



Oregon

Tina Kotek, Governor



Building
Codes
Division

Department of Consumer
and Business Services

Mechanical Board

Meeting agenda **that includes Executive Session**

Meeting date: June 5, 2024

Time: 9:30 a.m.

In-person attendance: Building Codes Division Salem office in Conference Room A

Virtual connection and online streaming: View the live meeting or access the connection information for the Zoom meeting at: [Oregon.gov/bcd/Pages/bcd-video.aspx](https://oregon.gov/bcd/Pages/bcd-video.aspx)

I. Board business

- A. Call to order
- B. Roll call
- C. Approval of agenda and order of business
- D. Approval of the draft board meeting minutes of [March 6, 2024](#)
- E. Date of the next scheduled meeting: September 11, 2024

II. Public comment

The board will hear public testimony, including testimony from individuals who have signed up in advance.

III. Executive session

Chair will read a script announcing executive session

(Break to clear audience from the room and via internet connection)

Executive session pursuant to [ORS 192.660\(2\)\(f\)](#) to consider information or records that are exempt from disclosure by law

(Allow time to return to open session)

Chair will read a script announcing the close of executive session

IV. Reports and updates

- A. Mechanical program update
- B. Legislative [Update](#)

V. Communications

Housing Accountability and Production Office (HAPO) Update



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oregon.gov/bcd

VI. Appeals

There are no appeals for this meeting.

VII. Unfinished business

There is no unfinished business at this time.

VIII. New business

A. [Code review Committee for 2025 OMSC](#)

B. [Mechanical Minor Labels Implementation](#)

IX. Announcements

The Board Chair or board members can make announcements during this time.

X. Adjournment

Board meetings are generally adjourned by the Board Chair.

Interpreter services or auxiliary aids for persons with disabilities are available upon advanced request. For assistance, please contact [Kaydi Milton](#) at 503-428-4169.



State of Oregon

Mechanical Board

Virtual meeting minutes

March 6, 2024

Members present: Jay Hansen, Chair, hvac contractor
Eric Fanning, Vice-chair, hvac installer
Walter Caudle, heat and frost insulation craftsperson
Chris Miller, sheet metal contractor
Ted Zuk, building official
Kevin Duell, natural gas company/utility
Kevin Ferguson, municipal mechanical inspector
Edward Louie, public member

Members absent: Jed Scheuermann, plumbing industry
Vacant, sheet metal installer

Staff: Todd Smith, manager, policy and technical services
Richard Rogers, chief building official
Anthony Rocco, chief structural program
Mark Heizer, P.E., mechanical and energy code engineer
Eric McMullen, senior building code specialist
Anne Gire, technical policy analyst
Ken Filips, electrical inspector
Pierre Sabagh, policy analyst
Andy Boulton, senior policy advisor
Kelly Thomas, technical policy analyst
Debi Barnes-Woods, boards coordinator

Guests: Robert Greenway

I. Board business

A. Call to order

Chair Hansen called the Mechanical Board virtual meeting, to order at 9:30 a.m.

B. Roll call

Board members Kevin Ferguson and Walter Caudle attended in person. Six members remote.

C. Approval of agenda and order of business

The chair ruled the agenda and order of business approved.

D. Approval of the board meeting minutes

The chair ruled final the Mechanical Board draft meeting minutes of September 13, 2023, final.

E. Date of the next regularly scheduled meeting

June 5, 2024.

F. 2024 Board Meeting Calendar

Included is a copy of the board meeting Calendar for 2024 since the last Mechanical Board meeting was cancelled in December 2023

G. Welcome new member Edward Louie

Edward was confirmed February 8, 2024, to the Mechanical Board in the Position representing the public at large. His term began February 16, 2024, and is serving a partial four-year term ending June 30, 2027.

Chair Hansen asked Edward to introduce himself. Edward works at Pacific Northwest National Laboratory, a US Department of energy labs. He works in the Portland region. Prior to that he spent a year where he was an energy verifier, he specifically worked in the energy performance score program. He said he has lots of experience in insulation inspections and commissioning and testing of mechanical equipment, mechanical ventilation, heat pumps, and furnaces. He has a master's degree in energy and environmental policy and a bachelor's degree in civil engineering. Outside of work he loves to tinker with heat pumps and has his EPA 608 universal license.

