

**Matrix of the proposed 2008 Residential Specialty Code & 2007 Structural Specialty Code Chapter 1 (Administration)  
integration for the 2008 Residential Code Adoption Committee**

**Note:** All green text reflects 2007 OSSC proposed text.

CODE LANGUAGE
<p><b>R102.7 Existing Structures.</b> The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public <del>under local ordinance.</del></p>
<p><b>R104.1 General.</b> The building official is hereby authorized and directed to enforce <del>all</del> the provisions of this code. The building official shall have the authority to render interpretations of this code and to <u>adopt policies and procedures in order to clarify the application of its provisions</u> <del>enforce supplemental regulations in order to clarify the application of its provisions.</del> Such interpretations, <u>policies</u> and <u>procedures</u> <del>regulations</del> shall be in <del>conformance</del> <u>compliance</u> with the intent and purpose of this code. <u>Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code or statewide interpretations of code.</u></p>
<p><b>R104.2 Application and permits.</b> The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, <u>and moving</u> of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.</p>
<p><b>R104.7 Department records.</b> The building official shall keep official records, <u>as dictated by OAR 166-150-0020 where a county has jurisdiction; OAR 166-200-0025 where a city has jurisdiction; and OAR Chapter 166 Division 300 et al for the cities and counties where the State of Oregon has jurisdiction</u> <del>of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued.</del> Such records shall be retained in the official records for the period <u>indicated in the respective OARs noted above required for the retention of public records.</u> See also R106.5.</p>
<p><b>R104.10 Modifications.</b> Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, <u>upon application of the owner or owner's representative,</u> provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety, <del>requirements</del> or structural <u>requirements</u>. The details of action granting modifications shall be recorded and entered in the jurisdiction's files.</p>
<p><b>R104.11 Alternative materials, design and methods of construction and equipment.</b> The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of 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 <u>in quality, strength, effectiveness, fire resistance, durability and safety.</u> Compliance with the specific performance-based provisions of the current editions of the Oregon specialty codes in lieu of specific requirements of this code shall also be permitted as an alternative. See ORS 455.060.</p>

<p><b>R105.2 Work exempt from permit.</b> <del>Permits shall not be required for the following.</del> Exemptions from <del>the</del> 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 or any other laws or ordinances of this jurisdiction. <u>Permits shall not be required for the following:</u></p> <p>5. <u>Platforms, Concrete</u> sidewalks, <del>slabs</del> and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below.</p>
<p><b>R105.3.2 Time limitation of application.</b> An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.</p>
<p><b>R105.6 Suspension or revocation.</b> <del>Suspension or revocation of permits shall be according to the provisions of the Oregon Administrative Procedures Act or local authority. The building official is authorized to suspend or revoke a permit issued under the provision of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.</del></p>
<p><b>R106.1 Submittal documents.</b> Construction documents, <u>statement of special inspections and structural observation programs,</u> and other data shall be submitted in one or more sets with each <del>application for a permit</del> <u>application.</u> <del>The construction documents shall</del> <u>The building official shall require plans, calculations and specifications to be prepared and designed by an architect or engineer licensed by the state to practice as such (see ORS 672.129) a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.</u></p> <p><b>Exceptions:</b></p> <p>2.2. <del>The structure is a</del> <u>A detached single-family dwelling, or an accessory structure to a single family dwelling, or farm agricultural building, non-farm agricultural building, or accessory building to a single-family dwelling, farm agricultural building or non-farm agricultural building.</u></p> <p>2.3 <del>The</del> <u>A alterations or repairs that do not involve any the structural parts of the building components.</u></p>
<p><b>R106.1.1 Information on construction documents.</b> Construction documents shall be <u>dimensioned and</u> drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents 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, as determined by the building official.</p>
<p><b>R106.3.1 Approval of construction documents.</b> When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, <u>as “Reviewed for Code Compliance.”</u> One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or <u>a duly authorized representative</u> <del>his or her authorized representative.</del> <u>Construction documents shall be approved in the timelines specified in ORS 455.467.</u></p>

**R106.3.4 Design professional in responsible charge.**

**106.3.4.1 General.** When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

**R106.5 Retention of construction documents.** One set of approved construction documents shall be retained by the building official for a period of not less than that dictated by OAR 166-150-0020 where a county has jurisdiction; OAR 166-200-0025 where a city has jurisdiction; and OAR 166-300 et al for the jurisdictions where the State of Oregon has jurisdiction ~~180 days from date of completion of the permitted work, or as required by state or local laws.~~ 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. The building official shall maintain a permanent record of all permits issued in flood hazard areas, including copies of inspection reports and certifications.

