

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

98 FEB 20 PM 2:56

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

An Ordinance Amending Ordinance No. 446 )  
 Providing for Revisions to the Building, )  
 Mechanical, Plumbing, Electrical and Other ) ORDINANCE 641  
 Structural Codes, and Declaring an Emergency. )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in formal session on February 12, 1998, Commissioners Ted Lopuszynski, Robert Johnstone, and Thomas E. E. Bunn being present.

WHEREAS, building, mechanical, plumbing, electrical and other structural codes are periodically updated and revised and the revised editions adopted by the Oregon Department of Commerce; and

WHEREAS, revisions to the "One and Two Family Dwelling Specialty Code" were adopted by the Department of Commerce, as set forth in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, revisions to the "Structural Specialty Code" were adopted by the Department of Commerce, as set forth in Exhibit "B" attached hereto and incorporated herein; and

WHEREAS, revisions to the "Plumbing Specialty Code" were adopted by the Department of Commerce as set forth in Exhibit "C" attached hereto and incorporated herein; and

WHEREAS, revisions to the "Oregon Mechanical Specialty Code" were adopted by the Department of Commerce as set forth in Exhibit "D" attached hereto and incorporated herein; and

WHEREAS, the Board considered this ordinance in a public hearing on January 29, 1998 and determined to adopt the building code most recently adopted by the State of Oregon, and to adopt form and style changes to the Yamhill County Building, Mechanical, Plumbing and Electrical Ordinance 446, 1987, as amended; and

WHEREAS, following the public hearing, the Board has now determined that adoption of such an ordinance is necessary and proper for the protection of the public health, welfare, and best interests of the people of Yamhill County; and

WHEREAS, a motion was duly made and regularly passed to adopt the amendments to the Building, Mechanical, Plumbing, Electrical and other structural codes as shown on Exhibits "A", "B", "C", "D", attached hereto and incorporated herein by this reference; Now Therefore,

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THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

Section 1. Exhibits "A", "B", "C", and "D" attached hereto and incorporated herein are hereby adopted as amendments to Yamhill County Building, Mechanical, Plumbing and Electrical Ordinance 446, 1987, as amended.

Section 2. This ordinance being necessary for the health, safety, and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, is effective upon passage.

DONE at McMinnville, Oregon this 12th day of February, 1998.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN  
County Clerk

Ted Lojuszynski  
Chairman  
TED LOJUSZYNSKI

By: Belinda Akers  
Deputy Clerk

Robert Johnstone  
Commissioner  
ROBERT JOHNSTONE

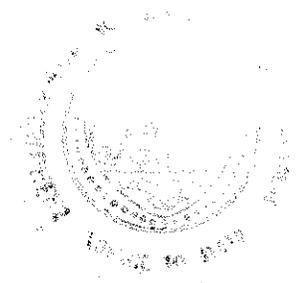
FORM APPROVED BY:

John C. Pinkstaff  
JOHN C. PINKSTAFF  
Assistant County Counsel

Thomas E. E. Bunn  
Commissioner  
THOMAS E. E. BUNN

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Accepted by Yamhill County  
Board of Commissioners on  
Feb 12, 1998 by Board Order  
# 98-098.



## CHAPTER 1 GENERAL ADMINISTRATION

### SECTION 101 TITLE

**101.1 One and Two Family Dwelling Code.** These provisions shall be known as the *One and Two Family Dwelling Specialty Code*, may be cited as such, and will be referred to herein as "this code."

Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Appendices D and E, Oregon amendments to the 1995 *CABO One and Two Family Dwelling Code*, are adopted and made part of this code.

### SECTION 102 PURPOSE

**102.1 Minimum standards.** The purpose of this code is to provide minimum standards for the protection of life, limb, health, property, environment and for the safety and welfare of the consumer, general public, and the owners and occupants of residential buildings regulated by this code.

### SECTION 104 AUTHORITY

**104.1 General.** The building official is hereby authorized and directed to enforce all of the provisions of this code.

The building official shall have the authority to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

**104.2 Deputies.** In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint technical officers and inspectors and other employees as shall be authorized from time to time.

**104.3 Referenced standards.** The standards referenced in this code and listed in Chapter 47 shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

### SECTION 103 SCOPE

**103.1 Application.** The provisions of the code apply to the construction, addition prefabrication, alteration, repair, use, occupancy and maintenance of detached one- and two-family dwellings not more than three stories in height, and their accessory structures.

1. The requirements of this code apply to:
  - 1.1 Structures classified as Group R, Division 3, Group U, Division 1 and Group U, Division 2 Occupancies as defined in the *Oregon Structural Specialty Code*; and
  - 1.2 Residences used for family day care in accordance with ORS Chapter 418 and ORS Chapter 443.
2. The requirements in this code do not apply to:
  - 2.1 Public utility facilities owned and maintained by the serving utility;
  - 2.2 Agricultural buildings defined and regulated by ORS 455.315 and Appendix Chapter 3 of the *Oregon Structural Specialty Code*; and
  - 2.3 Elevators, dumbwaiters and lifts regulated by the Elevator Safety Code ORS Chapter 460. Permits and inspections are required for initial installation by the Oregon Building Codes Division Elevator Section.
3. The building envelope requirements of Appendix E for heated or cooled detached accessory structures that are not habitable rooms shall be those specified in the *Oregon Structural Specialty Code*, Section 1312, Exterior Envelope—Other Buildings.

### SECTION 105 ENTRY

**105.1 Authority to enter.** Upon presentation of proper credentials, the building official or duly authorized representatives may enter at reasonable times any building, structure or premises in the jurisdiction to perform any duty imposed upon the building official by this code. If such entry is refused, the building official or the authorized representative shall have recourse to every remedy provided by law to secure entry.

### SECTION 106 VIOLATIONS AND PENALTIES

**106.1 Unlawful action.** (Not adopted by the State of Oregon.)

**106.2 Violations.** See ORS 455.450

ORS 455.450 is not a part of this code but is reproduced here for the reader's convenience:

**455.450 Prohibited acts.** A person shall not:

(1) Violate or procure, aid or abet in the violation of any final order concerning the application of a provision of the state building code in a particular case made by the Director of the Department of Consumer and Business Services, an advisory board, a state administrative officer or any local appeals board, building official or inspector.

(2) Engage in or procure, aid or abet any other person to engage in any conduct or activity for which a permit, certificate, label or other formal authorization is required by any specialty code or other regulation promulgated pursuant to this chapter without first having obtained such permit, certificate, label or other formal authorization.

106.3 Partial invalidity. (Not adopted by the State of Oregon.)

106.4 Penalty. See ORS 455.895.

ORS 455.895 is not a part of this code but is reproduced here for the reader's convenience:

**455.895 Civil penalties.** In addition to any other authority and power granted to the Director of the Department of Consumer and Business Services under this chapter and ORS chapters 446, 447, 460, 479 and 480:

(1) The director, in consultation with the appropriate board, may impose a civil penalty against any person who violates any provision of this chapter and ORS chapters 446, 447, 460, 479 and 480 or any rule adopted thereunder. A civil penalty imposed under this subsection shall be in an amount determined by the director of not more than \$1,000 for each offense or, in the case of a continuing offense, not more than \$1,000 for each day of the offense. Moneys received from any civil penalty under this subsection shall be disposed of according to ORS 455.230 to be used for enforcement of ORS chapters 446, 447, 460, 479 and 480.

(2) Civil penalties under this section shall be imposed as provided in ORS 183.090.

(3) A civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the director considers proper and consistent with the public health and safety. In any judicial review of a civil penalty imposed under this section, the court may, in its discretion, reduce the penalty.

ORS 455.690 is not a part of this code but is reproduced here for the reader's convenience:

**455.690 Appeal to advisory boards.** Any person aggrieved by the final decision of a municipal appeals board or a subordinate officer of the Department of Consumer and Business Services as to the application of any provision of a specialty code may, within 30 days after the date of the decision, appeal to the appropriate advisory board. The appellant shall submit a fee of \$20, payable to the department, with the request for appeal. The final decision of the involved municipality or state officer shall be subject to review and final determination by the appropriate advisory board as to technical and scientific determinations related to the application of the specialty code involved.

107.2 Limitations of authority. The Board of Appeals shall have no authority relative to interpretations of Chapter 1, the administrative provisions of this code, nor shall the board be empowered to waive requirement of this code.

## SECTION 108 ALTERNATE MATERIALS AND SYSTEMS

**108.1 Alternate materials, methods and equipment.** The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternate materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation. Compliance with specific performance-based provisions of the current editions of the Oregon specialty codes, in lieu of a prescriptive requirement of this code shall also be permitted as an alternate. See ORS 455.060.

ORS 455.060 is not a part of this code but is reproduced here for the reader's convenience:

**455.060 Rulings on acceptability of material, design or method of construction; effect of approval.** (1) Any person who desires to use or furnish any material, design or method of construction or installation in the state, or any building official, may request the Director of the Department of Consumer and Business Services to issue a ruling with respect to the acceptability of any material, design or method of construction about which there is a question under any provision of the state building code. Requests shall be in writing and, if made by anyone other than a building official, shall be made and the ruling issued prior to the use or attempted use of such questioned material, design or method.

## SECTION 107 RIGHT OF APPEAL

107.1 Right of appeal. See ORS 455.690 and local ordinances.

(Continued)

(2) In making rulings, the director shall obtain the approval of the appropriate advisory board as to technical and scientific facts and shall consider the standards and interpretations published by the body that promulgated any nationally recognized model code adopted as a specialty code of this state.

(3) A copy of the ruling issued by the director shall be certified to the person making the request. Additional copies shall be transmitted to all building officials in the state. The director shall keep a permanent record of all such rulings, and shall furnish copies thereof to any interested person upon payment of such fees as the director may prescribe.

(4) A building official or inspector shall approve the use of any material, design or method of construction approved by the director pursuant to this section if the requirements of all other local ordinances are satisfied.

**108.2 Evidence submitted.** The building official may require that evidence or proof be submitted to substantiate any claims that may be made regarding the proposed alternate.

**108.3 Tests.** Determination of equivalence shall be based on design or test methods or other such standards approved by the building official. The building official may accept as supporting data to assist in this determination duly authenticated reports from the Building Officials and Code Administrators International, Inc., Southern Building Code Congress International, Inc., International Conference of Building Officials, the National Evaluation Service Committee of the Council of American Building Officials, acceptance documents from the U.S. Department of Housing and Urban Development or from other approved authoritative sources for all materials or assemblies proposed for use which are not specifically provided for by this code. The costs of all tests, reports and investigations required under these provisions shall be paid by the applicant.

## SECTION 109 MODIFICATIONS

**109.1 Partial difficulties.** When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformity with the intent and purpose of this code and that such modification does not lessen health, life safety and fire safety requirements.

## SECTION 110 LIABILITY

|| (Section 110.1 is not adopted by the State of Oregon.)

**110.1 Relief from personal responsibility.** The building official or the building official's authorized representative, acting in good faith and without malice in the discharge of his duties shall not render himself personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties. Any suit

brought against the building official or employees because of such an act or omission performed in the enforcement of this code shall be defended by the jurisdiction until final determination and any judgment thereof shall be assumed by the jurisdiction. This code shall not relieve or lessen the responsibility of an owner, operator or controller of a building for any damages to the person or property caused by defects, nor shall the building department or its jurisdiction be held to assume any such liability by reason of inspection or permits authorized by this code.

## SECTION 111 PERMIT

**111.1 Permit required.** A permit shall be obtained before beginning construction or repairs, other than ordinary repairs, using application forms furnished by the building official. Ordinary repairs are nonstructural repairs and do not include addition to, alteration of, or replacement or relocation of water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring, or mechanical or other work for which a permit is required by the building official.

