

# CHAPTER 1

## SCOPE AND ADMINISTRATION

### PART 1—SCOPE AND APPLICATION

#### SECTION 101 GENERAL

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

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

**ORS 455.020** is not part of this code but is reprinted here for the reader's convenience:

**455.020 Purpose; scope of application; exceptions; scope of rules; fees by rule.**

(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. [Formerly 456.755; 1991 c.227 §2; 1991 c.310 §2; 1995 c.304 §1; 1995 c.400 §5; 1999 c.1045 §13; 1999 c.1082 §11; 2001 c.710 §8]

The *Oregon Structural Specialty Code* as adopted by the State of Oregon, Building Codes Division, includes portions of the *International Building Code*, the *International Fire Code* and other nationally adopted codes.

It does not include provisions of the “State Fire Code” adopted under the State Fire Marshal's statutory authority. Unlike the “State Fire Code,” the provisions of the *Oregon Structural Specialty Code* shall apply to the construction, reconstruction, alteration, repair and installation of materials and equipment in or a part of buildings and structures covered under the *state building code*.

Detached one- and two-family *dwelling*s and multiple single-family *dwelling*s (*townhouses*) not more than three *stories above grade plane* in height with a separate *means of egress* and their accessory structures shall comply with the *Residential Code*.

Consistent with the purpose and scope of application of the *state building code* as authorized in ORS 455.020, this code shall not apply to the following:

1. The construction, alteration, moving, demolition, repair, maintenance and work located primarily in a public way.
2. Abatement of nuisances and dangerous buildings.
3. Fire safety during construction.
4. Demolition.
5. Protection of adjoining property.
6. Temporary use of streets, alleys and public property.
7. Portable fire extinguishers.
8. Encroachments into the public way.
9. Public utility towers and poles.
10. Mechanical equipment not specifically regulated in this code.
11. Hydraulic flood control structures, including but not limited to dams and levees.
12. Retaining walls that do not provide safeguards for the users of buildings; and do not support a regulated building or required *accessible* parking; and do not retain material, if not restrained, could impact a regulated building.
13. Fences.
14. Tanks that are located exterior to and not attached to or supported by a regulated building.
15. Cellular phone, radio, television and other telecommunication and broadcast towers that are not attached to or supported by a regulated building.
16. Flagpoles not attached to or supported by a regulated building.
17. Signs not attached to or supported by a regulated building.
18. Ground-mounted photovoltaic arrays.
19. Floating structures.
20. Docks.
21. Fixed piers or wharves with no *superstructure*.
22. Equipment shelters not intended for human occupancy with a *building area* of 250 square feet or less, designated as *Risk Category I* or *II*.
23. Transitional housing accommodations.
24. Administration and implementation of a National Flood Insurance Program (NFIP).

25. Detached tents and other membrane structures erected for periods of 180 days or less.
26. Other structures not regulated by the *state building code* consistent with the scope of ORS 455.020.

*Municipalities*, as defined in ORS 455.010(5), may establish administrative procedures in accordance with ORS 455.020(4), and may amend specific sections of Chapter 1, as identified throughout the chapter.

*Municipalities* are permitted to enact local ordinances for the following:

1. Pursuant to the regulation of dangerous buildings, a *municipality* may adopt seismic rehabilitation plans that provide for phased completion of repairs that are designed to provide improved life safety but that may be less than the standards for new buildings.
2. Abatement of nuisances and dangerous buildings.
3. Fire safety during construction.
4. Demolition.
5. Protection of adjoining property.
6. Temporary use of streets, alleys and public property.
7. Encroachments into the public way.
8. Retaining walls that do not provide safeguards for the users of buildings; and do not support a regulated building or required *accessible* parking; and do not retain material, which if not restrained, could impact a regulated building.
9. Fences.
10. Tanks that are located exterior to and not attached to or supported by a regulated building.
11. Cellular phone, radio, television and other telecommunication and broadcast towers that are not attached to or supported by a regulated building.
12. Flagpoles not attached to or supported by a regulated building.
13. Signs not attached to or supported by a regulated building.
14. Floating structures.
15. Docks.
16. Fixed piers or wharves with no *superstructure*.
17. Equipment shelters not intended for human occupancy with a *building area* 250 square feet or less, designated as *Risk Category I* or *II*.
18. Administration and implementation of a National Flood Insurance Program (NFIP).
19. Transitional housing accommodations.
20. Matters not encompassed by this code.

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted as noted in Sections 101.2.1.1 through 101.2.1.3.

**101.2.1.1 Adopted appendices.** The following appendices are adopted by the State of Oregon, Building Codes Division, as part of the *state building code*:

1. Appendix C, "Agricultural Buildings."
2. Appendix I, "Patio Covers."
3. Appendix P, "Tall Wood Buildings."

**101.2.1.2 Appendices not adopted, but are available for municipal adoption.** The following appendices are not adopted by the State of Oregon, Building Codes Division, as part of the *state building code* but may be specifically adopted by a local *municipality* through local ordinance.

1. Appendix A, "Employee Qualifications."
2. Appendix B, "Board of Appeals."
3. Appendix D, "Fire Districts."
4. Appendix F, "Rodentproofing."
5. Appendix G, "Flood-resistant Construction."
6. Appendix H, "Signs."
7. Appendix J, "Grading."
8. Appendix O, "Tsunami Loads."

**101.2.1.3 Appendices not adopted and not available for municipal adoption.** The following appendices are not adopted by the State of Oregon, Building Codes Division, as part of the *state building code*, and a local *municipality* may not adopt the same as the subject matter is encompassed by this code:

1. Appendix E, "Supplementary Accessibility Requirements."
2. Appendix K, "Administrative Provisions."
3. Appendix L, "Earthquake Recording Instrumentation."
4. Appendix M, "Tsunami-generated Flood Hazard."
5. Appendix N, "Replicable Buildings."

**101.3 Purpose.** The purpose of this code, as provided in ORS 455.020(1) and noted in Section 101.2, is to establish the minimum requirements to provide a reasonable level of safety, health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations. It is not the purpose of this code 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.

## SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods