

CODELINK

STATE OF OREGON • BUILDING CODES DIVISION

SEPTEMBER/OCTOBER 2003

BCD interprets exemption for equine facilities

by Richard Rogers, BCD acting structural chief



The Oregon legislature passed House Bill 3063 in the 2003 session, creating an exemption for equine facilities. HB 3063 defines an “equine facility” as a structure located on a farm and used by the farm owner or the public for stabling, training, riding lessons, and training clinics. Based upon BCD’s interpretation of the statutory language and testimony before the committee, HB 3063 is intended to exempt equine facilities from all Oregon Structural Specialty Code (OSSC) criteria.

In short, the OSSC does not apply to equine facilities and the local jurisdiction has no further authority or obligation to regulate the structure under the OSSC. Therefore, it is **inappropriate** to look to the OSSC for compliance criteria for equine facilities.

Proposed equine facilities must meet all the following criteria:

- Be located on a farm
- Be used only for stabling, training, riding lessons, or training clinics

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Governor announces “streamlining” measures



Governor Kulongoski held a news conference/bill-signing ceremony Tuesday, July 29, at a construction site on the grounds of Willamette University to address streamlining efforts related to construction and building codes. BCD Administrator Mark Long, DCBS Director Cory Streisinger, legislators, construction-industry leaders, and press representatives were on hand for the governor’s address. Following is the text of a press release from the governor’s office:



Left to right: Governor Kulongoski; Building Codes Division Administrator Mark S. Long; Senator John Minnis, R-Fairview.

Governor Ted Kulongoski today joined legislators and construction-industry leaders to announce measures that will make it faster and easier for builders and the building trades to meet state code requirements. The measures address issues related to building plan review, permits, inspections, and licensing. They passed the legislature in a series of bills with bipartisan support and the endorsement of industry and trades organizations.

“I’ve said from the start that my first priority is to re-energize Oregon’s economy,” Governor Kulongoski said. “An important element of that effort is a top-to-bottom review of how government can be a more effective partner with the private sector. These bills are a perfect example of what we’re doing — working with businesses and the trades to find out what it will take to meet our regulatory goals for con-

sumer protection, safety, and an equitable business environment while stripping away cumbersome procedures that could drag down economic productivity.”

Senate Bills 711, 713, 714, and 715 were developed by a working group facilitated by the Oregon Building Trades Council, drafted by the state Building Codes Division, and introduced by Senator John Minnis. They deal with plan-review and permitting problems by reducing duplication, providing for rapid inter-agency approval of critical construction projects, and giving builders more options.

SB 711, for instance, will allow qualified architects and engineers to sign off on plan reviews for certain residential structures, so the builder doesn’t have to send them through the Building Codes Division or a local building department for approval.

SB 714 will allow use of uniform “minor label” permits statewide for minor construction projects, so that a contractor working in multiple jurisdictions can purchase a single set of labels instead of having to apply for permits from a patchwork of state and local offices.

SB 715 will give builders with critical construction projects the option of asking the Building Codes Division to do the legwork to expedite plan review, permits, and inspections in collaboration with local agencies, so that contractors can spend their time building instead of tracking paperwork.

HB 2564 was introduced at the request of the Oregon Association of Plumbing-Heating-Cooling Contractors (PHCC) and Plumbers, Steamfitters and Marine Fitters Local 290. The bill allows the Building Codes Division to issue combination licenses to contractors who qualify in several plumbing or electrical specialties, rather than requiring them to hold separate licenses with different applications, fees and expiration dates for each specialty.

HB 2717 was introduced at the request of the National Electrical Contractors Association (NECA) and the International Brotherhood of Electrical Workers (IBEW). The bill exempts certain kinds of industrial electrical equipment from current certification and evaluation requirements and provides alternative methods to meet state standards.

The construction-related legislation is part of the Governor's larger effort to streamline regulatory requirements and procedures in order to reduce burdens on businesses while maintaining protections for workers, consumers, public safety and the environment.



Left to right: Doug Aljets, Keizer Electric Inc.; Senator John Minnis, R-Fairview; Governor Kulongoski; Tim Nicol, IBEW Local 280; Jay Hansen, CJ Hansen Co.; Bob Shiprack, Oregon Building Trades Council.

In February, the Governor issued an executive order requiring state agencies to review their business regulations, establish plans to streamline them, and identify ways to improve services to regulated businesses. The Governor noted that other bills relating to regulatory streamlining have either passed the legislature or are in legislative committees. They relate to everything from use of water rights to restaurant licensing and inspections to trucking regulation.

"Growing the economy isn't just about what business can do for Oregon – it's also about what Oregon can do for business," said Governor Kulongoski. "It's a change of attitude that says we're going to work with our partners in industry and labor to make sure our economic engine runs smoothly and efficiently. These construction measures are only the beginning of a much larger effort to make sure that state government is doing everything it can to promote entrepreneurship and cut out-of-date, burdensome and redundant regulations."

Bob Shiprack, of the Oregon Building Trades Council, joined Governor Kulongoski to highlight the construction streamlining bills.

"We are heading in the right direction," Shiprack said. "Oregon's regulatory process can be a minefield of regulation. These bills will simplify the construction process, cut time and costs, and help get Oregon back to work."

Jay Hansen, of CJ Hansen Company, hosted the governor at a project site his company is handling for Willamette

University. He is also president of the Oregon Association of Plumbing-Heating-Cooling Contractors and testified before the legislature on construction streamlining legislation.

"These bills will save my business time and money," Hansen said. "Simplifying the permitting and licensing process will help free our business from unnecessary regulation. I support the Governor's efforts to create an atmosphere that fosters business in our state and these bills are a good start." ■

Construction-industry stakeholders comment on streamlining



“This is a great first step for the governor to refine and simplify permitting processes and move towards consistency while bringing credibility to the state.”