### Exceptions:

1. **Structural.** Items, designated as follows, in or appurtenant to one-family dwellings and which do not encroach over subsurface disposal systems or into required yards are exempt from permits and fees in this code:
  - 1.1 Retrofitted insulation;
  - 1.2 Concrete slabs;
  - 1.3 Driveways and sidewalks;
  - 1.4 Masonry repair;
  - 1.5 Porches and decks, where the floor or deck is not more than 30 inches (762 mm) above grade and where the edge of the porch, deck or floor does not come closer than 3 feet (914 mm) to property lines;
  - 1.6 Patio covers, not over 120 square feet (11 m<sup>2</sup>) in area;
  - 1.7 Painting;
  - 1.8 Interior wall, floor or ceiling covering;
  - 1.9 Nonbearing partitions, except when such partitions create habitable rooms;
  - 1.10 Shelving and cabinet work;
  - 1.11 Gutters and down-spouts;
  - 1.12 Nonhabitable small accessory buildings not over 120 square feet (11 m<sup>2</sup>) or a height of 10 feet (3048 mm) measured to the highest point;
  - 1.13 Door and window replacements (where no structural member is changed);
  - 1.14 Replacement or repair of siding not required to be fire resistant;
  - 1.15 Reroofing, except in wildfire hazard zones as provided in Section 325 or where replacement or repair of roofing does not exceed 30 percent of the required live load design capacity and is not required to be fire resistant;
  - 1.16 Plastic glazed storm windows.

- 1.17 Except for barriers around swimming pools as required in Appendix D, fences not over 6 feet high (1829 mm); and
- 1.18 Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge (ORS 455.310).
- 2. **Electrical.** To replace light bulbs, fluorescent tubes or approved fuses, or to connect approved portable electrical equipment to permanently installed and properly wired receptacles.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**111.1.1 Premises identification.** Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

**111.2 Permit fees.** Permit and plan review fees shall be as adopted by the authority having jurisdiction, except as otherwise limited by statute.

**111.2.1 Valuation.** The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

**111.2.2 Plan review fees.** When a plan or other data is required to be submitted by Sections 111.1 and 112, a plan review fee shall be paid at the time plans and specifications are submitted for review.

(Fee tables for Structural, Mechanical, Plumbing and Electrical are included as informational only.)

**111.3 Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six months from the issue date of the permit, or if the building or work authorized by such permit is suspended or abandoned for a period of six months or more after the work has commenced. Before such work can be com-

menced or resumed, a permit extension or renewal as required by Section 111.3.1 or 111.3.2 shall be obtained.

**111.3.1 Permit extension.** A permittee holding an unexpired permit may apply for a one-time six-month extension, provided the permittee can show good and satisfactory reasons beyond control that the work cannot be commenced within the six-month period from the original permit issue date. No additional fee is required for this one-time extension.

**111.3.2 Permit renewal.** A permit which has expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. The renewal fee shall be one half the amount required for a new permit. Permits which have been expired for greater than six months require a new application and payment of the full permit fee.

**111.4 Permit validity.** The issuances of a permit shall not authorize the violation of any of the provisions of this code. Permits presuming to give authority to violate or cancel the provisions of this code are not valid.

The issuance of a permit based on plans, specifications and related material shall not prevent the building official hereafter from requiring the correction of errors in plans, specifications and related material or from preventing the building from being operated in violation of this code.

**111.5 Work without a permit.**

**111.5.1 Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation may be made before a permit is issued for such work.

**111.5.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the state fee schedules. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

**111.6 Fee refunds.** The building official may authorize the refunding of any fee paid thereunder in accordance with the refund policy in effect in the jurisdiction.

**111.7 Suspension or revocation.** Suspension or revocation of permits shall be according to the provisions of the Oregon Administrative Procedures Act or local authority.

STATE PERMIT FEES ADOPTED FOR STATE OF OREGON JURISDICTIONS  
**STRUCTURAL PERMIT FEES**  
 (Informational Only)

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$10.00
\$501.00 to \$2,000.00	\$10.00 for the first \$500.00, plus \$1.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00.
\$2,001.00 to \$25,000.00	\$32.50 for the first \$2,000, plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.
\$25,001.00 to \$50,000.00	\$170.50 for the first \$25,000, plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$50,000.
\$50,001.00 to \$100,000.00	\$283.00 for the first \$50,000, plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001.00 and up	\$433.00 for the first \$100,000, plus \$2.50 for each additional \$1,000 or fraction thereof.
<b>Other Inspection and Fees:</b>	
1. Inspection outside of normal business hours (minimum charge—two hours)	\$15.00 per hour
2. Reinspection fees	\$15.00 each
3. Inspections for which no fee is specifically indicated	\$15.00 per hour
4. Plan review fee	65% of structural permit
5. Additional plan review required by changes, additions or revisions to approve plans (minimum charge—one-half hour)	\$15.00 per hour

DOES NOT INCLUDE THE 5% SURCHARGE

**MECHANICAL PERMIT FEES**  
 (Informational Only)

<b>Permit Issuance</b>	
1. For the issuance of each permit	\$10.00
2. For issuing each supplemental permit	\$3.00
<b>Unit Fee Schedule</b>	
1. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliances, up to and including 100,000 Btu/h	\$6.00
2. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h	\$7.50
3. For the installation or relocation of each floor furnace, including vent	\$6.00
4. For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$6.00
5. For the installation, relocation or replacement of appliance vent installed and not included in an appliance permit	\$3.00
6. For the repair of, alteration of, or addition to each heating appliance, refrigeration unit or cooling system, including installation of controls regulated by this code	\$6.00
7. For the installation or relocation of each compressor to and including 3 horsepower, or each absorption system to and including 100,000 Btu/h	\$6.00
8. For the installation or relocation of each compressor over 3 horsepower to and including 15 horsepower, or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h	\$11.00
9. For the installation or relocation of each compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 Btu/h and including 1,000,000 Btu/h	\$15.00
10. For the installation or relocation of each compressor over 30 horsepower to and including 50 horsepower, or each absorption system over 1,000,000 Btu/h to and including 1,750,000 Btu/h	\$22.50
11. For the installation or relocation of each compressor over 50 horsepower, or each absorption system over 1,750,000 Btu/h	\$37.50
12. For each air-handling unit to and including 10,000 cubic feet per minute (cfm), including ducts attached thereto Note: This fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this code.	\$4.50
13. For each air-handling unit over 10,000 cfm	\$7.50
14. For each evaporative cooler other than portable type	\$4.50
15. For each ventilation fan connected to a single duct	\$3.00
16. For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$4.50
17. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$4.50
18. For the installation or relocation of each domestic-type incinerator	\$7.50
19. For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code	\$4.50
20. For each gas-piping system of one to four outlets	\$2.00
For each gas-piping system of five or more outlets, per outlet	\$0.50
<b>Other Inspections and Fees</b>	
1. Inspections outside of normal business hours (minimum charge—two hours)	\$15.00 per hour
2. Reinspection fees	\$15.00 each
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$15.00 per hour
4. Plan review fee	25% of mechanical permit
5. Additional plan review required by changes, additions or revisions to approve plans (minimum charge—one-half hour)	\$15.00 per hour

DOES NOT INCLUDE THE 5% SURCHARGE

For SI: 1 Btu/h = 0.2931 W, 1 horsepower = 746 W, 1 cubic foot per minute = 0.4719 L/s

**PLUMBING PERMIT FEES**  
(Informational Only)

1. One- and Two-family Dwellings	
1.1 Per each bathroom (new construction)	\$60.00
1.2 Per each one-half bath (new construction)	\$30.00
1.3 Water service	\$28.00
1.4 Sanitary and storm sewer service	\$28.00
1.5 Minor installation (per fixture)	\$15.00
1.6 Special equipment or DWV alteration	\$40.00
2. Manufactured Dwellings and Prefabricated Structures (circle one)	
2.1 Connection to existing drain, sewer and water (initial installation)	\$40.00
2.2 New sanitary and storm sewer	\$28.00
2.3 New water service	\$28.00
3. Miscellaneous Fees	
3.1 Reinspection	\$40.00
3.2 Special inspections (per hour)	\$40.00
3.3 Request by governmental agency under ORS 190	As per agreement
3.4 Minimum permit fee	\$40.00
3.5 Plan review fee	25% of plumbing permit

5% STATUTORY SURCHARGE IS INCLUDED IN THE ABOVE FEES

**ELECTRICAL PERMIT FEES**  
(Informational Only)

1. New Residential—Single or Multifamily per Dwelling Unit. Service included:	
1,000 square feet or less	\$ 75.00
Each additional 500 square feet or portion thereof	\$ 15.00
Limited energy	\$ 20.00
Each manufactured home or modular dwelling service or feeder	\$ 30.00
2. Services or Feeders—Installation, Alterations or Relocation	
200 amps or less	\$ 50.00
201 amps to 400 amps	\$ 60.00
401 amps to 600 amps	\$100.00
601 amps to 1000 amps	\$130.00
Over 1000 amps or volts	\$300.00
Reconnect only	\$ 40.00
3. Temporary Services or Feeders—Installation, Alteration or Relocation	
200 amps or less	\$ 40.00
201 amps to 400 amps	\$ 55.00
Over 401 amps to 600 amps	\$ 80.00
Over 600 amps or 1000 volts—see Item 2 above	
4. Branch Circuits—New, Alteration or Extension, Per Panel	
4.1 The fee for branch circuits with purchase of service or feeder fee	\$ 2.00
Each branch circuit	
4.2 The fee for branch circuits without purchase of service or feeder fee	
First branch circuit	\$ 35.00
Each additional branch circuit	\$ 2.00
5. Miscellaneous (Service or Feeder Not Included)	
Each pump or irrigation circle	\$ 40.00
Each sign or outline lighting	\$ 40.00
Signal circuit(s) or a limited energy panel, alteration or extension	\$ 40.00
6. Each additional inspection over the allowable in any of the above, per inspection	
	\$ 35.00

5% STATUTORY SURCHARGE IS NOT INCLUDED IN THE ABOVE FEES

For SI: 1 square foot = 0.0929 m<sup>2</sup>

**SECTION 112  
PLANS**

**112.1 Plans required.** When required by the building official, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Plans shall include a plot plan drawn to scale showing the location of all easements, drainage facilities, adjacent grades, property lines, the proposed building and of every existing building on the property.

**112.2 Plans on job required.** A copy of approved plans when required by the building official shall be kept on the site of the building or work at the time of inspection.

**112.3 Expiration of plan review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**SECTION 113  
INSPECTION**

**113.1 Types of inspections.** For on-site construction, the building official, upon notification from the permit holder or permit holder's agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or permit holder's agent wherein the same fails to comply with this code.

**113.1.1 Foundation inspection.** Shall be made after poles or piers are set or trenches or basement areas are excavated and forms erected and any required reinforcing steel is in place and prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

**113.1.1.1 Concrete slab or under-floor inspection.** Shall be made after all in-slab or under-floor building service equipment, conduit/piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.

**113.1.2 Plumbing, mechanical and electrical.** Rough inspection. Shall be made prior to covering or concealment, before fixtures are set, and prior to framing inspection.

**113.1.3 Frame and masonry inspection.** Shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.

**113.1.3.1 Insulation and vapor barrier inspections.** Shall be made after all insulation and required vapor barriers are in place, but before any lath or gypsum board interior wall covering is applied.

**Exceptions:**

1. Ceiling and floor insulation visible during final inspection.
2. The building official may allow the frame, insulation and vapor barrier inspections to be performed simultaneously.

**113.1.4 Lath and/or wallboard inspection.** Shall be made after all lathing and/or wallboard interior is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished.

**113.1.5 Other inspections.** In addition to the called inspections above, the building official may make or require any other inspections to ascertain compliance with this code.

**113.1.6 Final inspection.** Shall be made after the building is completed and ready for occupancy.

**SECTION 114  
PREFABRICATED CONSTRUCTION**

(Section 114.1 is not adopted by the State of Oregon.) See ORS 455.010 and OAR 918-674.