H. Welcome new member Kevin Ferguson

Kevin was confirmed February 8, 2024, to the Mechanical Board in the position of municipal mechanical inspector possessing the highest level of mechanical inspector certification issued by DCBS. His term began February 16, 2024, and is serving a partial four-year term that will end on June 30, 2027.

Chair Hansen asked Kevin to introduce himself, Kevin said he has been an inspector here in the State of Oregon for seventeen years. He has done stints in Linn County, Benton County, City of Corvallis, and Josephine County. Currently he works with City of Hillsboro and has been married for thirty-six years, has six grandchildren and two great grandchildren and is happy to serve the board.

II. Public comment

Pierre Sabagh, policy analyst, said we have received a request for public comment to the board from Mr. Robert Greenway and the allotted time was five minutes.

Mr. Robert Greenway introduced himself and said he is a general citizen who has comments on the division's balanced whole-house mechanical ventilation, code 1505.4. He said he has a unit in his home that never has functioned and started to do his own research. He asked an inspector to provide the occupancy permit that states that the system is functional as well as an electrical one, the answer he got was no. Does DCBS require any type of metering for their inspectors for this type of work and from what he could find out, the answer is also no. He said the code enforcement has stripped the division's code. The DCBS technical bulletin of June 2021 had extensive background on what they want or expect but the actual

code is stripped down to bare bones. The code is not logical or reasonable, it should not be enforced to this extent. The bulletin shows different ways that you can get them from the intake and outtake but without any type of measurement devices there is no way to quantify whether it meets the code. If you don't have a HRV or an ERV there is no way it can be measured unless you have a measurement device that can read the speed of the air and by the duct work. He has been researching and calling around inspectors and they tell him that there is not a device that does this. When he found out his didn't work, he went to all other houses in the area to find out if their systems function and he found four out of five units were not functional and have never been functional from the day they were installed. No one seems to know who is responsible for the functionality of this system.

Chair Hansen asked Mr. Robert Greenway if he bought the house new from the builder, and Mr. Greenway stated that he did. Chair Hansen asked him if it was an HRV system or an ERV system, Mr. Greenway responded that it was an HRV system. Chair Hansen stated that the builder is responsible for providing the homeowner with your domicile, that he had bought it directly from them. The builder should be able to address your questions and concerns and if he does not, legal action could take place against the builder.

Board member Edward Louie wanted to thank him for coming and commenting on this issue. He said that the US Department of Energy and the national labs are aware of the mechanical ventilation commissioning and the education aspect of this. These areas need to be continuously worked on and it is his understanding that there is training and skilled people that have the equipment knowledge to be able to commission mechanical ventilation systems. These people help with training and education when these systems are installed and perform as expected. This is a work in progress, as with anything, it takes time to develop.

Chair Hansen asked Mr. Heizer if he would give a brief description regarding the function of this board.

Mr. Heizer stated this board is responsible for the commercial mechanical provisions in the code and we do make recommendations and give feedback on that, the code Mr. Greenway is citing is under the residential mechanical provisions.

Chair Hansen stated there is a residential board that might be worth looking into, but this board is a commercial board and we can only reference national standards for the construction, the materials that go into construction, and the way those materials are constructed and delivered to the end user.

III. Reports

A. Mechanical program update

Mark Heizer, mechanical and energy engineer, said the division would like to introduce a new employee that recently joined us, Anne Gire, she is under the

energy program and comes to us with background from the Green Building and sustainability world with also some prior experience related to federal environmental policy.

The division would like to add that there was some questions about the use of corrugated stainless steel, CSST, gas pipe about the bonding requirements in the manufacturer's installation instructions. The division wanted to make a reminder that this is electrical work for that bonding portion. The division is currently proceeding further with the 2024 Oregon Energy Efficiency Specialty Code (OEESC) and the use of 90.1-2022 for the commercial energy provisions. The division is expecting that the COMcheck is available soon and will have July 1, a full official adoption date with a six-month grace period to continue to use the 2024 OEESC. There is also a new tool that is available for determining snow load, wind load, and fire interface, this is a one size fits all tool. At some point the mechanical board will be looking at snow load weather protection for condensing units, since the state is seeing more and more extreme weather areas.

Last for the update has to do with the division's minor labels program and the expectation that it will be going statewide soon and would like Pierre Sabagh, policy analyst to explain more in further detail.

Pierre Sabagh, policy analyst, said the minor labels program will be going statewide and the division anticipates July 1 as the effective date. In the next couple of weeks, we will be soliciting a rulemaking advisory committee for this statewide implementation. After that we will have a public hearing sometime in May if people want to comment, and then bring that back to the board on the next meeting of June 5.