**Bob Durgan, vice pres. Andersen Construction
Portland, (503) 283-6712**

“Oregon’s economy has been struggling and we needed to simplify the regulatory process for construction. This legislation will help cut the red tape and time needed to get projects approved and get Oregon’s tradespeople back to work.”

**John Endicott, Union Local 290
Tualatin, (503) 691-5700**

“The streamlining bills will make it faster, easier, and less expensive for specialty contractors to do their job. Taking the minor label program statewide is a great example of how to cut down on the paperwork for both contractors and local government.”

**Ed Gormley, Gormley Heating & Plumbing
McMinnville, (503) 472-4101**

“Passage of the streamlining bills will allow the state to start creating an Internet-based, statewide-permit process. Having the ability to order permits and schedule inspections online anywhere in the

state will have a significant cost-saving impact on the construction industry, business, and consumers.”

**Stan Heil, Heil Electric
Portland, (503) 255-4074**

“When implemented, these bills could bring an end to small contractors having to have an employee who does nothing but stand in line for permits. On behalf of the small-business-men and-women in the construction trades, we thank the governor and the legislature for passing these measures.”

**Burton Weast, PHCC/Western Advocates
West Linn, (503) 650-1181**

“We appreciate the opportunity to work with industry and the state towards win-win solutions for streamlining the building regulatory process.”

**David Barenberg, League of Oregon Cities
Salem, (503) 588-6550.**

“These new laws will put more consistency into construction laws, which will speed up the construction process. This will help us with attracting new businesses to Oregon.”

**Grant Zadow, IBEW Local 48
Portland, (503) 889-3663, x663. ■**

Building code to eliminate wired-glass exception for fire-rated assemblies



Building Codes Division is moving forward on an amendment to the Oregon Structural Specialty Code that will eliminate an exception that has allowed wired glass to be used in areas subject to human impact in fire-rated assemblies in schools and other commercial buildings. Oregon is making these changes so that all glass in areas subject to human impact will meet recognized impact standards.

For years, nationally recognized codes, upon which the OSSC is based, have exempted wired glass from having to meet the impact ratings established in Uniform Building Code Standard 24-2 when it is used in fire-rated assemblies.

This only applies to new construction and replacements of wired-glass windows in areas subject to human impact in commercial structure and schools.

The amendment will be adopted in two phases. On Oct. 1, 2003, all wired glass in educational facilities must meet the impact standards. This step will make Oregon consistent with the current provisions adopted by the national model code groups. The second phase, effective Oct. 1, 2004, will require all glass in newly constructed commercial buildings to comply.

Hazardous locations for human impact in educational facilities and commercial buildings are specified in the OSSC, Sections 2406.3 and 2406.4. ■

Sustainability and green building

Compiled by Timothe Seelbach, BCD office specialist



In June, Governor Kulongoski signed Executive Order 03-03, Sustainable Oregon in the 21st Century. That order is intended to support and drive the goals of the Oregon Sustainability Act adopted by the legislature in 2001. It is the governor's intent that state agencies work toward achieving the Oregon Sustainability Board's goals for the state.

As part of Building Codes Division's role in helping the state meet those goals, BCD publishes links and other green building resources in *CodeLink*.

The first in the series of links is to the *Green Building Resource Guide*, <http://www.hcs.state.or.us/pdfs/greenbuilding%20source%20guide%20scr.pdf>. The guide is offered by Oregon Housing and Community Services (OHCS) to improve access to the wealth of existing material about sustainable building.

This guide offers links to green-building information for varied housing and development interests. Web sites are listed in two general categories:

Green philosophy — Sites for those who contract for professional building services: the owners, operators, and occupants who benefit from a green approach and need information about "going green."

Green products and technology — Sites for those who supply professional building services: the designers, architects, and builders who require current information about product performance, cost, availability, and the expanding array of options.

Not just another green building guideline manual, this resource includes links to several other guidebooks, program descriptions (public and private), product directories, technical and educational materials.

For a copy of *The Green Building Resource Guide* write to Housing and Community Services, P.O. Box 14508, Salem, OR 97309-0409, or call (503) 986-2000.

Executive Order E0-03-03 Web site:

<http://governor.oregon.gov/pdf/ExecutiveOrder03-03.pdf>

Letter to the secretary of state and state agency sustainability actions that are under way:

<http://governor.oregon.gov/pdf/sustainltr.pdf>

Green building

The term "green building" refers to environmentally sensitive building practices, also known as "sustainable construction." In 1987, the Brundtland Commission on the Environment provided a working definition for sustainable practices: meeting the needs of the present generation without compromising the ability of future generations to meet their needs. Homes constructed using the green building concept typically involve fewer materials, less energy consumption, less pollution, less natural-habitat loss, and better indoor-air quality.

If you have questions about green building, call Richard Rogers, (503) 378-4472. ■

Water heater blasts off from basement to sky

Excerpted and reprinted with permission from the Klamath Falls *Herald and News*.

By Rob McCallum,
H&N staff writer

Johnna Bruner was fast asleep when an explosion ripped through her home in the middle of the night.

It was a malfunctioning water heater, which built up pressure until it turned into a bomb that rocketed up from the basement, ripped a hole in the living room floor, and vaulted through the ceiling to land on the roof next to the satellite dish.

The explosion that occurred about 1 a.m. June 30 shook the house off its foundation and left its contents in tatters.

Bruner and her fiancé, Casey McClin, considered themselves lucky to have survived.

“We were in a water bed at the time and [the explosion] sort of tidal waved us out,” said Bruner. “There was so much steam in the living room we thought there was a fire.”

Klamath County plumbing inspector Dennis Stone said he was surprised at the damage caused by the 20-gallon water heater.

According to Stone, the pressure-release valve on the water heater either corroded shut or failed altogether. When the thermostat continued to function, pressure built up inside the heater until it burst.

“We’d heard some godawful noises about an hour before it happened,” Bruner said. “So we went down and read the instructions on the water heater and it said to turn the water breaker off, so we did.”

