

**FOR IMMEDIATE RELEASE:**

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**Building Codes Division responds to draft decision that could allow state or local government to change rules on existing homes and businesses.**

SALEM – On Nov. 30, 2017, the Department of Consumer and Business Services, Building Codes Division (division), received a draft decision regarding the division’s action to enforce the State Building Code within the City of Portland. The division asserts that Portland violated state law by enacting an ordinance to require certain nightclub business owners to retroactively install fire sprinklers in existing buildings. In finding for the city, the draft decision could potentially allow any local government to mandate a retroactive construction project in any home or business throughout Oregon.

The division strongly disagrees with the conclusions reached in the draft decision and warns that if the draft decision becomes final it would undermine long-standing state policy that ensures predictability for buildings that meet the code at the time of construction. Once a person or organization moves into their home or opens a business and have met all current building codes, they should have an assurance that the government will not change the rules after the fact.

If this draft decision is allowed to stand, the consistent application and economic stability of the statewide building code would be eroded. The decision would allow state or local government to mandate costly changes to a home or business decades after initial occupancy.

“I find the decision totally unacceptable,” said Mark Long, division administrator. “The statewide building code helps ensure buildings are safe for Oregonians. The building code also provides a level of stability and cost predictability for home and business owners. No government entity should be able to change construction rules after the fact, especially when the building was already approved and deemed safe for occupancy. We will consider review of this matter at the highest administrative and judicial levels to address this draft decision.”

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The Building Codes Division is part of the Department of Consumer and Business Services, Oregon's largest business regulatory and consumer protection agency. Visit [bcd.oregon.gov](http://bcd.oregon.gov).

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