IV. Communications

A. Interpretation 23-02 Condensate from a Heat Pump Water Heater

The division was receiving some questions around the state and getting reports of drainage from the heat pump water heaters that were freezing up and causing the units to cease operation. The division looked at the installation instructions and our current language and wanted to get some clarifying language on whether it's covered under the Mechanical Code or the residential code. The interpretation is about termination locations and routing of the lines through space subject to freezing. Additional clarifications are about the manufacturer's installation instructions for cold climates and what would constitute a cold climate. Heat pump water heaters have recommendations when you're in a cold climate or whether it can run through certain spaces. We put the interpretation together to help with enforcement to give our enforcement team something to stand on when they cite a water heater going to drain.

B. SAM 24-01 IECC Alternate Path

Parts of the state that border areas that use the IECC instead of the Oregon code and the division had a request to consider the use of 2021 IECC as an alternative to the ORSC Chapter 11. For single family homes, townhomes, and duplexes this

allows an equivalent performance path to be used with Chapter 11 of the residential code.

C. SAM 24-02 Variable speed heat pump thermostats

This is a change for the ORSC that the 2023 code does have a requirement for smart thermostats. The division had put in some language to try and address that, but it didn't cover all variable speed compressor systems. There are some heat pumps and cooling systems that are at higher efficiency, so this allows that exception and aligns with language that is in the Washington residential code.

VII. New business

A. Proposed Rulemaking Timeline for the 2025 Oregon Mechanical Specialty Code

Pierre Sabagh, policy analyst, said this agenda item is for the board review and determination on the division's proposed process and timeline for developing and adopting the 2025 Oregon Mechanical Specialty Code. ORS 455.020 requires that the division, with the approval of the Mechanical Board, adopt standards for the construction, reconstruction, alteration, and repair of buildings and other structures as well as the installation and use of mechanical, heating, and ventilation devices and equipment. These standards are adopted as the Oregon Mechanical Specialty Code. The division works with building officials, technical committees, advisory boards, and the public to adopt, amend, and interpret the provisions of the OMSC. The division's goal is to have the 2025 Oregon Mechanical Specialty Code (OMSC) in place by October 1, 2025, with a six-month phase in period. The full anticipated timeline that the division is asking the board to review and approve today is included in your [board packet](#).

Motion by Vice Chair Eric Fanning to approve the division's proposed code adoption process steps and timeline for adopting the 2025 Oregon Mechanical Specialty Code.

Chair Hansen asked all in favor to say Aye, opposed Nay

Aye: Walt Caudle, Kevin Ferguson, Edward Louie, Chris Miller, Ted Zuk, Kevin Duell, Vice-chair Eric Fanning, Chair Jay Hansen

Nay: None.

Motion carried unanimously.

VIII. Announcements

Chair Hansen wanted to comment and ask if there was any type of education for the general public regarding home ventilation systems. Mr. Heizer, stated there is a technical bulletin that is available to the general public that provides explanations of the systems and the many ways that they can be installed.

IX. Adjournment

Chair Hansen adjourned the meeting at 10:21 a.m.

Respectfully submitted by Kaydi Milton, policy development coordinator

2024 Legislative Update

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The following is a brief summary of recently passed legislation which may be of interest to the board. These summaries are not a complete outline of the new law and the summary should not be relied upon for decision making. Please refer to the bill text for a complete description of the law change.

Bills Passed in the 2024 Session that may impact BCD Operations

HB 4016 Wildfire

Bill

Summary: In 2021, the Legislature enacted Senate Bill 762, a wide-ranging wildfire law that invested in programs and with three specific strategies: creating fire-adapted communities, increasing the resiliency of Oregon's landscapes, and developing safer and more effective wildfire response. Senate Bill 80 (2023) was the 2023 successor to SB 762. It modified various wildfire provisions from SB 762 and allocated more than \$220 million in total funds to nine agencies for the purposes of implementing a statewide comprehensive strategy to promote wildfire risk reduction, response, and recovery.

HB 4016 makes discreet updates to the statutes and programs created by SB 762 (2021) and SB 80 (2023). Notably, HB 4016 directs DCBS to allow a person to apply for a grant under the Fire Hardening Grant Program on or before Dec. 31, 2025. The bill also directs the Department of Consumer and Business Services and the Department of the State Fire Marshal to report, on or before Sept. 15, 2024, to committees or interim committees of the Legislative Assembly related to natural resources on a proposal for a proactive home hardening program.

