

**State of Oregon
Building Codes Division
Interpretive Ruling No. 04 - 2**

**APPROVAL OF NON-FLUSH URINALS
IN CITY, COUNTY, STATE OR FEDERAL FACILITIES**

Initiated By: Building Codes Division
1535 Edgewater Street NW
PO Box 14470
Salem, Oregon 97309-0404

REQUEST FOR RULING: To promote, encourage and require measures to conserve water in public buildings, and to provide an option where there is limited potable water supplies or sewage waste disposal systems. Interpretive Ruling (“Ruling”) approves the use of non-flushing urinals listed under one or more of the following product standards:

1. American National Standards Institute (“ANSI”) Z124.9-1994 standard for plastic urinal fixtures.
2. American Society of Mechanical Engineers (“ASME”) A112.19.2M-1998 standard for vitreous china plumbing fixtures.
3. ASME A112.19.9M-1991 standard for non-vitreous ceramic plumbing fixtures.
4. International Association of Plumbing and Mechanical Officials (“IAPMO”) Interim Guide Criteria (IGC) 161-2002.

This ruling is made for the sole purpose of allowing installation of non-flushing urinals only in facilities which are owned and operated by a city, county, state or federal government in the State of Oregon.

APPLICABLE CODE SECTION(S): Sections 301.1.4, 301.2.2, 301.2.3, 301.2.4 & 301.2.5 of the 2000 Oregon Plumbing Specialty Code (“OPSC”); definition of "insanitary" in section 211.0(3); definition of “Plumbing Fixture” in section 218.0, section 303.0, section 310.4, section 402.2, section 406.2, section 410.0, section 601.1, section 1001.1, section 1003.1, section 1003.3, section 1004.0, section 1005.0, and Table 14-1.

BACKGROUND: The division has received requests for approval of non-flushing urinals since 1994. The Plumbing Board denied approval of the product standards for statewide use and approved a limited installation in Oregon parks facilities through an interpretive ruling.

FINDINGS: This ruling is intended to allow, in facilities which are owned and operated by a city, county, state or federal government in the State of Oregon, an alternate method of urinal installation to that prescribed in the code which requires urinals to be supplied with water for flushing. The OPSC contains no specific provisions for the use of urinals, which do not use water to flush.

Pursuant to OAR 918-750-0140, “Only the division acting under ORS 455.060 has the authority to grant state-wide alternate method approvals.” ORS 455.060 states in relevant part:

- (1) “Any person who desires to furnish any material, design or method of construction of 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....
- (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 (italics added).
- (3) “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....”

OAR 918-690-0340, which outlines the process by which formal and informal interpretations are obtained upon request, affirms, “Where an issue is formally presented to the *board for technical and scientific findings* and then to the *director for decision* under ORS 455.060, a person requesting a formal interpretation is generally responsible for presenting adequate evidence of scientific and technical items related to the question so the board and director can act (italics added).”

Here, the Building Codes Division (“division”) obtained the approval of the plumbing board as to “technical and scientific facts” by the board’s adoption of the standards referred to above. Non-flushing urinal technology is listed under one or more of the above product standards. As such, the only step left to be taken is a “decision” regarding the question of non-flushing urinal product approval.

CONCLUSION: This ruling allows installation of non-flushing urinals in city, county, state or federal government facilities in the State of Oregon. As Administrator of the division, I approve this ruling.

The technical and scientific findings of the State Plumbing Board are accepted and Interpretive Ruling No. 04 - 2 is approved.

Signed by Lewis E. Seagraves on December 22, 2004

Lewis E. Seagraves, Chairman
State Plumbing Board

Date

Signed by Mark S. Long on December 27, 2004

Mark S. Long, Administrator
Building Codes Division

Date