**114.1 General.** A certificate of approval by an approved agency shall be furnished with every prefabricated assembly, except where all elements of the assembly are readily accessible to inspection at the site. Placement of prefabricated assemblies at the building site shall be inspected by the building official to determine compliance with this code, and a final inspection shall be provided in accordance with Section 113.1.6.

**NOTE:** Provisions for foundation systems and building service equipment connections necessary to provide for the installation of new manufactured homes on privately owned (non-rental) lots and existing manufactured homes to which additions, alterations or repairs are made are contained in Appendix A and shall be enforced only when specifically adopted by the jurisdiction.

**SECTION 115  
SWIMMING POOLS, SPAS AND HOT TUBS**

**115.1 General.** Provisions for swimming pools, spas and hot tubs are contained in Appendix D as amended.

**SECTION 116  
INSPECTION CARD**

**116.1 Record required.** The permit holder or his agent shall post the inspection record on the jobsite in an accessible and conspicuous place to allow the building official to make the required entries. The record shall be maintained by the permit holder until the final inspection has been made and approved.

**SECTION 117  
EXISTING STRUCTURES**

**117.1 Continuances of existing use.** Buildings and structures in existence at the time of the adoption of this code may have

their existing use continued if such use was legal at the time of adoption of this code, provided such continued use is not dangerous to life.

**117.2 Additions, alterations and repairs.** Additions, alterations and repairs (excluding ordinary repairs) may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of this code, provided the addition, alteration or repair (excluding ordinary repairs) conforms to that required for a new building or structure. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of this code, nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of this code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings.

**117.2.1 Structural and fire-resistance-rated limits.** Alterations or repairs to an existing structure which are structural or adversely affect any structural member or any part of the structure having a required fire-resistance rating shall be made with materials required for a new structure.

**117.2.2 Nonstructural.** Additions, alterations and repairs to an existing building or structure, which are nonstructural and do not adversely affect any structural member or any part of the building or structure having required fire resistance, may be made with the same materials of which the building or structure is constructed.

**117.3 Installation of glass.** The installation or replacement of glass shall be made as required for new construction for hazardous locations (see Section 308.4).

**117.4 Historic buildings.** Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building may be made without conforming to all of the requirements of this code when authorized by the building official provided:

1. The building has been official designated an historic building.

2. Unsafe conditions are corrected.
3. The restored building will be no more hazardous based on life, fire safety and sanitation than the existing building.
4. The building official seeks the advice of the State of Oregon historic preservation officer.

In case of appeals related to historic buildings, the local appeals board or the appropriate state appeals board shall seek the advice of the state historic preservation officer.

## SECTION 118 STOP WORK ORDERS

(Section 118.1 is not adopted by the State of Oregon.) See ORS 455.775(1)(c)

ORS 455.775 is not a part of this code but is reproduced here in part for the reader's convenience.

**455.775 Investigative authority of director; correction action.** In addition to any other authority and power granted to the Director of the Department of Consumer and Business Services under this chapter and ORS chapters 446, 447, 460, 479 and 480:

(1) Except where inconsistent with other provisions of law, the director may enforce the provisions of this chapter and ORS chapters 446, 447, 460, 479 and 480 against any person regardless of whether a permit, certificate, license or other indicia of authority has been issued. The director may:

(c) If an immediate hazard to health and safety is imminent, issue an order to stop all or any part of the work under the applicable specialty code.

**118.1 General.** Upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this code shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the specific violations and the conditions under which work may be resumed. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

## SECTION 119 ENERGY CONSERVATION

**119.1 General.** Provisions for energy conservation are contained in Appendix E as amended.

*Volume 1*

**Chapter 1  
ADMINISTRATION**

**SECTION 101 — TITLE, PURPOSE AND SCOPE**

**101.1 Title.** These regulations shall be known as the *Structural Specialty Code*, may be cited as such and will be referred to herein as "this code."

**101.2 Purpose.** The purpose of this code is as provided in ORS 455.020(1).

ORS 455.020(1) is not a part of this code but is reproduced here for the reader's convenience:

**455.020 Purpose; scope of application.** (1) This chapter is enacted to enable the Director of the Department of Consumer and Business Services to promulgate a state building code to govern the construction, reconstruction, alteration and repair of buildings and other structures and the installation of mechanical devices and equipment therein, and to require the correction of unsafe conditions caused by earthquakes in existing buildings. The state building code shall establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security of the residents of this state who are occupants and users of buildings, and will provide for the use of modern methods, devices, materials, techniques and practicable maximum energy conservation.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

**101.3 Scope.** See ORS 455.020(1). This code shall not apply to the construction, alteration, moving, demolition, repair, maintenance and work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this code, and hydraulic flood control structures.

Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Municipalities, as defined in ORS 455.010(4), may establish administrative procedures in accordance with ORS 455.020(4).

Appendix Chapters 3 (Divisions I and II); 4 (Divisions II and III); 9, 10 and 12 (Division II); 15, 16, 18, 19, 29 and 31 are adopted.

**101.4 Statutory References.** This code is adopted pursuant to Oregon Revised Statutes. Where in any specific case this code and the statutes specify different requirements, the statute shall govern. Statutes related to this code are ORS 455.010 through 455.895 and ORS 447.210 through 447.310.

Statutes referenced may be obtained from the Building Codes Division, 1535 Edgewater NW, Salem, OR 97310 at a nominal cost.

~~**SECTION 102 — UNSAFE BUILDINGS OR STRUCTURES**~~

~~(Not adopted by the State of Oregon.)~~

~~All buildings or structures regulated by this code which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for~~

~~the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in this code are hereby designated as unsafe building appendages.~~

~~All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedures as may have been or as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation.~~

### SECTION 103 — VIOLATIONS AND PENALTIES

**103.1 Violation.** Prohibited acts are described in ORS 455.450 and 455.895.

**103.2 Penalties.** Penalties for violations are prescribed in ORS 455.895.

ORS 455.450 and 455.895 are not part of this code but are reproduced here for the reader's convenience:

**455.450 Prohibited acts.** A person shall not:

(1) Violate or procure, aid or abet in the violation of any final order concerning the application of a provision of the state building code in a particular case made by the Director of Consumer and Business Services, an advisory board, a state administrative officer or any local appeals board, building official or inspector.

(2) Engage in or procure, aid or abet any other person to engage in any conduct or activity for which a permit, certificate, label or other formal authorization is required by any specialty code or other regulation promulgated pursuant to this chapter without first having obtained such permit, certificate, label or other formal authorization.

**455.895 Civil penalties.** In addition to any other authority and power granted to the Director of the Department of Consumer and Business Services under this chapter and ORS chapters 446, 447, 460, 479 and 480:

(1) The director, in consultation with the appropriate board, may impose a civil penalty against any person who violates any provision of this chapter and ORS chapters 446, 447, 460, 479 and 480 or any rule adopted thereunder. A civil penalty imposed under this subsection shall be in an amount determined by the director of not more than \$1,000 for each offense or, in the case of a continuing offense, not more than \$1,000 for each day of the offense. Moneys received from any civil penalty under this subsection shall be disposed of according to ORS 455.230 to be used for enforcement of ORS chapters 446, 447, 460, 479 and 480.

(2) Civil penalties under this section shall be imposed as provided in ORS 183.090.

(3) A civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the director considers proper and consistent with the public health and safety. In any judicial review of a civil penalty imposed under this section, the court may, in its discretion, reduce the penalty.

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### SECTION 104 — ORGANIZATION AND ENFORCEMENT

**NOTE:** Unless amended by a municipality under authority of ORS 455.020, Sections 104.1 through 104.2.5 apply.

**104.1 Creation of Enforcement Agency.** There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official.

**104.2 Powers and Duties of Building Official.**

**104.2.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

**104.2.2 Deputies.** In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

**104.2.3 Right of entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

**104.2.4 Stop orders.** Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

**104.2.5 Occupancy violations.** Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code.

(Section 104.2.6 is not adopted by the State of Oregon.) See ORS 30.265. ||

**104.2.6 Liability.** The building official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by

defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

**104.2.7 Modifications.** When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire-protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

**104.2.8 Alternate materials, alternate design and methods of construction.** The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

ORS 455.060 provides for state rulings on acceptable materials, designs and methods of construction. When a ruling has been issued, ORS 455.060(4) applies.

ORS 455.060 is not a part of this code but is reproduced here for the reader's convenience:

**455.060 Rulings on acceptability of material, design or method of construction; effect of approval.** (1) Any person who desires to use or furnish any material, design or method of construction or installation in the state, or any building official, may request the Director of the Department of Consumer and Business Services to issue a ruling with respect to the acceptability of any material, design or method of construction about which there is a question under any provision of the state building code. Requests shall be in writing and, if made by anyone other than a building official, shall be made and the ruling issued prior to the use or attempted use of such questioned material, design or method.

(2) In making rulings, the director shall obtain the approval of the appropriate advisory board as to technical and scientific facts and shall consider the standards and interpretations published by the body that promulgated any nationally recognized model code adopted as a specialty code of this state.

(3) A copy of the ruling issued by the director shall be certified to the person making the request. Additional copies shall be transmitted to all building officials in the state. The director shall keep a permanent record of all such rulings, and shall furnish copies thereof to any interested person upon payment of such fees as the director may prescribe.

(4) A building official or inspector shall approve the use of any material, design or method of construction approved by the director pursuant to this section if the requirements of all other local ordinances are satisfied.

**104.2.9 Tests.** Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

(Section 104.2.10 is not adopted by the State of Oregon.)

**104.2.10 Cooperation of other officials and officers.** The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

## SECTION 105 — BOARD OF APPEALS

**NOTE:** Unless amended by a municipality under authority of ORS 455.020, the following requirements apply.

**105.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

**105.2 Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

## SECTION 106 — PERMITS

**106.1 Permits Required.** Except as specified in Section 106.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved or converted unless a separate permit for each building or structure has first been obtained from the building official. See ORS 455.020(2).

**EXCEPTION:** Construction subject to minor labels and master permits when authorized by the inspection authority under Oregon Administrative Rules Chapter 918, Division 100.

For prohibitions against siting new essential facilities and new special occupancy structures in tsunami inundation zones, see Section 1804.1.2.

**106.2 Work Exempt from Permit.** A building permit shall not be required for the following:

1. Farm agricultural buildings exempted in ORS 455.310 (see Appendix Chapter 3, Division II).
2. The following are not buildings, structures or work regulated by this code:
  - 2.1 One-story detached site-constructed accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet (11.15 m<sup>2</sup>) and 10 feet (3048 mm) in height.
  - 2.2 Fences not over 6 feet (1829 mm) high.
  - 2.3 Oil derricks.
  - 2.4 Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.

- 2.5 Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- 2.6 Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- 2.7 Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
- 2.8 Painting, papering and similar finish work.
- 2.9 Temporary motion picture, television and theater stage sets and scenery.
- 2.10 Window awnings supported by an exterior wall of Group R, Division 3, and Group M Occupancies when projecting not more than 54 inches (1372 mm).
- 2.11 Prefabricated swimming pools accessory to a Group R Occupancy in which walls are entirely above adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L).

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code.

### 106.3 Application for Permit.

**106.3.1 Application.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 106.3.2.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant, or the applicant's authorized agent.

**106.3.2 Submittal documents.** Plans, specifications, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. The building official shall require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

**EXCEPTIONS:** 1. The building official may waive the submission of plans, calculations, construction inspection requirements and other data and related plan review fee if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

2. Plans and specifications prepared and designed by an engineer or architect licensed by the state to practice as such are not required for the following work, provided the building official determines that the work is not of a highly technical nature or there is no unreasonable potential risk to life and/or safety of the structure:

- 2.1 The erection, enlargement or alteration of any building, or any appurtenance thereto, where the resulting building has a ground area of 4,000 square feet (372 m<sup>2</sup>) or less and is not more than 20 feet (6096 mm) in height from the top surface of the lowest floor to the highest interior overhead finish (ORS 671.030).
- 2.2 A single-family dwelling or farm building.
- 2.3 Alterations or repairs that do not involve the structural parts of the building.