Plan: The division will continue to operate the Fire Hardening Grant Program. The division will work with the Department of the State Fire Marshal to develop a proposal for a proactive home hardening program.

SB 1521 Human services omnibus update

Bill

Summary: SB 1521 is a human services omnibus measure that makes changes to statutory provisions related to care for vulnerable individuals. Under various Oregon laws, care for vulnerable individuals includes fire safety requirements for facilities housing those individuals, including facility sprinkler requirements. Among the changes in the bill, SB 1521 extends an existing sunset. Section 3, chapter 91, Oregon Laws 2022, exempts single family residences being used as licensed residential training homes or licensed adult foster homes from certain automatic sprinkler requirements.

This exemption was set to expire on July 1, 2024. SB 1521 will extend the sunset deadline to July 1, 2026.

Plan: The division expects to work with stakeholders, including the Department of Human Services, in order to develop potential sprinkler requirement next steps before July 1, 2026.

SB 1537 Housing Production

Bill

Summary: HB 1537 enacts multiple policy changes and investments to make it easier to build housing in Oregon. The bill's primary directives that impact the division are those that create a new office, the Housing Accountability and Production Office (HAPO), administered by DCBS and the Department of Land Conservation and Development (DLCD) under an interagency agreement. The HAPO is responsible for providing technical assistance to local governments and applicants for land-use and building permits in areas such as housing law compliance, reducing permitting and land-use barriers to housing production, and supporting reliable and effective implementation of local procedures and standards relating to the approval of residential development projects. The bill also directs both agencies to coordinate in rulemaking activities and state agency activities related to housing development processes to enable support of local government and land-use applicants.

Plan: The measure requires BCD to establish an interagency agreement with DLCD to operate and execute the work of the HAPO. BCD received authority for additional staff support, and the division will be implementing an internal reorganization to accomplish the directives of the bill. No current existing work or responsibilities of division staff will be disrupted or altered, nor will there be any changes to existing board authority.

**Agenda
Item
VIII. A**

State of Oregon

Board memo

Building Codes Division

June 5, 2024

To: Mechanical Board

From: Pierre Sabagh, policy analyst, Policy and Technical Services

Subject: 2025 Oregon Mechanical Specialty Code Committee Review Member Selection

Action requested:

Mechanical Board review the selection of a code review committee for the 2025 Oregon Mechanical Specialty Code (OMSC).

Background:

At the Mechanical Board meeting on March 6, 2024, the board approved the timeline for the 2025 Oregon Mechanical Specialty Code. As part of that timeline, the division issued a solicitation for individuals interested in participating in the code review committee on April 11, 2024. The solicitation period was extended and closed on May 12, 2024. Following this memo is the list of individuals that submitted interest in serving on the code review committee.

Discussion:

The division recommends a committee of five to seven members. Through the committee member solicitation period, eight applications were received from interested parties with a variety of backgrounds and experience. The Board may also select committee members from current board members or may select individuals not represented on the list or the board. The division listed the current representation as guidance for the Board to determine appropriate representation on the committee. Applicants were asked to explain their experience working with the code and identify themselves based on the following categories:

- Building official
- Representative of a fire protection agency
- Owner/manager of a commercial office building
- Architect or engineer
- Disabilities Commission representative
- Contractor of building more than three stories above grade

- Contractor specializing in construction for heavy industry
- Representative of the building trade
- Representative of a utility or energy supplier
- Other

Options:

- Board may select code review committee members

2025 Oregon Mechanical Specialty Code (OMSC)

Code Review Committee

Member solicitation submissions

1. Marc Bangma | Construction Inspector – Jackson County

I have over 5 years inspecting mechanical systems.

2. James Brady | President Emeritus – Arctic

Over 30 years as a project manager/engineer with mechanical/ plumbing contractors in Oregon- including innumerable design-build and design assist projects.

3. Carl Brown | Building Inspector/Plans Examiner – City of Wilsonville

I've installed Mechanical systems.

I've performed the design review and code compliance inspections for many mechanical systems.

I have answered general consultation questions for Mechanical systems.

I've participated in the Mechanical chiefs meetings promoting code uniformity among jurisdictions.

I have the MIA Mechanical Inspector A-Level certification (6052MIA).

I have the ICC M2 Commercial mechanical inspector certification (8214987).