Around 1 a.m., the water heater blasted off from its spot in the basement, tore through the living room floor and ceiling, just feet from the sleeping Bruner and McClin. The heater then landed above the porch, knocking down the chimney in the process.

The heater was hot enough to create steam, meaning it was at least 220 degrees. Melted insulation was found throughout the house.

When the heater initially exploded, a wave of pressure blew the garage door onto the street. According to Stone, this may have saved Bruner and McClin.

“The people in there were lucky,” Stone said. “Most of the pressure went out instead of up into the house. It still moved walls off the foundation.”

Exploding water heaters are rare but not unheard of, according to Stone. Homeowners can prevent their water heaters from exploding with proper maintenance.

“If somebody has a heater that’s 10 to 15 years old, they should check its condition and maybe think about replacing it,” Stone said. “A replacement is really pretty reasonable in cost. If people are leery about what they need to do, a licensed plumber can give them an estimate.”

Stone said that newer water heaters have more advanced pressure-release valves. Any time a used water heater is resold, the release valve is replaced.

“Sometimes people see that their release valve is leaking, so instead of replacing it, they clog it,” Stone said. “They’ve just made themselves a bomb.”

“Usually when you think of a water heater blowing up you think of some water flooding a basement,” Bruner said. “But this literally blew up.” ■



Johnna Bruner stands beside holes that an exploding water heater left in the floor and ceiling of her home.

Return insignia, labels on damaged homes

by Albert Endres



Occasionally a manufactured home is damaged to the extent that it appears to be unrepairable. If a building department is involved and has determined that a home is not repairable, the insignia of compliance or HUD label must be removed and returned to Building Codes Division. If you are sending us an insignia, it is important that you attempt to include the name of the manufacturer and serial or VIN number of the home. At BCD, we record this information in a database so that we can track the home to ensure that it is indeed scrapped and not resold.

There have been a few instances recently in which we inspected homes to replace HUD labels or Oregon Insignias and found that the homes had undergone some type of damage, and attempts to reclaim them had been made. In some cases, we are able to reconstruct the events and approve the home; in others, it was not possible.

The reference for removal and return of insignia is in the Manufactured Dwelling and Park Specialty Code, Section 1-9.4 and 1-9.6. If you have questions about this process, call Albert Endres, (503) 378-5975. ■

Correct fireplace chimney installation

by Mark Campion



When manufactured homes leave the factory, fireplace chimneys are shipped loose due to height restrictions on our roads. Once the home is set, chimneys are assembled by installers or service crews, who need to be aware of the “10-foot rule.”

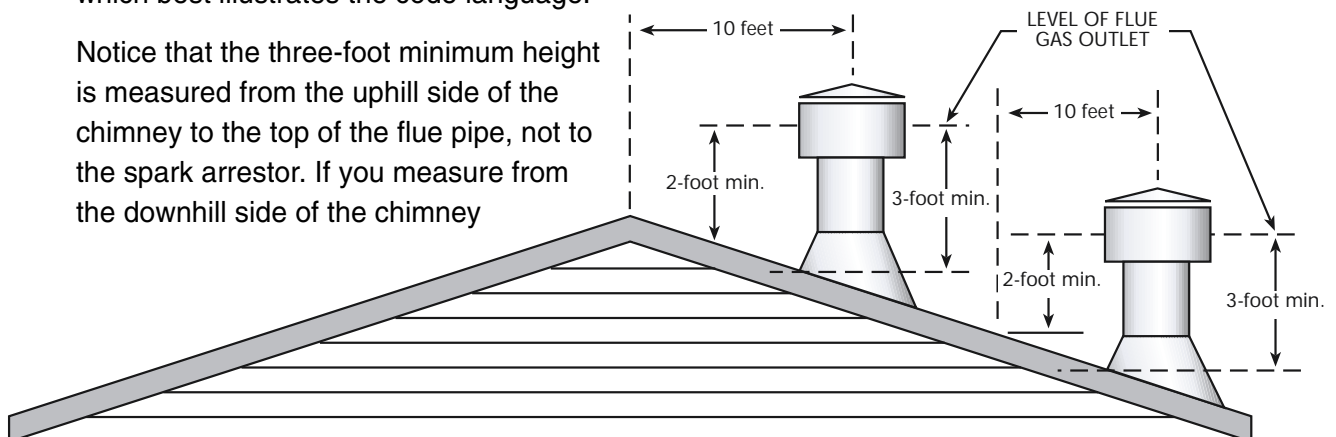
The “10-foot rule” is not specifically referred to in the Oregon Manufactured Dwelling & Park Specialty Code. It is HUD 3280.709(g)(1)(vii), which states that the top of the chimney must be at least two feet above any portion of the home’s roof within 10 feet. In addition, the chimney must be at least three feet tall where it passes through the roof. See the diagram, which best illustrates the code language.

Notice that the three-foot minimum height is measured from the uphill side of the chimney to the top of the flue pipe, not to the spark arrestor. If you measure from the downhill side of the chimney

to the top of the spark arrestor, the chimney will not be tall enough.

If the chimney is not tall enough, the fireplace may not draft well, allowing smoke to back-draft into the home, which is dangerous.

All of the shipped-loose chimney parts must be installed. It is highly unlikely that the factory has shipped extra pipe sections that do not need to be used. In fact, depending on the slope of the roof and the chimney location (near the peak or near the eave), you may need to add an extra section of flue pipe. It’s a good reason to always measure the installation when you are done. ■



Energy-code changes October 1; workshops available

by Alan Seymour, Office of Energy



The Oregon Office of Energy is planning a series of workshops to introduce the energy-code changes that become effective Oct. 1, 2003, to local building departments, architects, and engineers. Energy has contracted with John Perry, FAIA, LLC, to provide circuit-rider services to local building departments. If you are interested in scheduling a workshop or “brown bag” session for five or more from your organization or the design community with which you work, contact Alan Seymour, (800) 221-8035.

