
Code Adoption Process Rules

DIVISION 8 DIVISION CODE DEVELOPMENT RULES, IN GENERAL

918-008-0000

Purpose and Scope

(1) OAR 918-008-0000 to OAR 918-008-0070 provides the process for adopting and amending the state building code that is consistent across all program areas.

(2) The state building code is derived from the most appropriate version of base model codes, which are adopted approximately every three years from the last Oregon specialty code effective date.

(3) The Oregon specialty code amendment process begins approximately midway into a code cycle.

(4) An appropriate advisory board approves the adoption of the Oregon specialty code and amendments.

(5) Notwithstanding sections (1) through (4) of this rule, the division may adopt supplemental code amendments as authorized by OAR 918-008-0028.

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

Stat. Auth.: ORS 447.020, ORS 455.030 & ORS 479.730
Stats. Implemented: ORS 447.020, ORS 455.030 & ORS 479.730

Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0010

Definitions

The following definitions apply to OAR 918-008-0000 to 918-008-0070:

(1) "Base model code" means a published collection of standards governing a particular field of construction, which is generally accepted and used in the United States.

(2) "Code cycle" means an approximate three-year period starting from the Oregon specialty code effective date.

(3) "Oregon specialty code" means a base model code, together with Oregon-specific amendments, which is adopted by the State of Oregon.

(4) "Proposed code amendment" means an application from a person to add an amendment to a proposed base model code or amend an Oregon specialty code.

(5) "Supplemental code amendment" means a division-initiated amendment to an Oregon specialty code.

Stat. Auth.: ORS 447.020, 455.030 & 479.730

Stats. Implemented: ORS 447.020, 455.030 & 479.730

Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0020

General Code Adoption Process

(1) The division, in consultation with the appropriate advisory board, establishes a timetable to collect proposed code amendments. The timetable depends on the publication date and general availability of the proposed base model code.

(2) The division will notify interested persons of the timetable at least 45 days before the ending period for collecting proposed code amendments.

(3) During the timeframe for proposing code amendments, an interested person may also recommend that the division incorporate, statewide code interpretations and alternate method rulings into the Oregon specialty code.

(4) The division, in consultation with an appropriate advisory board, reviews prior code amendments, statewide code interpretations, and alternate method rulings during the code adoption and amendment process. The division recommends whether to carry prior code amendments, statewide code interpretations, and alternate method rulings forward to a newly adopted Oregon specialty code or to archive prior code amendments, statewide code interpretations, and alternate method rulings for informational purposes.

Stat. Auth.: ORS 447.020, 455.030 & 479.730

Stats. Implemented: ORS 447.020, 455.030 & 479.730

Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0028

Supplemental Code Amendments

The division, with the approval of the appropriate advisory board as defined in ORS 455.010, may propose and adopt supplemental code amendments to the state building code at any time within a three-year code cycle, as circumstances merit.

Stat. Auth.: ORS 455.030 & 455.110

Stats. Implemented: ORS 455.030 & 455.110

Hist.: BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0030**Proposed Code Amendment Requirements**

(1) All proposed code amendments are submitted to the division in writing or on a division-approved form.

(2) Under ORS 455.030(4), all proposed code amendments must provide justification and the particular circumstances requiring the amendments. Additionally, proposed code amendments must conform to the policies contained in ORS 455.020.

(3) The division screens proposed code amendments to determine whether they substantially meet the requirements of 918-008-0060. Proposed code amendments not substantially meeting the requirements of 918-008-0060 may be returned to the applicant with specific reasons included in the returned application.

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

Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.730
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 1-2004(Temp), f. & cert. ef. 1-29-04 thru 7-26-04; Administrative correction 8-19-04; Suspended by BCD 17-2004(Temp), f. & cert. ef. 9-30-04 thru 3-28-05; BCD 7-2005, f. & cert. ef. 4-1-05; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0060**Proposed Code Amendments Criteria**

(1) As required by OAR 918-008-0030, a proposed code amendment must address, where applicable, whether or not the proposed code amendment:

(a) Is necessary to correct any unforeseen or probable outcomes resulting from the application of a code section, and if so why;

(b) Is needed to protect the health, safety, welfare, comfort and security of occupants and the public, and if so, why;

(c) Corrects inadequate application by a code section to a method, material or design, and if so, how;

(d) Is necessary to address unique geographic or climatic conditions within Oregon, and if so, why;

(e) Is needed to eliminate conflicting, obsolete, or duplicative code provisions or standards between Oregon-adopted codes, statutes or regulations, and if so, why;

(f) Conserves scarce resources, and if so, how;

(g) Provides for the use of unique or emerging technologies, or promote advances in construction

methods, devices, materials and techniques, and if so, how;

(h) Meets any energy conservation or indoor air quality requirements, and if so how;

(i) Involves the adoption of an electrical or plumbing building product. If an electrical or plumbing building product is involved, note if the appropriate advisory board approved the product; and

(j) Any adverse fiscal impact or cost savings passed on to the general public, the construction industry, local and state governments, and small businesses. If applicable, an interested person must describe the added or reduced cost of a proposed code amendment, describe the adverse fiscal impact or cost savings in relation to the current Oregon specialty code and include any standards of measure used to arrive at the result given. (2) ORS 183.534 and OAR 813-025-0015 requires the Building Codes Division to prepare a Housing Cost Impact Statement based on the cost of development of a 6,000 square foot parcel and the construction of a 1,200 square feet detached single family dwelling on that parcel. If a proposed code amendment relates to this type of parcel, provide information to assist the division in preparing a housing cost impact statement.

Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.030
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0070**Transition Provisions**

Nothing in these rules shall prevent the creation of a new code adoption cycle or varying the adoption cycle to more or less than three years when:

(1) Adopting a new model code;

(2) There is a changed model code or publication date; or

(3) It is necessary to adjust the Oregon adoption year to make it compatible with the model code adoption.

Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.730
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97