**106.3.3 Plan review requirements.**

**106.3.3.1 Information on plans and specifications.** Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

Ventilation occupancy load and occupancy ventilation design methods shall be identified in the plans or specifications. Ventilation occupancy load and ventilation rates for each occupied space shall be indicated on drawings. These documents shall be maintained as a permanent record on the building premises.

**EXCEPTION:** Permanent records need not be maintained for R-3 Occupancies and R-1 Occupancies, three stories and less in height.

**106.3.3.2 State fire and life safety plan review, occupancies to be reviewed.** ORS 479.155(2) requires submission of plans for certain types of construction unless exempted by the Building Codes Division.

ORS 479.155(2), in part, is not part of this code but is reproduced here for the reader's convenience:

**479.155(2)** Prior to construction or alteration of a hospital, public building as defined in ORS 479.010(1), public garage, dry cleaning establishment, apartment house, hotel, bulk oil storage plant, school, institution as defined in ORS 479.210, or any other building or structure regulated by the State Fire Marshal for use and occupancy . . . the owner shall submit to the director two copies of a plan or sketch showing the location of the building or structure with relation to the premises, distances, lengths and details of construction as the director shall require. Such filing . . .

As defined in this code, the following occupancies with areas and heights specified are required to satisfy ORS 479.155(2). The following provisions shall apply in all municipalities unless exempted by the Building Codes Division through delegation of the fire and life safety plan review program.

The owner shall submit to the building codes administrator two copies (or, when required, an additional copy shall be submitted for local government use) of a plan or sketch drawn clearly and to scale showing information as set forth in Section 106.3.3.1 prior to construction or alteration of:

1. Group A Occupancies.
2. Group B Occupancies over 4,000 square feet (372 m<sup>2</sup>), or more than 20 feet (6096 mm) in height, or with a basement.
3. Group E Occupancies.
4. Group F Occupancies over 4,000 square feet (372 m<sup>2</sup>) or more than 20 feet (6096 mm) in height or with a basement.
5. Group H Occupancies of 1,500 square feet (139 m<sup>2</sup>) or more than one story or 20 feet (6096 mm) in height or with a basement.
6. Group I Occupancies.
7. Group M Occupancies over 4,000 square feet (372 m<sup>2</sup>) or more than 20 feet (6096 mm) in height or with a basement.

8. Group R, Division I Occupancies over 4,000 square feet (372 m<sup>2</sup>) or more than 20 feet (6096 mm) in height or with a basement over 1,500 square feet (139 m<sup>2</sup>).
9. Group S, Division 1, 2, 3 and 4 Occupancies over 4,000 square feet (372 m<sup>2</sup>) or more than 20 feet (6096 mm) in height or with a basement.
10. Group S, Division 5 Occupancies over 9,000 square feet (836 m<sup>2</sup>) or more than 20 feet (6096 mm) in height or with a basement over 1,500 square feet (139 m<sup>2</sup>).
11. Group SR Occupancies.
12. Group U, Division I Occupancies over 4,000 square feet (372 m<sup>2</sup>) or more than 20 feet (6096 mm) in height or with a basement.

Two copies of a plot plan for the occupancies listed above shall be submitted for the placing of prefabricated structures to show the relationship of all adjacent buildings and their exitways.

**106.3.3.3 Fire and life safety plan review limits.** The following portions of this code shall be used to review the plans submitted under this subsection. (These requirements are not intended to apply to structural, architectural, light and ventilation, disabled access and energy conservation requirements of the code except as they affect requirements included on the list.)

Chapter 1, except Sections 104.1 through 104.2.6, 104.2.10, 105, 106, 106.3.3, 106.4, 107.3 through 107.7, 108 and 109;

Chapter 2;

Chapter 3, except Sections 303.5, 304.5, 305.5, 306.5, 307.5, 308.5, 309.5, 310.5, 311.5, 311.11 (new S-6 mausoleums and columbariums), 312, 312A.6 (SR Occupancy);

Chapter 4, except Section 406.7;

Chapter 5;

Chapter 6, except Sections 602.2, 603.2, 604.2, 605.2 and 606.2;

Chapter 7;

Chapter 8;

Chapter 9;

Chapter 10;

Section 1107;

Chapter 14, except Section 1402;

Chapter 15, except Section 1506;

Chapter 24;

Chapter 31;

Chapter 32, except Sections 3102, 3202 and 3204;

Appendix Chapter 3, Divisions I and II; and

Appendix Chapter 31, Division II

#### **106.3.4 Architect or engineer of record.**

**106.3.4.1 General.** When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

**106.3.4.2 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

**106.3.5 Inspection and observation program.** When special inspection is required by Section 1701, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work that require special inspection and the name or names of the individuals or firms who are to perform the special inspections, and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by Section 1702, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

#### **106.4 Permits Issuance.**

**NOTE:** Unless amended by a municipality under authority of ORS 455.020, the following requirements apply.

**106.4.1 Issuance.** The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section 107 have been paid, the building official shall issue a permit therefor to the applicant.

When the building official issues the permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the building official, and all work regulated by this code shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

**106.4.2 Retention of plans.** One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 90 days from date of completion of the

work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

**106.4.3 Validity of permit.** The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction.

**106.4.4 Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

**106.4.5 Suspension or revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

## SECTION 107 — FEES

**NOTE:** Unless amended by a municipality under authority of ORS 455.020 and 455.210, the following fees and related requirements apply.

**107.1 General.** Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

**107.2 Permit Fees.** The fee for each permit shall be as set forth in Table 1-A.

The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

**107.3 Plan Review Fees.** When submittal documents are required by Section 106.3.2, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 107.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A.

**107.4 Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**107.5 Investigation Fees: Work without a Permit.**

**107.5.1 Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**107.5.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1-A. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

**107.6 Fee Refunds.** The building official may authorize refunding of any fee paid hereunder in accordance with applicable law and the refund policy in effect in the jurisdiction.

**107.7 Transfer of Fees.** See ORS 455.150(4).

**SECTION 108 — INSPECTIONS**

**108.1 General.** All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in Section 1701.5.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

**108.2 Inspection Record Card.** Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

**108.3 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

**108.4 Approval Required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

#### **108.5 Required Inspections.**

**108.5.1 General.** Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.

The building official, upon notification, shall either approve that portion of the construction as completed or shall notify the permit holder or the permit holder's agent wherein the same fails to comply with this code.

**EXCEPTION:** Inspections for alternate minor label or master permit inspection programs in accordance with Oregon Administrative Rules Chapter 918, Division 100.

**108.5.2 Foundation inspection.** To be made after excavations for footings are complete and any required reinforcing steel is in place. When concrete reinforcing bars are installed in concrete footings, one bar shall be in accordance with Section 1806.1 for electrical grounding systems. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with U.B.C. Standard 19-3, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

**108.5.3 Concrete slab or under-floor inspection.** To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

**108.5.4 Frame inspection.** To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

**108.5.5 Insulation and vapor barrier inspection.** To be made after all insulation, window thermal performance labels and required vapor barriers are in place but before any lath, gypsum board or other interior wall covering is applied. Thermal performance labels may be removed after satisfactory inspection.

**EXCEPTIONS:** 1. Ceiling and floor insulation visible during final inspection.

2. The building official may allow the frame, insulation, window thermal performance label and vapor barrier inspections to be performed simultaneously.

**108.5.6 Lath or gypsum board inspection.** To be made after all lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

**108.5.7 Final inspection.** To be made after finish grading and the building is completed and ready for occupancy.

**108.6 Special Inspections.** For special inspections, see Chapter 17.

**108.7 Other Inspections.** In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

**NOTE:** Unless amended by a municipality under authority of ORS 455.020 and 455.210, Section 108.8 shall apply.

**108.8 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 1-A or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

## SECTION 109 — CERTIFICATE OF OCCUPANCY

**109.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein.

**EXCEPTION:** Group R, Division 3 and Group U Occupancies.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**109.2 Change in Use.** Changes in the character or use of a building shall not be made except as specified in Section 3405 of this code.

**109.3 Certificate Issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.

5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.

6. The name of the building official.

**109.4 Temporary Certificate.** If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

**109.5 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

**109.6 Revocation.** The building official may, in writing after notice and right of hearings, suspend or revoke a certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**NOTE:** This fee table only applies to state administered jurisdictions. Table 1-A is based on the 1979 edition of the U.B.C. fee schedule as required by ORS 455.210. Oregon municipalities may adopt and amend this table by ordinance according to ORS 455.150 and 455.210(3) and any rules adopted by the department.

**TABLE 1-A—BUILDING PERMIT FEES**

TOTAL VALUATION	FEE
\$1 to \$500	\$10
\$501 to \$2,000	\$10 for the first \$500 plus \$1.50 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$32.50 for the first \$2,000 plus \$6 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$170.50 for the first \$25,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$283 for the first \$50,000 plus \$3 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$433 for the first \$100,000 plus \$2.50 for each additional \$1,000 or fraction thereof
<b>Other Inspections and Fees:</b>	
1. Inspections outside of normal business hours (minimum charge—two hours)	\$15 per hour
2. Reinspection fees assessed under provisions of Section 108.8	\$15 each
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)	\$15 per hour
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour)	\$15 per hour

CHAPTER 1

ADMINISTRATION

<Chapter 1 (pages 1-14) is deleted.>

The following Oregon administrative rules, shown in a box, are included for the convenience of the users of this code, but are not part of the Oregon Plumbing Specialty Code.

PLUMBING SPECIALTY CODE  
DIVISION 750  
OREGON STATE PLUMBING SPECIALTY CODE

Title and Definitions

918-750-005

(1) OAR Chapter 918, Divisions 750 to 799 shall be known as the Administrative Rules for the Oregon State Plumbing Specialty Code. The "Administrative Authority" for the purpose of these rules and regulations and this code shall be the Administrator of the Building Codes Division or the Administrator's designee, with the approval of the Oregon State Plumbing Board.

(2) For the purposes of OAR Chapter 918, Divisions 750 to 799, unless otherwise specified, the following definitions apply:

- (a) "Administrator" means the Administrator of the Building Codes Division;
- (b) "Board" means the State Plumbing Board established under ORS 693.115;
- (c) "Division" means the Building Codes Division;
- (d) "Journeyman Plumber" has the meaning given that term in ORS 693.010;
- (e) "Plumbing" is the art of installing, altering or repairing in or adjacent to or serving buildings:
  - (A) Pipes, fixtures and other apparatus for bringing in the water supply and removing liquid and water-carried waste, including the water supply distributing pipes;
  - (B) Fixtures and fixture traps;
  - (C) Soil, waste and vent pipes;
  - (D) House drain and house sewer to the sewer service lateral at

the curb, or in the street, or alley, or other disposable terminal holding human or domestic sewage;

(E) Storm-water drainage, with their devices, appurtenances and connections.

[Publications: The publications(s) referred to or incorporated by reference in this rule are available from the Building Codes Division.]

Stat. Auth.: ORA Ch. 447

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-21-101

**Purpose**

**918-750-015**

The purpose of these regulations is to provide minimum standards to safeguard life or limb, property, and public welfare, by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance, of all plumbing systems and plumbing fixtures in all buildings or structures within this state and certain other plumbing systems and plumbing fixtures specifically regulated herein.

