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**Commentary on OAR 918-480-0120  
authorizing alternate methods to fire service  
apparatus access and water supply**

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OAR 918-480-0120 enacts ORS 455.610 (6)&(7)

The building official shall 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:

*BCD Commentary: The building official is clearly charged with the responsibility to ensure that the criteria listed in parentheses 1, 2 and 3 are satisfied prior to approving an alternate method of fire protection which affects the building construction.*

- (1) The alternate shall be at the request of the applicant;
- (2) For lots of record created on or after January 1, 2002, the building official shall confirm the fire official having authority has, in accordance with the adopted fire code:

- (a) Approved the alternate to adopted fire apparatus access road, private driveway or fire fighting water supply standards during the land use approval process; and

- (b) The approved alternate has been recorded on the property deed as a requirement for future construction.

*BCD Commentary: Parenthesis 2 provides two criteria regarding lots created on or after January 1, 2002. In this section, it is the building official who must confirm that the fire official having authority has:*

- a. Approved the alternate to the fire fighting apparatus access and/or water supply in conjunction with the original platting of the subject property; and*
    - b. This action is recorded on the property deed.*

*Per ORS 455.610(6) & (7) and this rule, the fire official “approval” must be made in conjunction with “the land use approval process.”*

*Where no such “approval” action was taken by the fire official in conjunction with the land use decision, no subsequent demands may be made on the “building construction” relative to an alternate method to the water supply and/or access requirements of the fire code.*

- (3) For lots of record created before January 1, 2002, the building official shall, prior to authorizing an alternate 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 to fire access and water supply standards under the adopted fire code;



*BCD Commentary: Parenthesis (3) is germane to “lots of record created before January 1, 2002.” In contrast to parenthesis (2) above, there are no timelines which must be met. In this case, the building official merely “consults” with the fire official to approve an alternate to fire fighting apparatus access and/or water supply where necessary.*

(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

*BCD Commentary: Parenthesis 4 provides clarification consistent with established lines of building official/fire official authority. In short, the building official is solely responsible for “alternate approvals” dealing with “building construction.”*

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

*BCD Commentary: Parenthesis 5 specifically references the 1999 Edition of NFPA 13-D, in conjunction with the approval of an alternate method to satisfy fire fighting apparatus access and/or water supply. BCD anticipates updating this reference to the currently adopted edition of NFPA 13-D in conjunction with the 2011 ORSC adoption. Subject to approval by the building official, the currently adopted edition of NFPA 13-D may be used.*

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