equipment up to the alternating current connection terminals of the inverter.

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

Stat. Auth.: ORS 479.630

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; Renumbered from 814-022-0105; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0005; BCD 4-1999, f. & cert. ef. 4-1-99; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-2000; BCD 5-2001, f. 6-7-01, cert. ef. 7-1-01; BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04; BCD 3-2007, f. 3-30-07, cert. ef. 4-1-07

918-305-0030

Other Codes or Publications that Impact Electrical Installations

Other codes and publications that impact electrical installations include, but are not limited to those listed below:

(1) Chapter 9 of the **Oregon Structural Specialty Code (OSSC)** ~~as adopted in OAR chapter 918, division 460~~ relating to fire protection systems and Chapter 3 of the **Oregon Residential Specialty Code** ~~as adopted in OAR chapter 918, division 480~~ relating to smoke alarm installations.

(2) ORS 455.420 requiring individual electric meters for dwelling units.

(3) Chapter 13 of the ~~Oregon Structural Specialty Code~~ **The Oregon Energy Efficiency Specialty Code** ~~as adopted in OAR chapter 918, division 460~~ which addresses the energy efficiency issues of motors, electric lighting and other electric equipment; and

(4) Chapter 16 and 17 of the **Oregon Structural Specialty Code** as adopted in OAR ~~chapter 918, division 460~~ which addresses the seismic requirements of nonstructural components and special inspection requirements.

(5) Publications and requirements of the serving utility.

(6) Public Law 101-336, the Americans with Disabilities Act, Part III; Department of Justice Regulations of Friday, July 26, 1991; 28 CFR Part 36, as amended January 1, 1995, including Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Law 100-430, the Fair Housing Act and the regulations adopted thereunder.

(7) Chapter 11 of the **Oregon Structural Specialty Code** which relates to the Americans with Disabilities Act for mounting height requirements for electrical and communication receptacles located in affected buildings and structures.

(8) The interconnection of all net-metering facilities and solar photovoltaic systems operated as interconnected power production sources shall comply with the **Oregon Electrical Specialty Code** as adopted in OAR ~~918-305-0100~~. In addition, the interconnection of all net-metering facilities utilizing solid-state inverters shall comply with OAR 860-039 Net Metering.

(9) **Oregon Manufactured Dwelling and Park Specialty Code** as adopted in OAR ~~chapter 918, division 500~~. The electrical installations shall be in accordance with the requirements of the **Oregon Electrical Specialty Code**.

(10) The electrical portions of the installation or product standards identified in OAR 918-306-0005. These standards are informational only and are to be used to clarify code intent. They may be used as installation guides when not specifically referenced or covered in the **Oregon Electrical Specialty Code**. Examples include, but are not limited to, the electrical sections of NFPA 20, NFPA 54, NFPA 99, NFPA 101, NFPA 110, NFPA 780 and NFPA 820.

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

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730 & 757.262

Hist.: DC 13-1987, f. & ef. 5-1-87; Renumbered from 814-022-0610; BCA 17-1990, f. 6-27-90, cert. ef. 7-1-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0020; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 12-2000, f. 6-3-00, cert. ef. 7-1-00; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 19-2002, f. 8-1-02,

cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 6-2008, f. 3-7-08, cert. ef. 4-1-08

918-480-0010

Amendments to the Oregon Residential Specialty Code

(1) The **Oregon Residential Specialty Code** is adopted and amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the **Oregon Residential Specialty Code** are placed in this rule, showing the section reference and a descriptive caption.

(2) Effective April 1, 2008:

(a) The 2006 Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials and amended by the division, is adopted to provide the plumbing provisions of the **Oregon Residential Specialty Code**; and

(b) The 2008 Edition of the NFPA 70, National Electrical Code as amended by the division is adopted to provide the electrical provisions of the **Oregon Residential Specialty Code**. See OAR chapter 918, division 305 for Oregon amendments to NFPA 70, National Electrical Code.

~~(3) Effective April 1, 2007 Appendix N, Low-Rise Multiple-Family Dwelling Construction is moved from the **2005 Oregon Residential Specialty Code** to the **2007 Oregon Structural Specialty Code**.~~

~~(43)~~ During the phase-in period established in OAR 918-480-0005(3), plans designed to the **2005 Oregon Residential Specialty Code** must use the plumbing and electrical provisions included in that 2005 code. Plans that are designed to the **2008 Oregon Residential Specialty Code** must use the plumbing and electrical provisions adopted in this rule.

~~(54)~~ Effective October 1, 2008, the following sections of the 2008 Oregon Residential Specialty Code are amended:

(a) Section R 109.1.4.1 Moisture content.

(b) Section R318.2 Moisture content.

(65) Effective February 1, 2009, following sections of the **2008 Oregon Residential Specialty Code** are amended:

- (a) Section R602.10.9 Interior braced wall support.
- (b) Section R613.2 Window sills is added
- (c) Section R.613.2.1 Operation for emergency escape is added
- (d) Chapter 43 Referenced Standards.

(76) Effective October 1, 2009, the following sections of the **2008 Oregon Residential Specialty Code** are amended:

(a) Section AG106 Entrapment Protection For Swimming Pool And Spa Suction Outlets is added.

- (b) Section AG107 Abbreviations.
- (c) Section AG108 Standards.

