

# Guidance for local adoption of wildfire hazard mitigation standards



In accordance with Oregon Revised Statute (ORS) 455.433, Senate Bill 83 (2025), the Building Codes Division has adopted wildfire hazard mitigation standards in Section R327 of the 2023 Oregon Residential Specialty Code (ORSC). The standards are only applicable where adopted by the local municipality.

A municipality that chooses to adopt Section R327 locally must do so by ordinance or through another equivalent local legal process. Only a municipality that operates a building department may adopt Section R327 locally. Municipalities are encouraged to engage in a robust public process regarding a proposed adoption. Once the standards have been adopted or approved for local adoption, the municipality must notify the division.

The following “commonly asked questions” are intended to clarify the requirements for local authority and adoption, and application of Section R327.

## Commonly asked questions

### Authority and adoption

#### **Who can adopt the wildfire hazard mitigation standards contained in Section R327?**

Only municipalities that administer a building inspection program may adopt Section R327.

#### **Can Section R327 be enforced in a municipality without formally adopting the provisions?**

No, Section R327 must be formally adopted by a local municipality for it to be enforced.

#### **What process is required for a municipality to adopt Section R327?**

A municipality that chooses to adopt Section R327 is required to adopt the standards by ordinance or another similar legal process. The division strongly recommends that the municipality locally engage in a robust public process as a part of that legal process.

#### **What is the notification requirement when Section R327 is adopted locally?**

The municipality must notify the division of the local adoption, and it is recommended that the notification be made before the local adoption becomes effective.

Notification to the division must include the following:

- A copy of the legal document adopting Section R327 locally
- Indication of where, within the jurisdiction, the standards in Section R327 will be required
- The name, phone number, and title of a contact person

The notification must be in writing by mail, email, or in person.

**By mail:**

Oregon Building Codes Division  
P.O. Box 14470  
Salem, OR 97309-0404

**In person:**

1535 Edgewater St. NW  
Salem, OR 97304  
Hours: 8 a.m. to 5 p.m.

**By email:**

[bcd.jurisdictionsupport@dcbs.oregon.gov](mailto:bcd.jurisdictionsupport@dcbs.oregon.gov)

**Who enforces Section R327 after it is adopted by a local municipality?**

Once adopted, the section can only be enforced by the local building department under the delegated authority in accordance with ORS 455.148.

**Within a county that operates a building inspection program, can any city independently adopt ORSC Section R327?**

Only municipalities that administer a building inspection program may adopt Section R327. If a city does not administer a building inspection program, but the county does, any application of Section R327 for the city would only be potentially determined at the county level.

**Can a municipality adopt just part of Section R327?**

No, Section R327 must be adopted in its entirety (see ORSC Section R327.1.1).

**Can a municipality change any of the provisions of Section R327?**

No, ORS 455.433 specifically names the 2023 version of Section R327 as the applicable code standards available for adoption, therefore, the provisions must remain unchanged where adopted.

**Can alternate materials and methods be granted by a local building official in lieu of any of the provisions of Section R327?**

Yes, as with any other provision of the ORSC, alternate methods may be granted where the local building official has determined that an equivalent option has been proposed (see ORSC Section R104.11).

**Are there specific criteria that an adopting municipality must use to determine where the Section R327 provisions will apply?**

No, the local municipality may use whatever method they choose to determine where Section R327 will be applicable within their jurisdictional boundaries.

### **Does Section R327 need to apply to an entire city/county?**

No, a municipality may choose where Section R327 applies and is not required to apply the standards to their entire jurisdictional boundaries.

### **Is an adopting municipality required to create a map to identify where Section R327 will apply?**

No, a municipality may use any method they deem appropriate to identify or describe where Section R327 will apply. The impacted area could be established through a map or a written description.

## **Application of standards**

### **Does Section R327 apply to alterations, additions, or repairs of existing buildings?**

No, ORS 455.433 specifies that Section R327 shall only apply to new construction of new buildings governed by the ORSC. This means that activities such as the replacement of roofing or siding on existing structures would not be subject to Section R327.

### **Does Section R327 apply to alterations, additions, or repairs to dwellings or qualifying accessory structures that were originally constructed after the local adoption and were subject to the requirements of Section R327?**

If a dwelling or qualifying accessory structure was subject to Section R327 at the time of original construction, any alterations, additions, or repairs would also be subject to the Section R327 requirements.

### **Where locally adopted, does Section R327 apply to manufactured homes?**

No, Section R327 only applies to structures governed by the ORSC.

Manufactured dwellings are factory-built residential structures constructed to federal manufactured housing construction safety standards and installed in accordance with an Oregon-approved installation code and do not fall under the scope or authority of the ORSC.

### **Does Section R327 apply to accessory structures like detached garages, sheds, barns, and etc.?**

Section R327 **does** apply to some newly constructed accessory structures as follows:

- Habitable accessory structures regardless of size or location
- Nonhabitable accessory structures greater than 400 square feet
- Nonhabitable accessory structures of any size when located within 50 feet of other structures on the lot containing habitable space.

Section R327 **does not** apply to the following:

- Any accessory structure existing at the time of the local adoption of Section R327
- Nonhabitable accessory structures that are 400 square feet or less and located 50 feet or more from other structures on the lot that contain habitable space
- Structures exempted under ORS 455.315
- Detached membrane-covered frame structures, as defined

NOTE: Accessory structures not intended to be used for sleeping or containing permanent cooking provisions are considered to be nonhabitable.

**Are “accessory dwelling units” the same as accessory structures?**

No, for the purposes of the ORSC, “accessory dwelling units” are regulated exactly the same as the primary dwelling. Accessory structures are incidental, supportive uses to the dwelling served, which may include detached garages, carports, storage sheds, tool sheds, shops and garden structures.

**What if an accessory dwelling unit (ADU) is added to a parcel that is subject to Section R327? Does it matter if the ADU is attached versus detached?**

If the ADU is detached and is newly constructed, it would be subject to Section R327 as a newly constructed dwelling. If the ADU is attached to an existing dwelling as an addition, it would not be subject to Section R327.

**What if a dwelling or qualifying accessory structure not originally required to comply with Section R327 burns down or is destroyed by a natural disaster, and is located in an area that is now subject to Section R327, does the replacement, reconstructed structure need to comply with Section R327?**

No, under ORSC Section R102, where it becomes necessary to repair or reconstruct all or a portion of a legally existing building that has been damaged by, including but not limited to, fire, wind, flood, earthquake or other similar damage, and where prior to the damage the legally existing building did not contain unsafe conditions, the building may be reconstructed exactly as it existed prior to the damage.