There are several changes to Oregon’s energy-code requirements in the Oregon Structural Specialty Code. Any plans submitted for a permit on or after Oct. 1, 2003, must comply with these changes. The code changes affect all three areas of energy requirements in the code: building envelope, mechanical systems, and lighting.

Mechanical — For the first time, the state will specifically allow a “natural” non-mechanical ventilation system. The architect or engineer

must demonstrate compliance using a state-approved compliance form. One change sets heating and cooling limits for kitchen-hood makeup air. Another change strengthens requirements for variable-speed drives for fan and pump motors.

Building envelope and Lighting — One example: The skylight shading coefficient standard for skylights in both climate zones has gone from 0.57 to 0.47. This upgrade will reduce solar heat gain and cooling energy. Regarding lighting requirements, there are across-the-board reductions in lighting power densities (LPDs). These changes follow changes to the ASHRAE/IESNA 90.1 Standard and reflect recent lighting-equipment-efficiency improvements. One example: The LPD for offices has dropped from 1.2 watts/sq. ft. to 1.0.

A summary describing the changes and code language is available through the Oregon Department of Energy’s Web site, www.state.or.us/code/nrsum.htm. ■

Plumbing interpretive rulings signed



The Oregon State Plumbing Board and Building Codes Division administrator have approved four new interpretive rulings.

03-1, Nyloplast-Ads, Incorporated.

Approves use of 24-inch round PVC catch basins with integral trap.

03-2, Vic-Press 304. Approves use of a stainless-steel pipe system.

03-3, Jensen Precast. Approves the Model G2 24” x 24” reinforced concrete catch basin with integral trap and steel grate.

03-6, Spears CPVC corrosive waste drainage systems. Allows an alternate use of materials for special wastes as defined in the Plumbing Specialty Code.

The complete text of these rulings is on the division’s Web site, www.oregonbcd.org, under “Plumbing Interpretations.” ■



A BCD field office, the Tri-County Service Center administers the minor label program and coordinates forms, processes, and application of code for building programs in Clackamas, Multnomah, & Washington counties.

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Building Codes Division

Web site www.oregonbcd.org



News Site



A quarterly newsletter for homebuilders and contractors

August-October 2003

A to Z Electric to sponsor Sept. 3 code forum

A to Z Electric is sponsoring a free forum on one- and two-family structural code issues, 4-7 p.m., Wednesday, September 3, at the Local 290 Meeting Hall, 20210 SW Teton Avenue, Tualatin. Qualified participants may earn three hours HSW credit (architects), three hours of continuing-education credit (Master Builders), three hours of CCB credit (home inspectors), or three hours of continuing-education credits from BCD for attending this code forum.

The purpose of the forum is to discuss regional code applications and reach consensus on standards for the tri-county region. All area contractors, remodelers, architects, and building-department personnel are invited.

Agenda

- Legislative update
- Code update
- New interpretations
- Questions and answers

April 23 code forum questions and answers

Local building officials have agreed to use the code panel's determinations for inspection standards in the tri-county region.

If you are working in a jurisdiction beyond the tri-county boundaries, please check with your jurisdiction for its standards.

Contractors and building-department personnel may submit questions to the code forum by sending e-mail to joanie.m.stevens-schwenger@state.or.us or faxing questions to the center, (503) 872-6735.

An answer-request form is available on the BCD Web site, www.oregonbcd.org. Click on "Tri-County" and then "Code Forum Program."

Q Is there a requirement that flashing must be installed on windows before siding is applied?

A No, the Dwelling Specialty Code does not specifically address when the windows should be installed, whether before or after siding is applied. However, R703 requires that flashing be provided in the exterior wall envelope in a manner to prevent entry of water into the wall cavity or penetration of water to the building structural framing components. How this is accomplished depends on the contractor and the construction method. Verification of code compliance at time of inspection may be more subjective if the windows are installed after the siding and the proper flashing installation cannot be easily verified. Adherence to manufacturer's installation instructions is also essential.

R703.8 Flashing. Approved corrosion-resistive flashing shall be provided in the exterior wall envelope in such a manner as to prevent entry of water into the wall cavity or penetration of water to the building structural framing components. The flashing shall extend to the surface of the exterior wall finish and shall be installed to prevent water from reentering the exterior wall envelope. Approved corrosion-resistant flashings shall be installed at all of the following locations:

1. At top of all exterior window and door openings in such a manner as to be leakproof, except that self-flashing windows having a continuous lap of not less than 1 1/8 inches over the sheathing material around the perimeter of the opening, including corners, do not require additional flashing; jamb flashing may also be omitted when specifically approved by the building official.
2. At the intersection of chimneys or other masonry construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
3. Under and at the ends of masonry, wood or metal copings and sills.
4. Continuously above all projecting wood trim.
5. Where exterior porches, decks or stairs attach to a wall or floor assembly of wood-frame construction.
6. At wall and roof intersections.
7. At built-in gutters.

Continued ...



Clackamas
Multnomah
Washington
COUNTIES

News Site

Encourage your clients to visit BCD's Permits Protect Web site.

It's designed to provide your customers with the information they need to understand why permits are important for protecting the safety of their families and the value of their homes.

Tri-County Service Center
123 NE 3rd Ave., Ste. 440
Portland, OR 97232-2901


**Protecting the Safety
& Value of Your Home**
www.permitsprotect.info

Q Do other species of wood, not specifically identified in Section R323.1 (i.e., decking material imported from South America without a grading certificate), need to meet the same requirements as “Meranti” wood products found in Interpretive Ruling 93-92?

A Yes. The Dwelling Specialty Code does not address this specific type of decking material, and, since the state no longer approves products, the use of this material would be an alternate method per R104.11. Materials not specifically prescribed by this code may be approved by the local municipality, provided the materials being proposed are at least equivalent to those prescribed in the code.

Q When is a perimeter foundation required?

A Section R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads.

Q Is there a code requirement for maximum moisture content for wood prior to covering?