Stat. Auth.: ORS Ch. 447

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; Renumbered from 814-21-102

**Scope**

**918-750-020**

(1) The provisions of this code shall apply to the construction, alteration, repair, remodel, removal, demolition, or use of any plumbing system or plumbing fixture in any building or structure within the state except:

(a) In temporary construction camps;

(b) Water mains and connection pipes and appurtenances or other facilities used for supplying water which are a part of a municipal or community water utility system controlled by a water supply agency; or

(c) Any part of a public sewer which is in a street, highway, alley, or other place not specifically regulated in this code;

(2) This code shall be applicable and uniform throughout this state and in all municipalities therein, and no municipality shall enact or enforce any ordinance, rule, or regulation in conflict therewith.

(3) This code does not limit the authority of a municipality to enact regulations providing for local administration of this code; fees or other charges; enforcement through penalties; stop work orders, or other means; enforcing ordinances for the regulation of the business of plumbing.

Stat. Auth.: ORS Ch. 447

PLMCA

## ADMINISTRATION

**Alternate Materials and Methods of Construction****918-750-035**

- (1) The provisions of this code are not intended to prevent the use of any material or method of construction for plumbing systems and plumbing fixtures not specifically prescribed by this code, provided any such alternate has been approved. The Division shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.
- (2) Any person who desires to use or furnish any materials, design, or method of construction of installation of plumbing systems or plumbing fixtures in this state, or any building official, may request the Administrator to issue a ruling with respect to the acceptability of any material, design, or method of plumbing systems or plumbing fixture construction about which there is a question under any provision of the State Plumbing Code. Requests shall be in writing and shall be made prior to the use or attempted use of such questioned material, design, or method, and the ruling shall be made prior to the use or attempted use of such questioned material, design, or method.
- (3) In making rulings, the Administrator shall obtain the approval of the Plumbing Advisory Board as to technical and scientific facts and shall consider the standards and interpretations published by the body that promulgated any nationally recognized model code adopted as the plumbing code of this state.
- (4) A copy of the ruling issued by the Administrator shall be certified to the person making the request. Additional copies shall be transmitted to all building officials in the state. The Administrator shall keep a permanent record of all such rulings and shall furnish copies thereof to any interested person upon payment of such fees as the Division may prescribe.
- (5) A building official or plumbing inspector shall approve the use of any material, design, or method of construction for plumbing systems and plumbing fixtures approved by the Administrator pursuant to this section if the requirements of all other federal, state, or municipality ordinances or statutes, rules, and regulations are satisfied.

**Testing****918-750-040**

- (1) Whenever there is insufficient evidence of compliance with the provisions of the Oregon State Plumbing Specialty Code or evidence that any material or any construction of plumbing systems or plumbing fixtures does not conform to the requirements of this code, or in order to substantiate claims for alternate plumbing systems or plumbing fixture materials or methods of installation or construction of plumbing systems or plumbing fixtures, the Director may require tests as proof of

compliance to be made at the expense of the owner or his agent by a recognized testing agency.

(2) Test methods shall be specified by the Oregon State Plumbing Specialty Code or by other recognized test standards. If there are no appropriate or recognized test methods, the Division shall determine the test procedure.

(3) Copies of the results of all such tests shall be retained for a period of not less than two years after the acceptance of the plumbing system or structure. This condition for test procedure results does not nor is it intended to include those necessary field tests used by the field plumbing inspector to verify the water-tightness of a plumbing system or plumbing fixture.

(4) When a request is made for statewide or site-specific product or material acceptance, as set forth in OAR 918-770-025(2), the request shall be accompanied by a review fee of \$300 payable to the Director. Once a product or material has been accepted, all subsequent requests pertaining to that product or material must be accompanied by a separate review fee.

[Publications: The publications(s) referred to or incorporated by reference in this rule are available from the Building Codes Division.]

Stat. Auth.: ORS Ch. 447, 455 & 456

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 14-1987; f. & ef. 5-13-89; Renumbered from 814-21-107

#### **Municipal Administration**

##### **918-750-045**

(1) When a municipality administers and enforces all or part of the Plumbing Code, the governing body of the municipality shall, unless other means are already provided, appoint a person to administer and enforce the Plumbing Code or parts thereof who shall be known as the building official. A building official shall, in the municipality for which he is appointed, attend to all aspects of the Plumbing Code enforcement, including the issuance of all plumbing permits. Two or more municipalities may combine in the appointment of a single building official for the purpose of administering the provisions of the Plumbing Code within their communities.

(2) The governing body of a municipality may change its plumbing code administration and enforcement responsibility beginning July 1 of any year by notifying the Administrator by May 1 of such year that the change is to be made. Upon such change, responsibility shall be fixed by sections (3) and (4) of this rule. If parts of the Plumbing Code are to be administered and enforced by a municipality, the parts shall correspond to a classification designated by the Administrator as reasonable divisions of work by type of structure or installation or by the complexity of the work.

(3) If a city does not notify the Administrator, or notifies him that it will

## ADMINISTRATION

not administer or enforce the State Plumbing Code or parts thereof, the county or counties in which the city is located shall administer and enforce the State Plumbing Code or parts thereof within the city in the same manner as it administers and enforces them outside the city except as provided by section (4) of this rule.

(4) If a county does not notify the Administrator or notifies him that it will not administer nor enforce the State Plumbing Code or parts thereof, the Administrator shall contract with a municipality or use such state plumbing inspectors as are necessary to administer and enforce the State Plumbing Code or parts thereof, and permit or other fees arising therefrom shall be paid into the State Treasury and credited to the Plumbing Safety Section, Building Codes Division.

**Code Adoption and Amendment****918-750-055**

(1) Except as otherwise provided by statute, the Administrator and the Board shall be subject to ORS 183.310 to 183.500 in the adoption, amendment or repeal of regulations authorized by, and in the issuance of orders in contested cases arising under this code

(2) In addition to the notice requirements of ORS 183.335, notice of a public hearing on adoption, amendment or repeal of the plumbing code shall be given to the governing bodies of all municipalities and the notice shall state that copies of the proposed action may be obtained from the Division.

(3) The Division shall not be required to publish or distribute those parts of a plumbing code adopted by reference. However, the Division shall publish with the plumbing code, and annually thereafter, a list of places where copies of those parts of the Plumbing Code adopted by reference may be obtained, together with the approximate cost thereof. The Division shall file one copy of the complete plumbing code with the Secretary of State. However, all standards referred to in the Plumbing Code or any of the modifications thereto, need not be filed. All standards referred to in the plumbing code shall be kept on file and available for inspection in the office of the Administrator.

(4) Any interested person may propose amendments to the State Plumbing Code, which proposed amendments may be either applicable to all municipalities or, where it is alleged and established that conditions exist within a municipality or some municipalities that are not generally found within other municipalities, amendments may be restricted in application to such municipalities. Amendments proposed to the state plumbing code under this subsection shall be in conformity with the policy and purpose prescribed by ORS 455.020. The justification and particular circumstances requiring the proposed amendments shall be fully stated in the proposal. The Administrator shall submit all proposed amendments to the Board. The Board shall review and report its

recommendations to the Administrator on the amendments within 180 days after the date of submission by him.

(5) The Administrator, with the approval of the Board, may adopt or modify any amendment proposed under section (4) of this rule. The Administrator shall, within 30 days after the date of receipt of the recommendation of the Board, notify the person proposing the amendments of the adoption, modification and adoption, or denial of the proposed amendments. Upon adoption, a copy of each amendment shall be distributed to the governing bodies of all municipalities affected thereby.

(6) The Administrator shall, from time to time, make or cause to be made investigations or may accept authenticated reports from authoritative sources, concerning new plumbing materials or modes of construction intended for use in the construction of plumbing systems or in the installation of plumbing fixtures, or intended for use in other activity regulated by the state plumbing code, and shall, where necessary, propose amendments to the plumbing code setting forth the conditions under which the materials or modes may be used in accordance with the standards and the procedures of ORS Chapter 455.

(7) Upon adoption, the Division shall distribute, upon request and without charge, one copy of the State Plumbing Code to each municipality within the state. The distribution shall not include any parts of the plumbing code adopted by reference. Additional copies shall be made available to municipalities and interested persons for such fee as the Division shall prescribe.

#### **Disaster Reporting**

**918-750-060**

The Administrator shall be notified by the building official by telephone, telegram, or in person, of explosions or unusual undetermined failure of plumbing systems or plumbing fixtures regulated by this code.

#### **Plans and Specifications**

**918-760-020**

(1) The Administrative Authority may require complete specifications, piping layout, and fixture location drawings of the proposed system or alteration before issuance of the permit. Plans and specifications shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that such work will conform to provisions of this code.

(2) When a plan or other data is submitted for review, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to 25 percent of the total plumbing permit fees for the building or structure under review. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged.

(3) The issuance or granting of a permit or approval of plans shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error.

Stat. Auth.: ORA Ch. 447, 455 & 456

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 13-1981, f. 10-30-81, ef. 11-1-81;

Renumbered from 814-21-115

**Permit Expiration**

**918-760-025**

Every permit issued by the Administrative Authority under the provisions of this code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within 180 days from date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made, or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year.

[Publications: The publications(s) referred to or incorporated by reference in this rule are available from the Building Codes Division.]

Stat. Auth.: ORA Ch. 447, 455 & 456

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; Renumbered from 814-21-116

**Prefabricated Construction**

**918-760-030**

As required by the Oregon State Structural and Fire and Life Safety Code, Chapter 50, all prefabricated buildings and structures whose occupancy is established by the Oregon State Structural and Fire and Life Safety Code, Part III, and as defined in Chapter 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, respectively; prefabricated modular housing other than mobile homes or recreational vehicles; service cores which contain a plumbing system or a portion of a plumbing system or a plumbing fixture; any three dimensional section of a building or structure described as a prefabricated section for including in a service core or building or structure; other prefabricated construction consisting of at least one room containing a plumbing or plumbing fixture, shall be required to comply with all applicable portions of this code and with the requirements of the Oregon State Structural and Fire and Life Safety Code as defined in Chapter 50 of said code.

OREGON ADMINISTRATIVE RULES  
DIVISION 780  
PLUMBING PERMITS, FEES, INSPECTIONS AND  
DEFINITIONS CONCERNING PLUMBING INSTALLATIONS

**Definitions**

**918-780-005**

Definitions as used in OAR 918-780-005 to 918-780-020:

- (1) "Alterations" means to change, to take away, or to add to.
- (2) "Application" means a form to be filled out with pertinent data when applying for a permit.
- (3) "Building sewer" means that part of the horizontal piping of a building drainage system beginning five (5) feet beyond the established line of a building and extending to its connection with a public or private sewer, cesspool, septic tank, waterway, or any other approved means of sewage disposal.
- (4) "Duplex" means a building or structure used to house two individual single-family residence units.
- (5) "Existing" means that part of a plumbing installation which was in existence prior to an alteration and which is not required to be replaced by the alteration.
- (6) "Exterior" means the surface area surrounding the outside of a building or structure.
- (7) "Governmental Agency" means the federal government, all agencies of the state government, political subdivisions of the state government, and all municipal corporations or districts established under law.
- (8) "Inspection" means careful investigation, critical examination, or official examination and review of the plumbing installation at the site of the installation.
- (9) "Plumbing fixture" means any receptacle, appliance, or device used or intended to be used as part of or in connection with a plumbing installation and which receives water supplied from the water distribution system and/or discharges waste.
- (10) "Plumbing permit" means a document granting permission to install plumbing or portions thereof.
- (11) "Representative" means an agent.
- (12) "Service lateral" means that portion of a sewer line extending from a public sewer or a combined point of disposal to the property line.
- (13) "Single-family residence unit" means a building or structure or portion thereof which is an enclosed area adapted to living purposes by one or more persons related to one another by blood or marriage.
- (14) "Special waste lines" means waste lines engineered and installed in

such a way as to solve waste problems that would otherwise be present if a connection were made to an ordinary waste line and includes special lines such as an indirect waste or waste piping to receptors, corrosion-resistant piping, sand, oil, gas, or grease interceptors, condensers, or pretreatment facilities.

