

**Building Codes Structures Board  
meeting draft minutes  
August 3, 2016**

- Members present:** Dan Carlson, building official  
Stephen Forster, fire protection agency representative  
Bill Kisselburgh, building trade representative  
Gregory Nelson, energy supplier  
Eric Sandoval, architect  
Thomas Sjostrom, owner/manager of commercial office building
- Members absent:** Rene Gonzalez, three-plus stories general contractor  
Ted Wenk, disabilities commission representative  
Vacancy - Heavy industry construction contractor
- Staff present:** Brett Salmon, manager, Policy and Technical Services  
Richard Rogers, chief building official, Policy and Technical Services  
Rex Turner, structural program chief, Policy and Technical Services  
Mark Heizer, P.E., policy analyst, Policy and Technical Services  
Tony Rocco, senior code specialist, Policy and Technical Services  
Todd Smith, policy analyst, Policy and Technical Services  
Debi Barnes-Woods, boards administrator, Policy and Technical Services
- Guests Present:** Michael Trabue, assistant chief deputy, State Fire Marshal  
Jeff Bond, Bend Fire Department  
John Patterson, Oregon Fire Marshals Association  
Nate Takara, Portland Fire & Rescue  
Jim Hanson, Portland Fire & Rescue  
Eric Bressman, Ankrom, Noisan, Architects

**I. Board business**

**A. Call to order**

Rex Turner, structural program chief, called the Building Codes Structures Board meeting of August 3, 2016, to order at 9:34 a.m. The meeting was held at Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

**B. Roll call**

Rene Gonzalez and Ted Wenk were both absent excused. Bill Kisselburg and Gregory Nelson were connected by teleconference.

This board has one vacancy for the following position: A contractor specializing in construction for heavy industry.

**C. Approval of the corrected meeting agenda and order of business**

Corrections were made to Item VII. ERRC Checklist after the agenda was posted.

The agenda, corrections to Item VII. ERRC Checklist, and order of business were **RULED** approved by unanimous consent.

**D. Approval of the February 24, 2016, draft board meeting minutes**

The February 24, 2016, draft meeting minutes were RULED final by unanimous consent.

**E. Date of the next regularly scheduled meeting:** November 2, 2016.

**II. Public comment**

John Patterson, representing Oregon Fire Chiefs Association (OFCA) and Oregon Fire Marshals Association (OFMA), spoke under public comment about the new business item. After Richard Rogers, chief building official, Building Codes Division, asked that all comments related to the new business item be held for that item, Mr. Patterson's discussion was moved with related comments under Item VII.

*(Items A and B were combined)*

**III. Reports**

**A. Building Codes Division report**

**B. Program update**

Rex Turner, structural program chief, Policy and Technical Services, updated the board on a 45-day notice the division posted to receive code amendments to the 2017 Oregon Residential Specialty Code (ORSC) on August 1, 2016. Chief Turner said the deadline for submitting code amendments is September 14, 2016. The proposed effective date of the 2017 ORSC is October 1, 2017.

**IV. Communications** - None

**V. Appeals** - None

**VI. Unfinished business** – None

**VII. New business**

**Board review and provide a recommendation to the division on code changes requiring the installation of Emergency Responder Radio Coverage systems**

Chief Turner introduced the item reminding the board of the discussion that occurred during the February 24, 2016, board meeting. After hearing testimony from the fire industry and contractors at that meeting, the division requested that the Oregon Office of State Fire Marshal work with stakeholders to develop an applicant checklist. The checklist will be provided at the time of permit submittal to assure consistency by providing a recommendation from the local fire official with site-specific information and detailed technical specifications for emergency responder radio coverage (ERRC) systems at the time of construction.

The ERRC Checklist provided was the product of the Oregon Office of State Fire Marshal with the corrections made and reposted in the board packet.

Chief Turner asked that the board approve the amendments, as recommended by the division, to be sent to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Nate Takara, Fire Marshal, Portland Fire & Rescue, said Portland Fire & Rescue were in agreement with the proposed language except for one sentence in Section 510.5.5 "Survivability." He said that the Portland Fire & Rescue would like clarification of the intent of the requirement in the last sentence in subsection 2 "Protection of system backbone pathways within a single floor level is not required." He suggested that a clearer definition may fix the confusion.

Tony Rocco, senior code specialist, Building Codes Division, said that the language is intended to apply to a horizontal run that is only serving one level.

Chief Turner said it was understood by the division that the Office of State Fire Marshal was to put out an interpretation that would further clarify the language.

Member Stephen Forster said he was in favor of moving this forward, but said the language needed further clarification. He said an interpretation addressing survivability was needed.

John Patterson (OFMA) said that the association was in general agreement with the division on the check list, but he said that the proposed changes to Section 510.5 of the Oregon Fire Code should follow the amendment process established by Oregon Revised Statute stating that the Office of State Fire Marshal may amend the Oregon Fire Code. He said that the statute does not list any other state agency or agency board as having authority to amend the fire code.

Chief Turner said that the division's assistant attorney general representative has taken the position that this language is a new construction standard, and therefore it is within the authority of the Building Codes Division.

Michael Trabue, assistant chief deputy, OFMA, said there is a process in place under OAR 837-040-0015 in which the fire code committee meets monthly in an open process where the division may submit proposed language for approval and then bring it to the board.

**Motion by Eric Sandoval** to approve the division recommended changes and send to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

*(Board took a break at 9:34 a.m. and reconvened at 10:43 a.m. The motion made prior to the break was repeated by Eric Sandoval with no changes.)*

Stephen Forster said that a definition was not needed in the survivability section of the code amendment because there is sufficient scoping in the specific requirement.

Chief Turner, acting chair, called for a vote on the motion.

Before the vote took place, Stephen Forster asked for a modification to approve with the recommendation that the Administrator look into the question over which agency has authority to change the fire code.

Brett Salmon, manager, Policy and Technical Services, said the question of authority between state agencies is an item that would need to be publically noticed and discussed separate from the item listed on the agenda for this meeting.

The motion remained as originally stated and a roll call vote was taken:

*Yea:* Carlson, Forster, Kisselburgh, Nelson, Sandoval

*Nay:* Sjostrom

**Motion carried**

**VIII. Announcements** - None

**IX. Adjournment**

Mr. Turner adjourned the meeting at 10:55 a.m.

Respectfully submitted by Debi Barnes-Woods, boards administrator/coordinator.