A No. The Dwelling Specialty Code is silent on the issue of moisture content of wood framing. ♦

Master Builder class starts Sept. 19

The deadline for applications for Certified Master Builder classes is Sept. 8. The first of six Friday classes is Sept. 19, at the Home Builders Association Portland Metro office.

The classes prepare builders to take a BCD-administered certification exam. Once certified, master builders may do certain one-and-two-family-dwelling inspections and portions of plan reviews.

To enroll, a builder must be an owner or regular employee of a qualified construction company, must have built at least one home a year for the preceding five years, and must have no adverse orders from the Construction Contractors Board.

More information is available at www.oregonbcd.org. Click on “Code Programs,” “Structural Program,” “Master Builders Program.” For more information, contact Michelle Morain, (503) 684-1880. ♦

Building news available on the Web

Need answers? Want to know what's up at the Structures Board? Wondering if there are new interpretations?

Keep up on BCD structural news by bookmarking the One- and Two-Family Dwelling Program pages on the BCD Web site. Visit www.oregonbcd.org,

click on “Code Programs” on the main menu, then choose “One- and Two-Family Dwellings.” This page links to board activities, interpretations, licensing information and a complete collection of Tri-County Q and A's. ♦

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A BCD field office, the Tri-County Service Center administers the minor label program and coordinates forms, processes, and application of code for building programs in Clackamas, Multnomah, & Washington counties.

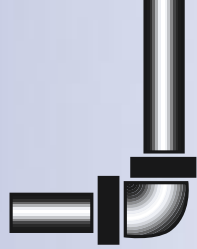
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Building Codes Division

Web site www.oregonbcd.org

News *Splash*



A quarterly newsletter for plumbers and plumbing contractors

August-October 2003

PMCA to sponsor Sept. 4 code forum

Plumbers and Mechanical Contractors Association will sponsor a free forum on plumbing-code issues, 4-7 p.m., Thursday, September 4, at the Clackamas County Auditorium, 9101 SE Sunnybrook Boulevard, Clackamas.

Qualified participants may receive three hours of code-related credit from BCD or three hours HSW credit for AIA members.

The purpose of the forum is to discuss regional code applications and reach consensus on standards for the tri-county region. All area plumbing

contractors, plumbers, architects, and building-department personnel are invited. Questions are welcome. Please submit questions to the center before each forum.

September 4 agenda

- Interpretation update
- Concealed installations
- Exempt minor repairs
- Questions and answers

Questions and answers from April 24 forum

Tri-county building officials have agreed to use the code panel's determinations for inspection standards.

Contractors and building-department personnel may send questions for the code forum to joanie.m.stevens-schwenger@state.or.us or fax them to the center, (503) 872-6735. An answer-request form is available on the BCD Web site, www.oregonbcd.org. Click on "Tri-County" and then "Code Forum Program."

At the forum, Terry Swisher, BCD's chief plumbing inspector, distributed an update on proposed legislation. Up-to-date information may be found on line at www.oregonbcd.org. Click on "BCD Legislative Tracking," then find more information under individual bills.

Q If an inspector sees a plumber entering a house or parked in front of a house or business, can the inspector demand access to the residence or building to assess whether a permit is required?

A Right-of-entry is a legal question and is not covered under the Plumbing Specialty Code. An inspector does not have right-of-entry. Refer to One- and Two-Family Dwelling Code, R104.6.

Q When replacing a pipe through a foundation wall with a minor label permit, are there code provisions requiring a particular material to fill and seal the hole?

A An interpretation on this topic has been posted to BCD's website, www.oregonbcd.org. Click on "Interpretations" then click "Plumbing." Here is the text:

The purpose of the sleeve is to protect the piping so it is not subject to any load from the building and to make a water tight seal. Core drilled or smooth bored holes in concrete walls do not require an additional sleeve. However, the annular space between the concrete or sleeve in exterior concrete walls shall be filled with a flexible sealing material that is compatible with the piping material used. The installer should seek the pipe manufacturer's recommendation for approved caulking materials as required in Section 310.4.

Q Can you replace a hose bibb or water main shutoff that is in the ground and has a bleeder cap with a new shutoff valve with a drain? Is this an ordinary repair or minor label?

A No, it cannot be replaced with a new shutoff valve with a drain. A permit or minor label may be used.

Q Is it an ordinary repair to replace a shower valve? Does it require a regular permit? What if it is installed with an access panel or a remodel trim?

A No, it is not an ordinary repair. Either a permit or minor label is required.

Continued ...



DEPARTMENT OF
CONSUMER
& BUSINESS
SERVICES



News *Splash*

Encourage customers to visit BCD's Permits Protect Web site.

It's designed to provide your customers with the information they need to understand why permits are important for protecting the safety of their families and the value of their homes.

Q According to the installation manual of a particular brand of PEX tubing, tubing should not be installed within 6 inches of a gas appliance vent or within 12 inches of any recessed fixtures. Are all jurisdictions enforcing this, and if not, why not?

A Refer to Section 310.4, which says to follow manufacturers' installation standards, product listing, and code. The code provides adequate protection under Section 313.0.

Q Is a jurisdiction allowed to charge a plumbing-permit fee for installation of a "water heater" when the appliance being installed is classified under the plumbing code as a "boiler?"

A Yes. Refer to ORS 447.020, Subsection 2.

Q In Section 1105.2, the code says that you need to use a swing joint. Define the swing joints for two 45's and two 90's. How long should the pipe between them be?

A There is no clear definition in the OPSC or the dwelling code of an "approved swing joint." This topic was discussed at the Oregon State Plumbing Board Meeting in February 1999, followed by an article about the topic in the May-June 1999 Code Link, which you can review on our Web site under "Publications."

Q Is the "like for like" water-heater installation still in effect?

A Yes. The code in effect as of April 1 contains the same exemptions for water-heater replacement as the old code. Refer to Section R102.7.1.

Q If we have to plumb a domestic water-heater relief valve up and to the outside, can we drill a hole in the trapped section and still meet P-2908.5?

A Yes. Refer to Section P-2908.5, Subsection 4.