(15) "Water system" means an assemblage of plumbing materials, controls, and equipment connected to the source of supply and used to convey and distribute potable water to and within a building, structure, or premises.

Stat. Auth.: ORS Ch. 447

Stats. Implemented: ORS 447.020

Hist.: DC 31, f. 4-19-74, ef. 5-11-74; Renumbered from 814-29-001; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-21-600

### Inspection and Enforcement

#### 918-780-010

(1) Permits Required:

(a) No person, firm, or corporation shall do plumbing work in the State of Oregon without first obtaining a plumbing permit and paying the appropriate fees to the authorized permit issuing agency;

(b) Plumbing permit fees shall be doubled if installation is commenced prior to issuance of the permit, except that this provision will not apply to proven emergency installations, in which case a permit shall be obtained within five (5) days of commencing installation.

(2) Purpose of Permit. The issuance or granting of a plumbing permit is for the purpose of knowing where to make inspections and to defray the cost of inspections. The permit shall not be construed to be an approval of any violation of any of the provisions of the statutes or of OAR Chapter 918, Divisions 750 to 799. The issuance of a permit shall not prevent the Administrator from thereafter requiring the correction of errors in sums due for the permit, in installations or in requiring the work to be done only by those authorized by law.

(3) Notice Required for Inspections:

(a) No plumbing installation shall be covered or concealed without first obtaining the approval of the Division;

(b) The Division shall have at least forty-eight (48) hours, excluding Saturdays, Sundays, and holidays, after notification that the permittee is ready for an inspection, in which to make the following inspections:

(A) New Construction or Remodeling:

(i) A rough-in inspection prior to placement of any concrete, cover, or backfill, or prior to placement of sub-flooring if frame construction must be requested by the permittee;

(ii) A cover inspection when all plumbing rough-in is in place prior to being covered;

(iii) A final inspection just prior to the building or remodeled area being occupied.

(B) Replacement of Fixtures (no new construction or remodeling connected therewith): A final inspection of the plumbing fixtures for proper installation;

(C) Other Inspections. In addition to the inspections required to be called for by the permittee as specified above, the Division may make or require any plumbing installation to ascertain compliance with the provisions of statutes or rules.

(4) Correction Notice for Violations. All deviations from the requirements of the statutes or rules shall be specified in writing and a copy furnished to the permittee. An additional copy may be posted at the site of the installation or mailed or delivered to the permittee or his agent at the address shown on the permit. The Division may provide information as to the meaning or application of the statutes and rules but shall not design or lay out work for contractors, owners, or users. Refusal, failure, or neglect to correct deviations from the minimum standards specified in the notice within ten (10) days of receipt or of posting of the notice of violation shall be considered a separate violation of these administrative rules.

(5) Enforcement:

(a) Right of Entry. Whenever necessary to make inspection to enforce any of the provisions of Oregon State Plumbing Specialty Code, or whenever the Administrator has reasonable cause to believe that there exists in any building or upon any premises plumbing work being installed or which has been installed after the effective date of OAR Chapter 918, Divisions 750 to 799, and in violation thereof, the Administrator or designee may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Division by statute or rules; provided that if such building or premises be occupied, he shall first present proper credentials and demand entry, and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Administrator shall have recourse to every remedy provided by law to secure entry. No owner or occupant or any other person having charge, care, custody, supervision, or control of any building or premises shall fail or neglect, after proper demand is made as herein provided, to properly permit entry therein or thereon by the Administrator or designee for the purpose of inspection and examination pursuant to statute and OAR 918, Divisions 750 to 799;

(b) Stop Orders. Whenever any plumbing installation is being made

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contrary to the provisions of the Oregon State Plumbing Specialty Code or OAR chapter 918, Divisions 750 to 799, the Division may order the installation stopped by notice in writing served on any person engaged in causing such installation to be made, or by posting a copy thereof at the site of the installation, and thereafter no person shall proceed with the installation until authorized to proceed by the Division.

Stat. Auth.: ORS Ch. 447

Stats. Implemented: ORS 447.020

Hist.: DC 31, f. 4-19-74, ef. 5-11-74; Renumbered from 814-29-010; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-21-605

**Plumbing Permit Fees**

**918-780-015**

The following inspection fees are established by the Plumbing Board under ORS 447.020 and 447.095:

- (1) Notwithstanding any provision of this rule which could result in a lower fee, the minimum inspection fee is \$40.
- (2) Part A – One and Two Family Dwelling (Dwellings) Inspection Fees – Dwelling inspection fees for construction, remodel alteration or repair including drain, waste and vent piping and water distribution piping, but excluding building sanitary, storm or combination sewer service piping and potable water service piping:
  - (a) For plumbing not included in subsections (b) and (c) of this section .....\$15 per fixture;
  - (b) Dwelling each bath (new construction only) .....\$60;
  - (c) Dwelling each one-half bath (new construction only) .....\$30;
- (3) Dwelling, sanitary and storm or combination sewer installation ...\$28;
- (4) Dwelling water service installation .....\$28;
- (5) Dwelling water treatment equipment; alternate heating system connection to potable water supply; solar connection to potable water supply; water heater replacement; water service replacement; connection of appliance to plumbing system; alteration or repair of existing water piping; installation of backflow protection devices other than atmospheric type vacuum breakers; and alteration or repair of existing drainage waste or vent piping .....\$40;
- (c) Part B – Manufactured Dwellings Inspection Fees – Manufactured dwelling inspection fees for:
  - (a) Connecting existing sanitary, storm or combination sewer and water or sewer or water service .....\$40;
  - (b) Installing water service .....\$28;
  - (c) Installing sanitary, storm or combination sewer .....\$28;

(7) Part C – Recreational Vehicle and Manufactured Dwelling Parks Inspection Fees – Recreational vehicle and manufactured dwelling park inspection fees are a combination of:

- (a) A base fee:
  - (A) Five or fewer spaces .....\$190;
  - (B) Six to 19 spaces .....\$33 per space; or
  - (C) Twenty or more spaces .....\$23 per space; and
- (b) A fixture fee multiplying the fixtures in each structure or accessory building and storm sewer system by \$15.

(8) Part D – Commercial and Industrial Inspection Fee – Inspection fee for plumbing installations in commercial and industrial and multi-family dwellings that are not one- or two- family dwellings:

- (a) Less than four fixtures .....\$50;
- (b) Four to ten fixtures .....\$123;
- (c) More than ten fixtures .....\$123 base fee plus the number of fixtures over ten times \$15;

(9) A separate fee for each water service, building storm, sanitary or combination sewer:

- (a) Up to first 100 feet .....\$40;
- (b) Each additional 100 feet or fraction .....\$40 for the first 100 feet plus \$22 times each additional 100 feet or fraction.

(10) Part E – Prefabricated Structure Inspections:

- (a) Inspection fee for initial installation of prefabricated structure and connection of new plumbing services or existing services covered in a single inspection .....\$40;
- (b) Inspections for connections to existing prefabricated structures to new water service, building storm, sanitary or combination sewer are charged under section (9) of this rule.

(11) Part F – Miscellaneous Inspection Fees – Charges for inspections requested by a governmental agency under ORS 190.003 to 190.110 are negotiable and subject to revisions project-to-project:

- (a) Reinspection of violations found at a second or later inspection .....\$40;
- (b) Specially requested inspections or surveys .....\$40 per hour or any portion of an hour.

(12) For the purposes of this rule, "fixtures" includes but is not limited to the following:

- (a) Area drain;
- (b) Backflow prevention devices (other than atmospheric vacuum breakers);

- (c) Bathtubs;
- (d) Bidets;
- (e) Catch basins;
- (f) Clotheswashers;
- (g) Dental units or cuspidors;
- (h) Drinking fountains;
- (i) Floor drains;
- (j) Hose bibbs or sill cocks;
- (k) Interceptors;
- (l) Laundry tubs;
- (m) Receptors;
- (n) Showers;
- (o) Sinks;
- (p) Trough drains;
- (q) Urinals;
- (r) Water closets;
- (s) Water heaters.

Stat. Auth.: ORS Ch. 447.020 & 447.095

Stats. Implemented: ORS 447.020 & 447.095

Hist.: DC 31, f. 4-19-74, ef. 5-11-74; DC 72, f. 4-19-76, ef. 6-1-76; DC 78 (Temp), f. & ef. 6-16-76 thru 10-13-76; DC 10-1978, f. & ef. 3-16-78; Renumbered from 814-29-020; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 1-1983, f. & ef. 1-3-83; DC 27-1984, f. 8-31-84, ef. 10-15-84; DC 16-1987 (Temp), f. 6-25-87, ef. 6-26-87; BCA 12-1988, f. & ef. 9-8-88; Renumbered from 814-21-610; BCA 15-1993 (Temp), f. 6-30-93, cert. ef. 9-1-93; BCA 3-1994, f. 1-14-94, cert. ef. 2-27-94

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

#### Permit Application

##### 918-780-020

- (1) The Division shall provide a permit application to each applicant for a permit. The form shall require all information necessary to compute the cost of the permit and the exact location of the installation.
- (2) A plumbing permit issued to one person or firm is not transferable and shall not permit any other person, persons, or firm to perform any plumbing work thereunder unless the new person or firm is certified.
- (3) A plumbing permit shall be issued by the Division upon payment of fees as required by this rule and upon receipt of a completed application form. The signature of a licensed plumbing contractor, residential pump

installer, home owner or the contractor's authorized representative is required on each permit to aid inspections by the Division and indicate responsibilities under ORS 447.020.

Stat. Auth.: ORS Ch. 447

Stats. Implemented: ORS 447.020

Hist.: DC 31, f. 4-19-74, ef. 5-11-74; Renumbered from 814-29-030; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-21-615

### Plumbing Inspections

#### Ordinary Minor Repair and Minor Plumbing Installation Rules for One- and Two-Family Residences

#### Authority for Rules

918-780-100

Scope and Authority. The rules in this subpart are required by ORS 447.010 and 447.072 for one- and two-family dwellings and designate:

- (1) "Ordinary minor repairs" that are exempt from plumbing permit and inspections;
- (2) Accessible minor plumbing installations that can be inspected under random inspection procedures; and
- (3) Emergency minor plumbing installations that can be inspected under random inspection procedures.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BCD 17-1994, f. 7-21-94, cert. ef. 10-1-94

#### Definitions

918-780-110

Definitions. These definitions apply to the rules in OAR 918-780-100 to 918-780-190.

- (1) "Accessible" means having access to the work, either directly such as through a door or crawlspace or indirectly by removing an access panel or similar removable obstruction.
- (2) "Jurisdiction" is the Building Codes Division or a municipality having authority to administer the One and Two Family Dwelling Specialty Code.
- (3) "Minor plumbing label" is an adhesive sticker sold by a jurisdiction participating in the minor plumbing installation program, identifying the jurisdiction issuing the sticker and having a serial number, space for a date and identification of the person doing the work, registration number of plumbing contractor and other information.
- (4) "Minor plumbing label log" is a sheet attached to a book of labels on which installation locations and other information are recorded.

(5) "New piping" means the aggregate length of added piping including fittings and couplings. This applies regardless of whether the fittings and couplings are replacements.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

#### **Exempt Ordinary Minor Repairs**

**918-780-120**

(1)

(a) Exempt plumbing transactions. The following do not involve any changes or alterations of an existing plumbing system and are designated as "ordinary minor repairs" exempt from permits and inspections:

(A) Repair, replacement or maintenance of existing and accessible fixtures, parts, appliances, appurtenances, related water supply and drain attachments; or

(B) Emergency repair or replacement of freeze-damaged or leaking concealed piping not exceeding three feet of new piping.

(b) "Ordinary plumbing repairs" do not include replacement of water heaters, and except as allowed by section (1) of this rule. Work inside of a wall, ceiling or under floor; permanently concealed work or work to be permanently concealed.

