



Notice of Public Hearing
March 15, 2016

Oregon Mechanical Specialty Code Changes

Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on April 19, 2016, at 9:30 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to Holly Tucker, Rules Coordinator, at holly.a.tucker@oregon.gov, or to the address below. The last day to submit written comments is 5:00 p.m. April 22, 2016.

Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting](#)"

Purpose of the rules:

This proposed rule amends the Oregon Mechanical Specialty Code (OMSC) to define a deck or conveyor pizza oven as a light-duty cooking appliance.

Citation:

Amend: OAR 918-440-0012

This rule would become effective June 1, 2016.

History:

The 2014 OMSC defined deck or conveyor pizza ovens as medium-duty cooking appliances. Subsequent division research was presented to the Mechanical Board at the board's September 2, 2015, meeting to demonstrate that deck or conveyor pizza ovens should be classified as light-duty cooking appliances. The board reviewed and concurred with the division's recommendation and recommended the division move forward with rule making.

Contact:

If you have questions or need further information, contact Code Specialist, Mark Heizer, at 503.373.0205, or mark.r.heizer@oregon.gov.



Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

FILED
3-10-16 4:53 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Consumer and Business Services, Building Codes Division
Agency and Division

918
Administrative Rules Chapter Number

Amendments to Oregon Mechanical Specialty Code.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amending 918-440-0012

Statutory Authority:

ORS 455.030

Other Authority:

Statutes Implemented:

ORS 455.110

Need for the Rule(s):

The 2014 Oregon Mechanical Specialty Code (OMSC) includes deck or conveyor pizza ovens in the definition of a medium-duty cooking appliance. Research conducted by the division and presented to the Mechanical Board demonstrates that deck or conveyor pizza ovens should be classified as light-duty cooking appliances. These rules place deck or conveyor pizza ovens in the correct definition as light-duty cooking appliances.

Documents Relied Upon, and where they are available:

Minutes from the September 2, 2015, Mechanical Board. Draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are posted on the division's Web site at: <http://www.bcd.oregon.gov/rules.html>.

Fiscal and Economic Impact:

This proposed rule and code amendment does not have a fiscal or economic impact. Contractors and building owners may be positively impacted by these changes because the proper classification of deck or conveyor pizza ovens as light-duty appliances allows for less expensive ventilation systems to be installed.

Additionally, the Mechanical Board made the specific 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.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

These changes do not create an impact on state agencies or units of local government. These changes may have a positive impact on the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Small businesses that are subject to this rule include residential and commercial contractors, designers, architects, and others associated with the construction industry. There are approximately 40,000 licensed active construction businesses in the State of Oregon. Small business owners who operate conveyor pizza ovens are also subject to this rule.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

The proposed rules do not impose any additional reporting or recordkeeping requirements.

c. Equipment, supplies, labor and increased administration required for compliance:

The proposed rules do not require additional labor or increased administration in order for a small business to comply with the requirements.

How were small businesses involved in the development of this rule?

Small businesses were represented on the Mechanical Board.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

These changes were reviewed and supported by the Mechanical Board.

04-22-2016 5:00 p.m.	Holly A. Tucker	holly.a.tucker@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

FILED 3-10-16 4:53 PM ARCHIVES DIVISION SECRETARY OF STATE
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Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number

Holly A. Tucker	(503) 378-5331
Rules Coordinator	Telephone

Department of Consumer and Business Services, Building Codes Division, PO Box 14470, Salem, OR 97309-0404
Address

RULE CAPTION

Amendments to Oregon Mechanical Specialty Code.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
4-19-16	9:30 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Staff

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

918-440-0012

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 455.030

Other Authority:

Statutes Implemented:

ORS 455.110

RULE SUMMARY

These proposed rules amend the Oregon Mechanical Specialty Code to define deck or conveyor pizza ovens light-duty cooking appliances.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

04-22-2016 5:00 p.m.	Holly A. Tucker	holly.a.tucker@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

**OMSC Amendment
Pizza Conveyor Ovens
DRAFT
4/19/16**

918-440-0012

Amendments to the Oregon Mechanical Code

The **Oregon Mechanical Specialty Code** is amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the **Oregon Mechanical Specialty Code** are placed in this rule, showing the section reference, a descriptive caption, and a short description of the amendment.

(1) Effective June 1, 2016 the Oregon Mechanical Specialty Code, Section 202, is amended to define deck or conveyor pizza ovens as light-duty cooking appliances.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.110

Hist.: BCD 32-1994, f. & cert. ef. 12-30-94; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 5-1997, f. 3-21-97, cert. ef. 4-1-97; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 15-1999, f. & cert. ef. 10-6-99 thru 4-2-00; BCD 5-2000, f. 3-9-00, cert. ef. 4-1-00; BCD 8-2001, f. 7-17-01, cert. ef. 10-1-01; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04; BCD 10-2004, f. 8-6-04 cert. ef. 10-1-04; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; Renumbered from 918-440-0040 by BCD 3-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 37-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 6-2014, f. 6-20-14, cert. ef. 7-1-14

2014 Oregon Mechanical Specialty Code (OMSC)

Code Change:

Suggested changes (~~strikeout text~~ denotes deletion, **bold/underline denotes addition**)

SECTION 202 DEFINITIONS

LIGHT-DUTY COOKING APPLIANCE. Light duty cooking *appliances* include gas and electric ovens (including standard, bake, roasting, revolving, retherm, convection, combination convection/steamer, countertop conveyORIZED baking/finishing, deck, ~~and~~ pastry, **and deck or conveyor pizza ovens**), electric and gas steam-jacketed kettles, electric and gas pasta cookers, electric and gas compartment steamers (both pressure and atmospheric) and electric and gas cheesemelters.

MEDIUM DUTY COOKING APPLIANCE. Medium-duty cooking *appliances* include electric discrete element ranges (with or without oven), electric and gas hot-top ranges, electric and gas griddles, electric and gas double-sided griddles, electric and gas fryers (including open deep fat fryers, donut fryers, kettle fryers and pressure fryers), ~~electric and gas conveyor pizza ovens~~, electric and gas tilting skillets (braising pans) and, electric and gas rotisseries.