Q Table 7-3 lists a service sink with a 3-inch trap at 3 FU, yet there is a jurisdiction that says we need a 2-inch vent because it considers the 3-inch trap a 6 FU trap. Section 702 states that fixtures not listed in Table 7-3 are to be assigned fixture unit loading according to Table 7-4. The unit loading is based on the gpm flow rate. Table 7-4 lists a 6 FU trap at 31-50 gpm. If the type of fixture is listed on Table 7-3, why can't we use the FU listed? Can we assume that all service sinks will see a 31-50 gpm flow? Is a 3-inch service sink considered a 6 FU fixture or trap? Table 7-3 lists a "Sink, General, 3-inch Trap" at 5 FU. Are we to assume this is a "6 FU" trap also?

A The service sink with a 3-inch trap has a value of three fixture units. Section 702 only applies to fixtures not listed in Table 7-3. The service sink with a 3-inch trap is listed in Table 7-3 as three fixture units; therefore, Table 7-4 and the gpm trap loading do not apply. The "Sink General, 3-inch Trap" is also listed in Table 7-3, and the five-fixture unit value applies for general-use installations without reference to Table 7-4. ●

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A BCD field office, the Tri-County Service Center administers the minor label program and coordinates forms, processes, and application of code for building programs in Clackamas, Multnomah, & Washington counties.

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Building Codes Division

Web site www.oregonbcd.org



News *flash*

A quarterly newsletter for electricians and electrical contractors

August-November 2003

Eoff Electric Co. sponsors Sept. 11 code forum

Eoff Electric Company is sponsoring a free forum on electrical-code issues, 4-7 p.m., Thursday, Sept. 11, at PCC Sylvania Campus, 12000 S.W. 49th Ave., Portland, Room SS 112, Lower Level in the Social Sciences and Technology Building. Check www.oregonbcd.org for a map of the campus. Click on "Tri-County" on the main menu, then "Code Forum Schedule."

Qualified participants may earn three hours HSW credit (architects) for attending, three hours of continuing-education credit (Master Builders), three hours of CCB credit (home inspectors), or two hours of continuing-education credits from BCD. The Electrical Board has approved tri-

county code forums for continuing-education units under certain circumstances: Because Oregon Administrative Rules allow for credit only in four-hour increments, the Electrical Board has agreed to allow hours to accumulate for these forums, but credits can be claimed only if the person seeking CEU credit participates in four hours or more of forums.

The purpose of forums is to discuss code applications and reach consensus on acceptable standards for the tri-county region. All area electricians, contractors, remodelers, architects, and building-department personnel are invited. ▲

May 1 code forum questions and answers

The state's electrical code chief, John Powell, has approved the following answers for state-wide application. Contractors and building-department personnel may submit questions to the code forum by sending e-mail to joanie.m.stevens.schwenger@state.or.us or faxing questions to the center, (503) 872-6735. An answer-request form is available on the BCD Web site, www.oregonbcd.org. Click on "Tri-County" and then "Code Forum Program."

Q A new house has been pre-wired for a future air conditioner. The disconnect, feeder, and breaker are in place. All work was permitted and approved at construction. One or two years later, the homeowner has a 40-amp a/c installed. Can a minor label be used for the final whip between the previously approved system (disconnect) and the new a/c?

A No. Such minor label installation may not exceed 30 amps. See OAR 918-309-0220(1)(b).

Q Plug mold is a product that is wired with #12 but has multiple 15-amp rated outlets. Can it be run on a 20-amp circuit and be installed in a kitchen?

A Yes. Refer to NEC Article 210.23(A) and Table 210.24. GFCI is also required. Refer to (NEC) Article 210.8.

Q When wiring a low-voltage controller with a single switch, with no other conductors or circuits in the control box, can both low voltage and line voltage be in the same box? The controlled circuits are 120 volts, the control wiring is Class 2 or 3 remote-control wiring rated for the available voltage in the enclosure, and the low voltage wires are rated 300 volts. The actual voltage of the system does not exceed 120 volts.

A Yes. Refer to (NEC) Articles 300.3(C)(1), 725.54, and 725.55.

Q Under what code are HVAC zone controls regulated? To which standards are they required to be listed? Same question applies to thermostats. (From the November 2002 Mechanical Code Forum.)

A ORS 479.610 requires product certification for electrical products. Implementation is through OAR 918-261-0200. The applicable standards would be those appropriate to the product. Call UL for further details, (800) 595-9845. Watch for changes to ORS 479.610 through implementation of House Bill 2717.

Q NEC 210.8(B) requires GFCI receptacles for non-dwelling unit kitchens, with no exception for single refrigerator or freezer

Continued...



News flash

Encourage customers to visit BCD's Permits Protect Web site.

It's designed to provide your customers with the information they need to understand why permits are important for protecting the safety of their families and the value of their homes. ▲

receptacles. Is there any chance that the state will permit this by amendment?

A No, only hardwired appliances are exempt from the GFCI receptacle requirement. The GFCI requirement was put in place after a death was caused by a fault in an appliance and there was no GFCI protection.

Q Can you use a minor label to install a GFCI?

A While this type of work falls under the minor label scope of work, OAR 918-271-0040(1)(h) requires each GFCI to be inspected. Because a conflict exists between two rule sections, a letter from the contractor indicating they have verified the GFCI is working properly is acceptable and a minor label is allowed for this installation. This letter must be sent to the local jurisdiction whenever a GFCI is installed or replaced under the minor label program.

Q When installing a single circuit in a newly constructed bedroom, can a minor label be used to set a sub panel with a single 20-amp arc-fault breaker feeding the bedroom?

A No, the minor labels may not be used for such an installation in new construction. However, in a *remodeled* bedroom, where the existing panel box is not compatible with AFCI breakers, a small sub panel, limited to 30 amps and two circuits, that will accept an AFCI breaker, can be installed using a minor label.