(2) Scope of the exemption.

(a) "Qualified person". This exemption is only available when the work is done by a licensed and registered plumbing contractor, a licensed plumber in the employ of a registered plumbing contractor or person exempt from licensing.

(b) Permit and inspection. The exemption allows the work to be done without a plumbing permit and inspection.

(c) Code requirements. The plumbing product certification and One and Two Family Dwelling Specialty Code plumbing installation requirements remain applicable.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

#### **Minor Plumbing Installations Subject to Random Inspections**

##### **General**

**918-780-130**

The minor plumbing label program is an optional program for inspecting

jurisdictions. The label program is applicable in:

- (1) All areas inspected by the Building Codes Division; and
- (2) Municipalities that elect to offer the label program;
- (3) Two types of minor labels shall be offered by all jurisdictions offering the minor plumbing installation programs: The "accessible" and "not accessible" minor labels.
- (4) Conditions of the minor plumbing installation program:
  - (a) Only a registered plumbing contractor can purchase minor plumbing labels; and
  - (b) Only permit requirements are deleted. The One and Two Family Dwelling Specialty Code plumbing installation provisions and plumbing product certification requirements shall be followed.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

**"Accessible" Minor Plumbing Label**

**918-780-140**

- (1) "Accessible minor plumbing" is the:
  - (a) Repair, replacement, or maintenance of water heaters, including water heater conversions; and
  - (b) Alteration of parts of an existing plumbing system not exceeding three fixtures, or 20 feet of new piping or both, provided the work is "accessible" to an inspector.
- (2) Plumbing fixtures include, but are not limited to, bathtubs, bidets, showers, sinks, water closets and water heaters.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

**"Not Accessible" Minor Plumbing Label**

**918-780-150**

- (1) Items Subject to "Not Accessible" Minor Plumbing Label. "Not accessible" minor plumbing label is the label used for repair or replacement of concealed freeze-damaged or leaking parts of an existing plumbing system not exceeding three fixtures, or 20 feet of new piping or both. An exempt "ordinary minor repair" is excluded from this definition.
- (2) Special Conditions of the "Not Accessible" Minor Plumbing Label Installation. A notification of availability for inspection is required when a "not accessible" minor plumbing label is used.
  - (a) The plumbing contractor shall place the label when the work is started but leave the work uncovered and notify the inspecting

jurisdiction the installation is available for inspection within 48 hours of completion of the installation, unless the work is completed during a holiday or weekend, in which case notification must be given within 48 hours of the earliest business day following;

(b) The work shall not be covered until the earlier of inspection or lapse of 48 hours, non-holiday or weekend hours following notice to the inspecting jurisdiction;

(c) The actual notice must be given to the inspecting jurisdiction. This can be done by personal contact, telephone or facsimile transmission.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

#### Checklist for Plumbing Contractors

918-780-160

Checklist for Plumbing Contractors Using Minor Plumbing Labels.

(1) a plumbing contractor making an "accessible" minor or "not accessible" installation shall fill in the information required on the label on or near the electrical service panel for the residence. In the case of a "not accessible" minor installation, on or near the installation at the time of commencement of the installation.

(2) Record the installation in the minor label log.

(3) Return the log to the jurisdiction selling the log as soon as the booklet of ten minor labels are used or every 12 months from date of purchase of the labels and log, whichever occurs first. No refunds shall be made for unused labels.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

#### Checklist for Jurisdictions

918-780-170

(1) "Accessible" Minor Label Installations. The inspecting jurisdiction shall inspect at least one accessible minor label installation listed in a minor label log that is returned to the inspecting jurisdiction. This inspection shall be made within 30 days of the return of the log. If the work inspected violates the code under which the installation is made, the inspecting jurisdiction shall require corrections and may:

(a) Inspect additional installations listed in the log; and

(b) Charge the person or firm who purchased the labels for all new inspections and for all reinspections required at the jurisdiction's hourly plumbing inspection rate.

(2) "Not Accessible" Minor Plumbing Label Installations. The inspecting jurisdiction shall inspect at least one out of every ten not accessible minor label installations. The inspections shall be performed within 48 hours of the request for inspection or work may be covered. Nothing in these rules shall prevent a jurisdiction from making arrangements with the plumbing contractor for a later than 48-hour inspection date that is mutually agreeable. If the work inspected violates the code under which the installation is made, the inspecting jurisdiction shall require corrections and may:

- (a) Inspect additional installations listed in the log; and
- (b) Charge the person or firm who purchased the labels for all new inspections and for all reinspections required at the jurisdiction's hourly plumbing inspection rate.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

**Fees**

**918-780-180**

(1) A book containing ten "accessible" minor labels and log shall be sold by the division at \$100 per book.

(2) A book containing ten "not accessible" minor labels and log shall be sold by the division at \$100 per book.

(3) The fee for participating municipalities shall be set by the municipality.

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

**Waiver of Permits**

**918-780-190**

(1) Subject to section (2) of this rule and notwithstanding any other requirement in the One and Two Family Dwelling Specialty Code for a plumbing permit, no permit shall be required for an "accessible" or "not accessible" minor plumbing installation within areas inspected by the Building Codes Division and within a jurisdiction adopting the random inspection program.

(2) Nothing shall prevent a jurisdiction from selling a plumbing permit and making an individual inspection of an installation eligible for minor label treatment if the person or firm taking out the permit knowingly requests a permit and pays the appropriate fee

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BDC 17-1994, f. 7-21-94, cert. ef. 10-1-94

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ADMINISTRATION

## Part I—General

## SECTION 101 — TITLE

These regulations shall be known as the *Oregon Mechanical Specialty Code*, may be cited as such, and will be referred to herein as "this code."

## SECTION 102 — PURPOSE

The purpose and scope of this code is as provided in ORS 455.020(1):

**455.020 Purpose; scope of application.** (1) This chapter is enacted to enable the Director of the Department of Consumer and Business Services to promulgate a state building code to govern the construction, reconstruction, alteration and repair of buildings and other structures and the installation of mechanical devices and equipment therein, and to require the correction of unsafe conditions caused by earthquakes in existing buildings. The state building code shall establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security of the residents of this state who are occupants and users of buildings, and will provide for the use of modern methods, devices, materials, techniques and practicable maximum energy conservation.

## SECTION 103 — SCOPE

**103.1 Applicability.** The provisions of this code shall apply to mechanical devices including heating, ventilating, cooling and refrigeration systems, incinerators or other miscellaneous heat-producing appliances.

**NOTE:** Boilers and pressure vessels are also regulated by the state of Oregon Boiler and Pressure Vessel Law (ORS 480.510 to 480.615).

Requirements for equipment and systems in detached one- and two-family dwellings three stories and less are found in the *Oregon One and Two Family Dwelling Specialty Code*.

**103.2 Alterations.** Additions, alterations, repairs and replacement of equipment or systems shall comply with the provisions for new equipment and systems except as otherwise provided in Section 104 of this code.

**103.3 Most Restrictive.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**103.4 Appendix A.** The Uniform Mechanical Code standards, Uniform Fire Code standards and Uniform Building Code standards contained in Appendix A shall be considered as part of this code.

**103.5 Appendix B.** Only Chapters 10 and 15 are specifically adopted by the State of Oregon.

**103.6 Appendix C.** Appendix C contains gas-venting tables and is intended to serve only as a guide.

**103.7 Appendix D.** Appendix D contains the unit conversion tables applied in metrication of this code. It also contains information in Table D-1 on the approximate minimum thickness for manufacturers standard gage and galvanized sheet gage numbers that are used in this code.

**103.8 Statutory References.** This code is adopted pursuant to Oregon Revised Statutes. Where in any specific case this code and the statute specify different requirements, the statute shall govern. Statutes related to this code are ORS 455.010 through 455.895.

Statutes referenced may be obtained from the Building Codes Division, 1535 Edgewater NW, Salem, OR 97310, at nominal cost.

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## SECTION 104 — APPLICATION TO EXISTING MECHANICAL SYSTEMS

**104.1 Additions, Alterations or Repairs.** Additions, alterations or repairs may be made to any mechanical system without requiring the existing mechanical system to comply with all the requirements of this code, provided the addition, alteration or repair conforms to that required for a new mechanical system. Additions, alterations or repairs shall not cause an existing system to become unsafe or create unhealthy or overloaded conditions.

Minor additions, alterations and repairs to existing mechanical systems may be installed in accordance with the law in effect at the time the original installation was made, when approved by the building official.

**104.2 Existing Installations.** Mechanical systems lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and no hazard to life, health or property has been created by such mechanical system.

**104.3 Changes in Building Occupancy.** Mechanical systems which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply with all requirements of this code which may be applicable to the new use or occupancy.

||| NOTE: Section 104.4 not adopted by the State of Oregon.

**104.4 Maintenance.** All mechanical systems, materials and appurtenances, both existing and new, and all parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for maintenance of mechanical systems and equipment. To determine compliance with this subsection, the building official may cause a mechanical system or equipment to be reinspected.

**104.5 Moved Buildings.** Mechanical systems or equipment which are a part of buildings or structures moved into or within this jurisdiction shall comply with the provisions of this code for new installations.

## SECTION 105 — ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

||| NOTE: ORS 455.060 provides for state rulings on acceptable materials, design and methods of construction. When a ruling has been issued, ORS 455.060(4) applies.

**105.1 Alternates Require Approval.** The provisions of this code are not intended to prevent the use of a material or method of construction not specifically prescribed by this code provided any such alternate has been approved and the use authorized by the building official.

**105.2 Equivalency of Alternates.** The building official may authorize an alternate, provided the building official finds the proposed design is satisfactory for the intended use and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least equivalent to that prescribed by this code in suitability, strength, effectiveness, fire resistance, durability and safety.

**105.3 Evidence Required.** The building official shall require sufficient evidence or proof be submitted to substantiate any claims made regarding the use of alternates. The details of any action granting approval of an alternate shall be recorded and shall be entered in the files of the code enforcement agency.

**SECTION 106 — MODIFICATIONS**

Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and the modification is in conformity with the intent and purpose of this code and that such modification does not lessen health, life-safety and firesafety requirements. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

**SECTION 107 — TESTS**

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternate materials or methods, the building official may require tests as evidence of compliance to be made at no expense to the jurisdiction.

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall specify the testing procedures.

Tests shall be performed by an approved agency. Reports of tests shall be retained by the building official for the period required for retention of public records.

**Part II—Organization and Enforcement**

**SECTION 108 — POWERS AND DUTIES OF BUILDING OFFICIAL**

**NOTE:** Unless amended by a municipality under authority of ORS 455.020, the following requirements apply.

**108.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

**108.2 Deputies.** In accordance with the prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

**108.3 Right of Entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or prem-

ises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

**108.4 Stop Orders.** When any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop work until authorized by the building official to proceed with the work.

**108.5 Authority to Disconnect Utilities in Emergencies.** The building official or the building official's authorized representative shall have the authority to disconnect fuel-gas utility service, or energy supplies to a building, structure, premises or equipment regulated by this code in case of emergency when necessary to eliminate an immediate hazard to life or property. The building official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or premises of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or premises in writing of such disconnection immediately thereafter.

**108.6 Authority to Condemn Equipment.** When the building official ascertains that equipment, or a portion thereof, regulated by this code has become hazardous to life, health or property, the building official shall order in writing that the equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice shall contain a fixed time limit for compliance with such order. Persons shall not use or maintain defective equipment after receiving a notice.

When equipment or an installation is to be disconnected, written notice of the disconnection and causes therefor shall be given within 24 hours to the serving utility, the owner and occupant of the building, structure or premises. When equipment is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute an appropriate action to prevent, restrain, correct or abate the violation.

**108.7 Connection after Order to Disconnect.** Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to any equipment regulated by this code which has been disconnected or ordered to be disconnected by the building official, or the use of which has been ordered to discontinued by the building official, until the building official authorizes the reconnection and use of such equipment.

|| NOTE: Section 108.8 not adopted by the State of Oregon. See ORS 30.265.