4. Ian Casey | Consulting Engineer – NW Natural

10-years of professional working experience in Design/Build HVAC industry serving Washington and Oregon clients.

Utilized OMSC in this role to prepare plans and other documents for permit application. Active Professional Engineer License in Oregon.

5. Tim Elley | Associate Principal – PAE

After graduating with a Master's degree in mechanical engineering from Portland State University, I have been working as a mechanical consulting engineer at PAE in downtown Portland since 2008.

I have worked on dozens of projects in various sectors throughout the state, including: the PDX airport expansion, the Oregon Zoo Elephants Building, several PSU buildings, several OSU and OSU Cascades buildings, the Japanese Garden, the Oregon Humane Society, Salem Health West Valley Hospital, several office TIs, several K12 schools, etc.

I have worked as an entry level engineer, a "lead" engineer, and an engineer of record.

I have routinely referred to the Oregon Mechanical Code over the past 16 years and would welcome an opportunity to help advance it.

6. Jeff Kennedy | Building Official – City of Independence

I have been the building official for the City of Independence for the past 23 years.

I am a past president of OMOA, and have taught mechanical code classes at PCC for over 20 years.

7. John Rodriguez | Building Official – Lincoln County

I have been an inspector and building official for over twenty years.

I have a working knowledge of the Mechanical Code and would be very interested in being part of this technical code review committee.

8. Christopher Strang | City of Eugene

5.5 yrs of Commercial and Mechanical plan review.

**Agenda
Item
VIII.B**

State of Oregon

Board memo

Building Codes Division

June 5, 2024

To: Mechanical Board

From: Pierre Sabagh, policy analyst, Policy and Technical Services

Subject: Statewide Mechanical Minor Label Implementation

Action requested:

Mechanical Board review and approve the expansion of the scope of the phased mechanical minor label inspection program under OAR 918-440-0520 to allow the program to go statewide.

Background:

Minor labels allow for some minor work to be completed and inspected using an alternative process to the normal permitting process. Several specialty codes have a minor label program. Over the last few years, the program has gone through various changes:

- October 2020: The division piloted a mechanical minor label permitting program in select jurisdictions. Afterward, the division adopted OAR 918-440-0520, which created the Phased Mechanical Minor Label Inspection Program.
- October 2021: The division adopted OAR 918-440-0520, which created the Phased Mechanical Minor Label Inspection Program. This program went into effect on Oct. 1, 2021. The rule continued the pilot mechanical minor label inspection program in the following jurisdictions: Coos, Deschutes, Jackson, Linn, and Marion Counties; the cities of Albany, Central Point, Medford, and Salem.
- March 2024: The division proposes a rule to expand the scope of the phased mechanical minor label program to allow the program to go statewide. A rulemaking advisory committee was held on March 26, 2024, which welcomed feedback and discussion on proposed rule change. A public rulemaking hearing was held on May 21, 2024.

Discussion:

The division recommends the board approve the expansion of the scope of the phased mechanical minor label inspection program under OAR 918-440-0520 to allow the program to go statewide. A copy of the draft rule language is in your board packet.

Options:

- Approve the proposed update to the rule language and forward to the Administrator for rulemaking and subsequent adoption.
- Amend and approve the proposed update to the rule language and forward to the Administrator for rulemaking and subsequent adoption.
- Disapprove the division's recommendation regarding the proposed update to the rule language, which would continue use of the phased mechanical minor label program under OAR 918-440-0520.

918-440-0520

Phased Mechanical Minor Label Inspection Program **Statewide Mechanical Minor Label Inspection Program**

(1) The **statewide** mechanical minor label inspection program **goes into effect on July 1, 2024**. ~~is in addition to any local jurisdiction minor label program authorized by OAR 918-100-0020(2).~~ This program does not supersede, replace, or modify a local jurisdiction's mechanical minor label program in any way.

(2) Minor labels issued under this rule will be administered by using the definitions in OAR 918-100-0010, the fees in 918-100-0030, and the process described in section ~~(13)~~ **(12)** of this rule.

(3) The scope of work allowed under this program does not include any new construction except as allowed under subsection (d), (e), and (f) of this section. The scope of work allowed under this program is limited to the following:

(a) Moving or replacing ductwork not involving fire dampers or penetrations of firewalls, fire assemblies or floors;

(b) Relocating grilles and air distribution inlets or outlets;

(c) Replacing existing heating, cooling, and ventilation equipment, including minor alterations of fuel piping or appliance connectors downstream of an appliance shutoff valve;

(d) Adding a central air conditioning unit to existing ductwork in one- and two-family dwellings;

(e) Installing new mini-split heat pumps in one- and two-family dwellings; and

(f) Installing a mechanical exhaust fan for radon mitigation systems in one- and two-family dwellings.

