

# Code Amendment Proposal Application

Department of Consumer and Business Services

Building Codes Division


Mailing address: P.O. Box 14470, Salem, OR 97304

1535 Edgewater St. NW, Salem, Oregon

Phone: 503-383-4133 • Fax: 503-378-2322

oregon.gov/bcd

**Read the entire code amendment proposal application before completing this form. Please complete all parts before submitting your proposal and refer to the provided checklist.**

| APPLICANT INFORMATION   |        |             |
|---|--------|-------------|
| Name:   |        | Date:       |
| Representing:<br>(If applicable)  |        | Work phone: |
| Mailing address:  |        | Cell phone: |
| City:   | State: | ZIP:        |
| Email address:  |        |             |
| PROPOSAL INFORMATION  |        |             |
| Specialty code:   |        |             |
| Code section(s):  |        |             |
| Briefly explain the subject of your proposal:   |        |             |
| INSTRUCTIONS AND CHECKLIST  |        |             |
| <p>Fill in all the information above and submit this page, signed and dated, with the required supplementary information for Parts I, II, III, and IV described on Page 2 of this application. This application may be submitted by mail to the mailing address above, or by email to <a href="mailto:BCD.PTSPtech@oregon.gov">BCD.PTSPtech@oregon.gov</a>.</p> <p><b>Summary checklist for the applicant:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Part I</b> Code amendment language is attached in the proper format.</li> <li><input type="checkbox"/> <b>Part II</b> Amendment proposal requirements for amending the code have been reviewed.</li> <li><input type="checkbox"/> <b>Part III</b> Amendment proposal criteria questions have been answered and are attached.</li> <li><input type="checkbox"/> <b>Part IV</b> If applicable, additional ORSC energy efficiency amendment proposal information is attached.</li> </ul> <p><b>Note:</b> One application is required for each code section you are proposing to amend. If this proposal requires changes in other sections of the code for alignment, include those changes as part of this application.</p> |        |             |
| APPLICANT SIGNATURE   |        |             |
| Signature:   |        | Date:       |
| <p><b>Copyright notice:</b> By signing this Code Amendment Proposal Application, I understand and acknowledge that the work contained in this application is original, or if not original, I have the right to copy the work. By signing this work, I understand that any rights I may have in this work, including any form of derivative works and compilations, are assigned to the Department of Consumer and Business Services Building Codes Division. I also understand that I do not retain or acquire any rights once this work is used in a Department of Consumer and Business Services Building Codes Division publication.</p>   |        |             |



## OBOA Codes Committee

Co-Chairs: Paul Vinje; Chris Wong

Phone: 503-681-6153

Email: paul.vinje@hillsboro-oregon.gov

### **PART I – CODE AMENDMENT LANGUAGE**

You must provide exact language for your code proposal. Failure to provide language will invalidate the application. Include all code sections that require changes and use the following format to show additions and deletions from the code — strikethrough for deleted text and underline and bold for new text.

Note: Where applicable, the proposed code language should show how the existing Oregon amendments will integrate with the base model code or if the proposal is rescinding an existing Oregon amendment. Any modification to the new model code should note or reflect any current Oregon amendments related to this language.

**Add new text as follows:**

#### **R306.1.2 Lavatory Locations**

The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.



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## **PART II – CODE AMENDMENT PROPOSAL REQUIREMENTS**

Generally, proposals should only suggest amending the technical and scientific matters within the scope of the specialty code. Administrative matters are adopted and amended to align with statutes and rules governing the state building code.

Those administrative matters not regulated by a specialty code, include, but are not limited to:

- Licensing or certification requirements, or other qualifications and standards for businesses or workers;
- Structure or equipment maintenance requirements;
- Matters that conflict with federal or state law; and,
- Matters that conflict with other specialty codes or publications adopted by the division.

☒ **Review the statutes and rules governing the state building code and ensure that your proposal is enforceable by the specialty code for which you are proposing an amendment.**



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### PART III – CODE AMENDMENT PROPOSAL CRITERIA

Code amendment proposals must conform to the requirements in ORS 455.020, ORS 455.030, ORS 455.110, and OAR 918-008-0060. All proposals must provide justification and the particular circumstances requiring the amendments. View the proposal criteria on page 3 of this application.