**R108.2 Schedule of permit fees.** On buildings, structures, or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority under authority of ORS 455.020 and 455.210 ~~Permit and plan review fees shall be as adopted by the authority having jurisdiction, except as otherwise limited by statute.~~

**R108.3 Building permit valuation.** ~~The applicant for a permit shall provide an estimated permit value at time of application. Building permit valuation shall include total value of the work, for which a permit is being issued, such as including materials and labor, for which the permit is being issued such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official. Building permit valuations for prefabricated construction regulated by Oregon Building Codes Division are established in OAR 918-674-0155.~~

**R108.4 Related fees.** The payment of the fee for the construction, ~~or alteration, removal or demolition~~ for work done in connection ~~with~~ to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**R108.5 Refunds.** The building official ~~is may authorized~~ the refunding of any fee paid thereunder in accordance with the ~~to establish a refund policy in effect in the jurisdiction.~~

<p><b>R108.6 Work commencing before permit issuance.</b> <u>Any person who commences any work on a building or structure before obtaining the necessary permits shall be subject to an investigation fee equal to the permit fee that shall be in addition to the required permit fees.</u></p> <p><b>Exception:</b> <u>Work as permitted in Section 105.1</u></p>
<p><b>R109.1 Types of inspections General.</b> <del>For onsite construction, from time to time the building official, upon notification from the permit holder or his 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 his or her agent wherein the same fails to comply with this code</del> <u>Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. 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 laws or ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other laws or 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.</u></p>
<p><b>R109.1.5 Other inspections.</b> <del>In addition to the called inspections specified above, the building official is authorized to may make or require any other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the building official.</del></p>
<p><b>R109.1.6 Final inspection.</b> <del>Final inspection shall be made after the permitted work is complete and prior to occupancy</del> <u>all work required by the building permit is completed.</u></p>
<p><b>R109.3 Inspection requests.</b> <del>It shall be the duty of the permit holder of the building permit or their duly authorized agent to notify the building official that when such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code permit holder to provide access to and means for inspections of such work that are required by this code.</del></p>
<p><b>R110.1 Use and occupancy.</b> <del>No building or structure shall be used or occupied, and no change in the existing character, use or occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy for such change in character, use or occupancy, therefore as provided herein. 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 jurisdictions shall not be valid.</del></p>
<p><b>R110.5 Revocation.</b> <del>The building official is authorized to shall, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where 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.</del></p>
<p><b>R112.1 General.</b> <del>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; the local jurisdiction shall establish an appeals procedure. This procedure shall be described in local operating plans as required by OAR 918-020-0090(1)(c).</del></p>
<p><b>R112.2 Limitations on authority.</b> <del>An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. An appeals board, when appointed, The board shall have no authority to waive requirements of this code.</del></p>

<p><b>R112.3 Qualifications.</b> <del>An appeals board of appeals, when appointed,</del> shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction <del>and are not employees of the jurisdiction.</del></p>
<p><b>R113.1 Unlawful acts</b><del>Prohibited acts are as described in ORS 455.450.</del> It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any provisions of his code.</p>
<p><b>R113.2 Notice of Violations.</b> <del>See ORS 455.450.</del> The building official is authorized to serve a notice of violation or order on the person responsible for the construction, reconstruction, alteration and repair of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action on condition and the abatement of the violation.</p>
<p><b>R113.3 Prosecution of violation.</b> <del>Not adopted by the State of Oregon.</del> If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute appropriate actions.</p>
<p><b>R113.4 Violation penalties.</b> <del>See ORS 455.895.</del> Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provision of this code, shall be subject to penalties as prescribed by law.</p>