Q In a larger remodel, a bathroom and bedroom are added together and the existing panel will not accept an arc-fault breaker. The

electrician installs a panel to accept an arc-fault breaker as supplementary protection. Can this circuit be added to the permit without taking out a feeder permit as well as new circuit?

A Yes. The question specified that this was one circuit with supplementary overcurrent protection, to accommodate an AFCI. Be advised that a permit may be modified anytime until final inspection. See OAR 918-309-0000(2).

Q If an air conditioner is installed in a residential setting, and the only outlet available is a non-GFCI outlet within 25 feet that was installed according to code in the 1960s, will this outlet satisfy the code requirement for A/C service outlet?

A Yes, it does satisfy the requirement of code but not the intent. OAR 918-305-0000 addresses requirements for existing installations and would not require the existing receptacle to be changed; however, (NEC) Article 527.6 says that GFCI protection is required for a receptacle used for temporary wiring regardless of whether it is a permanently installed receptacle. Use of a GFCI cordset or personnel protective GFCI device would meet the requirement without changing the existing receptacle to a GFCI.

Q Is a smoke detector required to be on an AFCI?

A It is not a requirement, but is acceptable. See interpretation of February 10, 2003. ▲

For a complete text of the May 1, 2003, Q and A, check our web site, www.oregonbcd.org. Click on "Tri-County" and then "Code Forum Programs."

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Compliance report

The Electrical and Elevator Board found the following violations of the Oregon Electrical Safety Laws in May 2003:

CITY	NAME	VIOLATION	PENALTY
Beaverton	Carl Morris	No supervising or journeyman license	\$1,000
Eugene	Kenneth D. Glenn Glenn Landscape Services, Inc.	No electrical permit	\$1,000
Keizer	Carl E. Hooper Faith Electric Inc.	Failure to call for inspection	\$1,000
Kelso, WA	Thomas M. Renaud Renaud Electric Co., Inc.	No supervising electrician (3 violations)	\$6,000
Lebanon	Lowell E. Gerig	As supervising electrician, failed to ensure permit was obtained	\$1,000
McMinnville	Carl Smith	No electrical permit/no supervising or journeyman license	\$2,000
Medford	Michael D. Lisk Fan Man	No electrical contractor license/no electrical permit/no supervising or journeyman license	\$3,000
Portland	Ahmad H. Razzaghy Crime-Free	No electrical permit	\$1,000
Portland	Gary D. Roberts	No electrical contractor license/no electrical permit/no supervising or journeyman license	\$3,000
Portland	Richard H. Leonard Oak Grove Custom Cabinets, Inc.	No electrical contractor license/no electrical permit	\$2,000
Prineville	Randy Brooks	No electrical contractor license (2 violations)/no electrical permit (2 violations)	\$4,000
Prineville	Steven L. Musil Musil Electric	As supervising electrician, failed to ensure permit was obtained/no electrical permit	\$2,000
Salem	Walter E. Steinbrook TECO The Electric Co.	Allowed unlicensed individual to make electrical installation/as supervising electrician, failed to ensure individuals had proper licenses to make electrical installation	\$4,000
Salem	Brenton C. Trent Cameron's Construction Inc., aka Cameron's Construction & Door Service	No electrical contractor license/no electrical permit/no supervising or journeyman license	\$3,000

Spokane, WA	Terry E. Hunt	No electrical permit	\$1,000
	Allied Safe & Vault Company, Inc.		
Vancouver, WA	Steven B. Carlson	Failed to comply with the required continuing education education requirements	\$100
Woodburn	Donald Johnson	Unsafe installation	\$1,000

The Director of the Department of Consumer and Business Services found the following violations of the Oregon Specialty Codes in May 2003:

CITY	NAME	VIOLATION	PENALTY
Eugene	Mark Ingram	No insignia of compliance (2 violations)	\$2,000
	Ingram RV		
Redmond	Jeffery A. Solesbee	Violated a final order	\$15,000

The Board of Boiler Rules found the following violations of the Oregon Boiler Safety Laws in June 2003:

CITY	NAME	VIOLATION	PENALTY
.....	Richard A. Robb	Failed to notify inspector prior to beginning work/installation did not meet minimum safety standards/no installation permit	\$3,000
	Pacific Northern Indus., Inc.		
Caldwell, ID	Steven J. Rule	No boiler/pressure vessel business license/no installation permit	\$2,000
	Rule Sales & Service, Inc.		
Canby	Stephen R. Johnson	No boiler/pressure vessel individual certification	\$1,000
Canby	Stephen R. Johnson	No boiler/pressure vessel business license/no installation permit (2 violations)	\$3,000
	S. R. Johnson Plumbing, Inc.		
Elgin	Dennis R. Cross	No boiler/pressure vessel business license/no installation permit	\$3,000
	W.C. Construction, Inc.		
Eugene	Michael R. Woolley	No boiler/pressure vessel business license/no installation permit (2 violations)	\$3,000
	Woolley's Refrigeration Contractors, Inc.		
Portland	Gregory G. Atkeson	No installation permit	\$3,000
	Total Mechanical, Inc.		
Portland	Richard Davidson	Interfering with the duties of an inspector	\$1,000
	Davidson Properties		
Sedro Woolley, WA	John P. Mackowiak	No boiler/pressure vessel individual certification	\$1,000
Stanwood, WA	B. Scott Wyatt	Employed individual without	\$1,000
	Wyatt Refrigeration Co.	proper certification to make installation	\$1,000
Twin Falls, ID	Alphonse R. Gamache	No boiler/pressure vessel business license/no installation permit (4 violations)	\$5,000
	W.R.C., Inc.		