(4) Minor mechanical installations do not include:

- (a) Mechanical replacements where the fuel type changes;
- (b) Replacement of fuel burning equipment which requires replacement of the existing venting system; or
- (c) Replacement of commercial systems or equipment that:
 - (A) Exceeds 2,000 cubic feet per minute of air movement capability;
 - (B) Weighs more than 400 pounds, except packaged rooftop equipment up to 5-ton cooling capacity being replaced with packaged rooftop equipment not exceeding the existing unit's cooling capacity; or
 - (C) Exceeds 5-ton cooling capacity.
- (5) Unused minor labels issued under this rule shall expire one year after they are purchased.
- (6) Work performed under the mechanical minor label program shall be to the current Oregon Mechanical Specialty Code or the current Oregon Residential Specialty Code, as applicable.
- (7) Only one mechanical minor label shall be used on any single project per job site. For the purpose of this rule, a job site means work at the same address.
- (8) A minor label is only required when the work otherwise requires a permit. No new permit requirements are created by this rule.
- (9) The following people may purchase and use state mechanical minor labels ~~in~~ participating jurisdictions:
 - (a) For commercial and industrial mechanical minor labels, the contractor doing the work, who holds a Construction Contractors Board license.
 - (b) For residential mechanical minor labels, a contractor licensed by the Construction Contractors Board.

(10) A contractor performing work under a minor label must still comply with all applicable licensing requirements for the work performed.

~~(11) The following local jurisdictions are participating in the mechanical minor label inspection program:~~

~~(a) City of Albany;~~

~~(b) City of Central Point;~~

~~(c) City of Medford;~~

~~(d) City of Salem;~~

~~(e) Coos County;~~

~~(f) Deschutes County;~~

~~(g) Jackson County;~~

~~(h) Linn County;~~

~~(i) Marion County; and~~

~~(j) Umatilla County.~~

~~(12)~~ (11) A person performing work under a minor label may elect to have this work inspected virtually. To have the work inspected virtually, the work must be documented with images, and those images must be uploaded to the division's mechanical minor label software system.

~~(13)~~ (12) The local jurisdiction where the minor label is used shall be the inspecting jurisdiction. If pictures of the work performed under the minor label have been uploaded to the division's mechanical minor label software system, then inspections shall be conducted remotely through that system. If pictures of the work performed under the minor label have not been uploaded, or if the uploaded pictures are insufficient to complete a virtual

inspection, then inspections shall be conducted using the minor label process in OAR 918-100-0060.

(a) The division shall assign the initial inspection of a minor label lot to the local jurisdiction at the start of the calendar month. The local jurisdiction shall perform the assigned minor label inspection before the end of the calendar month in which the inspection was assigned. If the local jurisdiction fails to perform an assigned inspection within the calendar month that it was assigned, then the division shall perform the inspection.

(b) No less than 10 percent of each minor label lot shall be inspected either by the local jurisdiction or by the division. The inspection shall verify the minor installation.

(c) If any minor label inspections beyond the initial inspection in a lot are required, the additional inspections will be performed in accordance with OAR 918-100-0060.

(d) The division shall compensate each inspecting jurisdiction \$75 per inspection for the first minor label installation inspected by the local jurisdiction in a lot. If the first minor label installation fails the inspection, the division shall perform an inspection on a second minor label from the same lot. If the second minor label fails the division's inspection, then the division shall inspect a third minor label of the same lot.

(e) If any minor label fails an inspection, then the contractor that purchased the minor label is required to pay the local jurisdiction for an on-site inspection of the same work at the local jurisdiction's hourly inspection rate.

(f) The division shall, upon notice of three failed inspections in the same lot of labels, notify the contractor and the jurisdictions affected by the remaining labels in the same lot. Each jurisdiction shall then notify the contractor that a permit is necessary for each of the remaining installations within the jurisdiction in the same lot of labels, and work shall follow the normal permit and inspection procedures for that jurisdiction.

Statutory/Other Authority: ORS 455.046, ORS 455.154 & ORS 455.155

Statutes/Other Implemented: ORS 455.046, ORS 455.154 & ORS 455.155