**108.8 Liability.** The building official charged with the enforcement of this code acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any equipment regulated herein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

|| NOTE: Section 108.9 not adopted by the State of Oregon.

**108.9 Cooperation of Other Officials and Officers.** The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

NOTE: Section 109 not adopted by the State of Oregon.

### SECTION 109 — UNSAFE EQUIPMENT

**109.1 Hazardous Conditions.** Equipment regulated by this code, which is unsafe or which constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Unsafe equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the *Uniform Code for the Abatement of Dangerous Buildings* or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

NOTE: Section 110 not adopted by the State of Oregon.

### SECTION 110 — BOARD OF APPEALS

**110.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to mechanical design, construction and maintenance and the public health aspects of mechanical systems and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

**110.2 Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

ORS 455.690 is not a part of this code but is reproduced here for the reader's convenience:

**455.690 Appeal to advisory boards.** Any person aggrieved by the final decision of a municipal appeals board or a subordinate officer of the Department of Consumer and Business Services as to the application of any provision of a specialty code may, within 30 days after the date of the decision, appeal to the appropriate advisory board. The appellant shall submit a fee of \$20, payable to the department, with the request for appeal. The final decision of the involved municipality or state officer shall be subject to review and final determination by the appropriate advisory board as to technical and scientific determinations related to the application of the specialty code involved.

NOTE: Section 111 not adopted by the State of Oregon. See ORS 455.895.

### SECTION 111 — VIOLATIONS

**111.1 General.** It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain mechanical systems or equipment or cause or permit the same to be done in violation of this code.

ORS 455.895 is not adopted as part of this code but is reproduced here for the reader's convenience:

**455.895 Civil penalties.** In addition to any other authority and power granted to the Director of the Department of Consumer and Business Services under this chapter and ORS chapters 446, 447, 460, 479 and 480:

(1) The director, in consultation with the appropriate board, may impose a civil penalty against any person who violates any provision of this chapter and ORS chapters 446, 447, 460, 479 and 480 or any rule adopted thereunder. A civil penalty imposed under this subsection shall be in an amount determined by the director of not more than \$1,000 for each offense or, in the case of a continuing offense, not more than \$1,000 for each day of the offense. Moneys received from any civil penalty under this subsection shall be disposed of according to ORS 455.230 to be used for enforcement of ORS chapters 446, 447, 460, 479 and 480.

(2) Civil penalties under this section shall be imposed as provided in ORS 183.090.

(3) A civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the director considers proper and consistent with the public health and safety. In any judicial review of a civil penalty imposed under this section, the court may, in its discretion, reduce the penalty.

**Part III—Permits and Inspections**

**SECTION 112 — PERMITS**

NOTE: Unless amended by a municipality, under authority of ORS 455.020, the following requirements apply.

**112.1 Permits Required.** Except as permitted in Section 112.2, and work authorized under an alternative master permit or minor label program under Oregon Administrative Rules Chapter 918, Division 100, a mechanical system regulated by this code shall not be installed, altered, repaired, replaced or remodeled unless a separate mechanical permit for each separate installation, building or structure has first been obtained from the building official.

**112.2 Exempt Work.** The following are not buildings, structures or installations regulated by this code:

1. A portable heating appliance, portable ventilating equipment, portable cooling unit or portable evaporative cooler.
2. A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by this code.
3. Replacement of any component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of this code.
4. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of this code.
5. A unit refrigerating system.

**112.3 Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code.**

**SECTION 113 — APPLICATION FOR PERMIT**

NOTE: Unless amended by a municipality, under authority of ORS 455.020, the following requirements apply

**113.1 Application.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 113.2.
5. Be signed by the applicant or an authorized agent of the applicant.
6. Give such other data and information as may be required by the building official.

**EXCEPTION:** For those inspecting jurisdictions that may have adopted a master permit and/or minor label program under Oregon Administrative Rules Chapter 918, Division 100, different requirements may also apply.

**113.2 Plans and Specifications.** Plans, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require any applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by an architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

**EXCEPTION:** The building official may waive the submission of plans, calculations or other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

**113.3 Information on Plans and Specifications.** Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

**113.3.1 Penetrations detailed.** Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

**113.3.2 Direct-fired gas makeup and industrial air heaters.** The installer shall submit plans showing the proposed installation, indicating the location of the heater and such accessories as may be required to ensure the proper and safe performance of its function.

## SECTION 114 — PERMIT ISSUANCE

**NOTE:** Unless amended by a municipality, under authority of ORS 455.020, the following requirements apply.

**114.1 Issuance.** The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of the code and other pertinent laws and ordinances and that the fees specified in Section 304 have been paid, the building official shall issue a permit therefor to the applicant.

**EXCEPTION:** For those inspecting jurisdictions that may have adopted a master permit and/or minor label program, different requirements may also apply.

**114.1.1 Approval stamp.** When issuing a permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the build-

ing official, and all work regulated by this code shall be done in accordance with the approved plans.

**114.1.2 Partial permits.** The building official may issue a permit for the construction of a part of a mechanical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit may proceed without assurance that the permit for the entire building, structure or mechanical system will be granted.

PERMITS

**114.2 Retention of Plans.** One set of approved plans, specifications and computations shall be retained by the building official until final approval of the work covered therein. One set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

**114.3 Valid Permit.**

**114.3.1 Validity of permit.** The issuance of a permit or approval of plans, specification and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

**114.3.2 Erroneous permits not a bar to compliance.** The issuance of a permit based on plans, specifications, computations and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications, and other data or from preventing building operations being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

**114.4 Permit Expiration.**

**114.4.1 Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work and provided further that such suspension or abandonment has not exceeded one year. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

**114.4.2 Extension of unexpired permits.** A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

**114.5 Suspension or Revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinances or regulations of the jurisdiction.

**SECTION 115 — FEES**

|| NOTE: Unless amended by a municipality, under authority of ORS 455.020 and 455.210, the following fees and related requirements apply.

**115.1 General.** Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

**115.2 Permit Fees.** The fee for each permit shall be as set forth in Table 1-A.

**115.3 Plan Review Fees.** When a plan or other data are required to be submitted by Section 113.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be equal to 25 percent of the total permit fee as set forth in Table 1-A.

**115.3.1 Separate fees for plan review.** The plan review fees specified in this section are separate fees from the permit fees specified in Section 115.1 and are in addition to the permit fees.

**115.3.2 Incomplete or changed plans.** When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table 1-A.

**115.4 Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

**115.5 Investigation Fees: Work without a Permit.** When work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of an investigation fee shall not exempt a person from compliance with all other provisions of this code nor from a penalty prescribed by law.

NOTE: Section 115.6 not adopted by the State of Oregon.

**115.6 Fee Refunds.** The building official may authorize the refunding of a fee paid hereunder which was erroneously paid or collected.

**115.6.1 Building permit fee refund.** The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

**115.6.2 Plan review fee refund.** The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

**115.6.3** The building official shall not authorize refunding of a fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

## SECTION 116 — INSPECTIONS

**116.1 General.** Mechanical systems for which a permit is required by this code shall be subject to inspection by the building official and such mechanical systems shall remain accessible and exposed for inspection purposes until approved by the building official.

It shall be the duty of the permit applicant to cause the mechanical systems to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable

for expense entailed in the removal or replacement of any material required to permit inspection. When the installation of a mechanical system is complete, an additional and final inspection shall be made. Mechanical systems regulated by this code shall not be connected to the energy fuel-supply lines until authorized by the building official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

**116.2 Operation of Mechanical Equipment.** The requirements of this section shall not be considered to prohibit the operation of mechanical systems installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for inspection of such equipment or fixture has been filed with the building official not more than 48 hours after such replacement work is completed, and before any portion of such mechanical system is concealed by any permanent portion of the building.

**116.3 Testing of Equipment and Systems.** Refrigeration equipment regulated by this code shall be tested and approved as required by Section 1122 of this code.

When applicable (see Section 103.5), steam and hot-water boilers and piping systems shall be tested and approved as required by Sections 1023 and 1201.1 of Appendix B of this code.

When applicable (see Section 103.5), fuel-gas piping systems shall be tested and approved as required by Section 1306 of Appendix B of this code.

**116.4 Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for inspection of the work.

**116.5 Other Inspections.** In addition to the called inspections required by this code, the building official may make or require other inspections of mechanical work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

**116.6 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when required corrections have not been made:

**116.6.1 Reinspection fee.** This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

**116.6.2 Assessment of reinspection fees.** Reinspection fees may be assessed, when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the building official.

**116.6.3 How obtained.** To obtain reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Table 1-A or as set forth in the fee schedule adopted by the jurisdiction.

When reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**SECTION 117 — CONNECTION APPROVAL**

**117.1 Energy Connections.** Persons shall not make connections from a source of energy fuel to a mechanical system or equipment regulated by this code and for which a permit is required until approved by the building official.

**117.2 Temporary Connections.** The building official may authorize temporary connection of the mechanical equipment to the source of energy or fuel for the purpose of testing the equipment, or for use under a temporary certificate of occupancy.

**TABLE 1-A—MECHANICAL PERMIT FEES**  
(See ORS 455.210)

**NOTE:** Table 1-A is adopted as fees for the Building Codes Division. Table 1-A is based on the 1979 edition of the *Uniform Mechanical Code* as required by ORS 455.210. Oregon municipalities may adopt their own fees according to ORS 455.150 and 455.210.

**Permit Issuance**

- 1. For the issuance of each permit . . . . . \$10.00
- 2. For issuing each supplemental permit . . . . . 3.00

**Unit Fee Schedule**

- 1. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW) . . . . . 6.00
- 2. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW) . . . . . 7.50
- 3. For the installation or relocation of each floor furnace, including vent . . . . . 6.00
- 4. For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater . . . . . 6.00
- 5. For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit . . . . . 3.00
- 6. For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by this code . . . . . 6.00
- 7. For the installation or relocation of each boiler or compressor to and including three horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW) . . . . . 6.00
- 8. For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW) . . . . . 11.00
- 9. For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or for each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW) . . . . . 15.00
- 10. For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or for each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW) . . . . . 22.50
- 11. For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW) . . . . . 37.50
- 12. For each air-handling unit to and including 10,000 cubic feet per minute (4720 L/s), including ducts attached thereto . . . . . 4.50  
 Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this code.
- 13. For each air-handling unit exceeding 10,000 cfm (4720 L/s) . . . . . 7.50
- 14. For each evaporative cooler other than portable type . . . . . 4.50
- 15. For each ventilation fan connected to a single duct . . . . . 3.00
- 16. For each ventilation system which is not a portion of heating or air conditioning system authorized by a permit . . . . . 4.50
- 17. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood . . . . . 4.50
- 18. For the installation or relocation of each domestic type incinerator . . . . . 7.50
- 19. For the installation or relocation of each commercial or industrial type incinerator . . . . . 30.00
- 20. For each appliance or piece of equipment regulated by this code, but not classed in other appliance categories, or for which no other fee is listed in this code . . . . . 4.50
- 21. When Chapter 13 is applicable (see Section 103), permit fees for fuel-gas piping shall be as follows:  
 For each gas-piping system of one to four outlets . . . . . 2.00

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For each gas-piping system of five or more outlets, per outlet ..... 0.50

**Other Inspections and Fees:**

- 1. Inspections outside of normal business hours ..... \$15.00 per hour  
(minimum charge—two hours)
- 2. Reinspection fees assessed under provisions of Section 116.6 ..... \$15.00 each
- 3. Inspections for which no fee is specifically indicated ..... \$15.00 per hour  
(minimum charge—one-half hour)
- 4. Additional plan review required by changes, additions or revisions to approved plans ..... \$15.00 per hour  
(minimum charge—one-half hour)