(87)(a) Effective January 1, 2010, the following sections of the **2008 Oregon Residential Specialty Code** are amended:

- (A) Section R703.1 General
- (B) Section R703.1.1 Exterior Wall Envelope

(b) Changes to the **2008 Oregon Residential Specialty Code** made by subsection (a) of this section are subject to a grace period ending March 31, 2010. During the grace period, the building official must approve installations that meet either the standard adopted under Section R703.1 prior to this amendment or the standard established by this amendment.

NOTE: The amendments are published in their entirety in Table 2-R.

[ED. NOTE: Table referenced is not included in rule text. [Click here for PDF copy of table.](#)]

[Publications: Publications referenced are available for review at the division. See division web site for information on where to purchase publications.]

Stat. Auth.: ORS 455.020, 455.110, 455.525 & 455.610

Stats. Implemented: ORS 455.610

Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCA 29-1993, f. 11-24-93, cert. ef. 12-1-93; BCD 6-1995, f. 3-31-95, cert. ef. 4-1-95; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 22-1996(Temp), f. 10-1-96, cert. ef. 10-4-96; BCD 5-1997,

f. 3-21-97, cert. ef. 4-1-97; Administrative Reformatting 1-19-98; BCD 3-1998, f. 1-29-98, cert. ef. 4-1-98; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 19-2000(Temp), f. & cert. ef. 8-15-00 thru 2-10-01; BCD 32-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 3-2001, f. 2-9-01, cert. ef. 3-1-01; BCD 2-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 22-2002(Temp), f. 9-13-02 cert. ef. 10-1-02 thru 3-29-03; BCD 30-2002, f. 12-6-02, cert. ef. 1-1-03; BCD 1-2003(Temp), f. & cert. ef. 1-10-03 thru 3-31-03; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07; BCD 5-2008, f. 2-22-08, cert. ef. 4-1-08; BCD 13-2008(Temp), f. & cert. ef. 7-3-08 thru 12-30-08; BCD 21-2008, f. 9-30-08, cert. ef. 10-1-08; BCD 24-2008(Temp), f. & cert. ef. 10-6-08 thru 4-1-09; BCD 1-2009, f. 1-30-09, cert. ef. 2-1-09; BCD 8-2009, f. 9-30-09, cert. ef. 10-1-09

918-480-0120

Approval of an Alternate Method of Construction

The building official ~~shall~~**must** ensure the following criteria have been met when allowing the use of an approved alternate method of fire protection under the scope of these rules:

- (1) The alternate **method** ~~shall be~~ **is** at the request of the applicant;
- (2) For lots of record created on or after January 1, 2002, the building official ~~shall~~**must** confirm the fire official having authority, **in accordance with the adopted fire code**, ~~has, in accordance with the adopted fire code:~~
 - (a) Approved the alternate **method** to **the** adopted fire apparatus access road, private driveway, or fire fighting water supply standards during the land use approval process; and
 - (b) The approved alternate **method** has been recorded on the property deed as a requirement for future construction.
- (3) For lots of record created before January 1, 2002, the building official ~~shall~~**must**, prior to authorizing an alternate **method** allowing the development of a parcel that could not otherwise be developed because it cannot meet adopted fire access road, private driveway, or fire fighting water supply standards, consult with the fire official having authority to approve an alternate **method** to fire access and water supply standards under the adopted fire code;
- (4) Providing the requirements of this rule are met, the local building official is authorized to enforce the conditions of an approved alternate method of construction when it is part of the building construction; and

(5) When the approved alternate **method** is a fire sprinkler system, the minimum standard for installation within one- and two-family dwellings ~~shall be~~ **is** the ~~1999 Edition of~~ NFPA 13-D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.

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

Stat. Auth.: ORS 455.610

Stats. Implemented: ORS 455.610

Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-674-0033

Specific Use Structures

(1) When it can be demonstrated that compliance with strict requirements of the **Oregon Structural Specialty Code** or the **Oregon ~~One and Two-Family Residential Dwelling~~ Specialty Code** are impractical and the intent and purpose of the code can still be met without causing structural failure or risk of fire in employee protection only structures, equipment protection only structures, recreational use structures, and food service structures, the requirements of the code may be modified by the building official charged with administration of the prefabricated structures program.

(2) All new or converted food service structures shall provide required fire-resistive construction and suppression equipment including the structural elements necessary for any mechanical installations.

(3) The ~~D~~**d**ivision may waive the formal plan review process required in the **Oregon Structural Specialty Code** or the **Oregon ~~One and Two-Family Residential Dwelling~~ Specialty Code** for specific use structures if the plans are prepared by an Oregon registered architect or engineer and it is found that the nature of the work applied for is such that plan review is not necessary to obtain minimum compliance with the code.

(4) If the ~~D~~**d**ivision determines the work in a specific use structure is not of a highly technical nature and there is no unreasonable risk to life and safety, plans required by the **Oregon Structural Specialty Code** or the **Oregon ~~One and Two-Family Residential Dwelling~~ Specialty Code**

Specialty Code may be prepared by a person who is not an Oregon registered architect or engineer.

(5) Specific use structures ~~shall be~~ **are** exempt from the exterior envelope requirements of Section 1312 of the ~~Oregon Structural Specialty Code~~ **the Oregon Energy Efficiency Specialty Code** provided the roof/ceiling assembly meets the prescriptive requirements of the code and the center of non-bullet-resistant window glass has a minimum U-factor of .35.

(6) Equipment protection only structures ~~shall be~~ **are** exempt from all of the envelope requirements of Section 1312 of the ~~Oregon Structural Specialty Code~~ **the Oregon Energy Efficiency Specialty Code**.

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

Stat. Auth.: ORS 455.010, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04