The Plumbing Board found the following violations of the Oregon Plumbing Specialty Codes in June 2003:

CITY	NAME	VIOLATION	PENALTY
Battleground, WA	Samai M. Knoppala	No plumbing journeyman certificate of competency	\$1,000
Brush Prairie, WA	Raymond K. Hendrickson	Allowing unlicensed individuals to make plumbing installations (3 violations)	\$3,000
	Ray's Plumbing of Brush Prairie, Inc.		
Clackamas	Edward C. Parsons	Allowing unlicensed individuals to make plumbing installations/ no plumbing business certificate of registration	\$2,000
	Parsons Custom Remodeling & Cabinets		
Lake Oswego	Steve Carey	No plumbing business certificate of registration	\$1,000
	Oregon Home Improvement Co., Inc.		
Lebanon	David D. Aardema	No plumbing journeyman certificate of competency/no plumbing permit	\$2,000
			\$2,000
Milwaukie	Daniel P. Jennings	Allowing unlicensed individuals to make plumbing installations	\$2,000
	Super Service		
Oregon City	Bill Lee	No plumbing journeyman certificate of competency	\$1,000
Portland	William E. Casey	Allowing unlicensed individuals to make plumbing installations	\$1,000
	Casey's Plumbing, Inc.		
Ridgefield, WA	Larry Dwight Gressel	No plumbing business certificate of registration	\$1,000
	Handyman Larry		
Vancouver, WA	Timothy A. Ek	No plumbing journeyman certificate of competency	\$1,000
Vancouver, WA	Ricky Bruckelmeyer	No plumbing journeyman certificate of competency	\$1,000

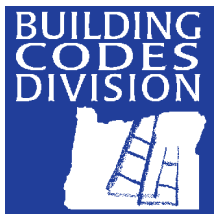
Electrical news



The 2002 Electrical Specialty Code, a code-change correspondence course, is available for download on the division's Web site, www.oregonbcd.org, under "Training and Education," in both four- and eight-hour segments.

Also on our site, under "Code Programs, Electrical Programs" is a list of testing laboratories and approved field evaluation firms. ■

Electrical interpretive ruling issued



Chief Electrical Inspector John Powell has issued an interpretive ruling on lighting (parking lot, street, and signal). He answers the question, "Are permits and inspections required when utility companies install street lighting?"

The complete text of the ruling is on our Web site, www.oregonbcd.org, under "Code Programs, Electrical Programs." ■

BCD interprets exemption for equine facilities, continued

n Not be a dwelling

- Not be a structure regulated by the Office of State Fire Marshal
- Owner must declare that there will not be more than 10 occupants consistently present in the facility at any one time
- Not be a structure subject to Sections 4001-4127, Title 42 U.S. Code (National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.

Local jurisdictions have already been confronted with uncertainty regarding the definition of "farm" as it relates to the equine facility exemption. Although the equine facility exemption is similar to the agricultural exemption in ORS 455.315, the agricultural definition of "farm" is not intended to be used for the equine exemption. "Farm" should be defined broadly to allow the exemption to apply anytime an equine facility is allowed by land

use regulations and when the other criteria are met.

Once constructed, equine facilities must be used in a manner consistent with the statutory criteria. If such a facility is used for any other purpose or if more than 10 persons are to be in the facility on a regular basis, the facility does not fall under HB 3063s' exemption. If more than 10 persons are observed to be in an equine facility for more than incidental purposes as exempted under HB 3063, a jurisdiction would have the option of placing the owner on notice that he or she must bring the building into compliance with statute. If an owner fails to comply with statutory criteria, a compliance investigation could be initiated.

If you have questions about the equine facility exemption, please call Richard Rogers, (503) 378-4472. ■

Board meeting dates

Sun	Mon
1	2
8	9

ELECTRICAL & ELEVATOR BOARD _____

Meets at 9:30 a.m. on the fourth Thursday of each month:

- September 25
- October 23

BUILDING CODES STRUCTURES BOARD _____

Meets at 9:00 a.m. on the first Wednesday of every other month:

- September 10*

MANUFACTURED STRUCTURES & PARKS ADVISORY BOARD _____

Meets at 9:30 a.m. on the second Thursday of each quarter:

- October 9

STATE PLUMBING BOARD _____

Meets at 9:00 a.m. on the third Friday of every other month:

- October 17

BOARD OF BOILER RULES _____

Meets at 9:30 a.m. on the first Tuesday of each quarter:

- September 9*

TRI-COUNTY BUILDING INDUSTRY SERVICE BOARD _

Meets at 9:30 a.m. on the second Wednesday of every other month:

- September 10

MEETINGS ARE HELD IN THE SALEM BCD CONFERENCE ROOM AT 1535 EDGEWATER ST. NW, EXCEPT THE TRI-COUNTY SERVICE BOARD, WHICH MEETS IN PORTLAND.

* Second week of month



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Oregon Structural Specialty Code changes effective Oct. 1

BCD's administrator has approved amendments to the following Structural Specialty Code sections to be effective Oct. 1, 2003:

Section 101.3, deleting Appendix Chapter 29

Section 106.1, adding an Exception 2 for emergency repairs

Section 106.2, adding language on membrane structures

Section 312A.3.3.5.2, changing "smoke detection" to "fire alarm" systems

Section 312A.3.3.5.3, moving language to a footnote to Table 3-I-1

Section 312A.3.3.5.4, adding requirement that fire alarm and detection systems be "automatic"

Tables 3-I-1, 3-I-2 and 3-I-3, relocating footnotes for clarity

Section 1201, updating the edition of ASHRAE Standard 62 to 2001

Section 1203.2.4, clarifying ventilation requirements and adding an exception

Section 1203.2.11, adding a paragraph on ventilation requirements;

Section 1203.2.12, adding a section on ventilation controls for high occupancy areas

Chapter 13, Energy Conservation, amending, reformatting, and renumbering entire chapter

Section 2406.3, clarifying when wired glass may be used

Sections 2408.1, 2408.2, 2408.2.1 and 2408.3, prescribing the use of safety glazing in athletic facilities

Section 2903.1, adding an exception on drinking fountains

Appendix Chapter 3, Division II, Section 326.2, revising the definition of "farm"

Appendix Chapter 31, Division II, Section 3111.2, adding a reference to Article 32 of the Oregon Fire Code. ■

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CODE LINK

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