#### Code Amendment Proposal Criteria

##### Proposal

1. Describe the concept and purpose of this proposal.

Proposed new subsection to require lavatory to be placed in the same room as or in close proximity to the water closet. In addition, a kitchen sink shall not be a substitute for required lavatories. The proposal language comes from the 2024 International Property Maintenance Code. Although Oregon does not adopt the IPMC, the requirement is a good requirement for basic health and sanitation and it better suited to be a building codes requirement rather than a maintenance code requirement.

2. What problem in the existing Oregon code or national model code is this proposal solving? How does this amendment address the issue? If you have evidence demonstrating the problem, submit that information.

- a) If this proposal corrects any unforeseen or probable outcomes resulting from the application of a code section, explain how.

There is a possibility for small dwelling units where the kitchen sink is proposed as the required lavatory for the toilet facility. This proposal will help to ensure a proper lavatory is provided for the required toilet facility to ensure basic sanitation.

- b) If this proposal corrects inadequate application by a code section to a method, material or design, explain how.

N/A

- c) If this proposal eliminates conflicting, obsolete, or duplicative code provisions or standards between Oregon-adopted codes, statutes or regulations, explain why.

N/A

- d) If this proposal is for a fire or life safety matter, or is it otherwise needed to protect the health, safety, welfare, comfort and security of occupants and the public, explain why.

To ensure basic health and sanitation.

- e) If this proposal is necessary to address unique geographic or climatic conditions within Oregon, explain why.

N/A

- f) If there are alternatives to this proposal that solve the problem, explain why this proposal is the best or a necessary solution.

N/A



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- g) If this proposal provides for the use of unique or emerging technologies, or promotes advances in construction methods, devices, materials and techniques, explain how.

N/A

- h) If this proposal meets any energy conservation or indoor air quality requirements, explain how.

N/A

- i) If this proposal involves the adoption of an electrical or plumbing building product, note if the appropriate advisory board approved the product.

N/A

3. Has this been proposed at the national model code level. If so, explain when it was proposed, what happened, and why it was not adopted. Provide all associated national model code hearing information and background.

No, this proposal has not been proposed at the national model code level. The thought for the proposal did not come up in time to submit for the 2027 ICC code adoption cycle. OBOA Codes Committee intends to submit this proposal for consideration for the 2030 code adoption cycle.



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### Implementation And Fiscal Impact

1. Explain how the proposed provisions would be enforced? Are additional inspections or permits required? Describe any necessary equipment, training, tests or special certifications.

Provision will be enforced during plan review or inspections. No special training required.

2. What is the fiscal impact of this proposal? Provide a cost benefit analysis and include the resources or methods you used to determine the fiscal impact.
  - a) If this proposal adds to the cost of construction, explain how the added cost contributes to the health and safety of occupants, or is necessary to conserve scarce resources.
  - b) If there are any other adverse fiscal impacts or cost savings passed on to the general public, the construction industry, local and state governments, and small businesses, an interested person must describe the added or reduced cost of a proposed code amendment and describe the adverse fiscal impact or cost savings in relation to the current Oregon specialty code.
  - c) If this proposal will affect the cost of development of a detached single-family dwelling, please indicate the cost. For the purposes of illustrating the change on the cost, please use a 6,000-square-foot parcel and the construction of a 1,200-square-foot detached single-family dwelling on that parcel. The information on the cost must be sufficient to assist the division in preparing a housing cost impact statement.

No added cost to construction. Code currently requires a lavatory for every dwelling unit, the proposed provision only helps to clarify where the lavatory should be located and that a kitchen sink is not an appropriate substitute for a toilet facility lavatory.

### Impacted Stakeholders And Other Specialty Codes

1. It is important that proposals be shared with stakeholders that will be impacted by them. Was this proposal developed with people or organizations likely to be affected by it? Has it been reviewed or shared with people or organizations likely to be affected by it? If so, who, and if not, why not?

Proposal was discussed amongst the Oregon Building Officials Association (OBOA) Codes Committee. No other outreach was done.

2. Does this proposal impact other specialty codes or statewide programs?

No.



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### **PART IV – ORSC Energy Efficiency Additional CODE AMENDMENT PROPOSAL CRITERIA**

In addition to the code amendment proposal criteria required in Part III, proposed code amendments to the Oregon Residential Specialty Code (ORSC) that advance energy efficiency shall comply with OAR 918-008-0250 requiring the proposed provisions to be based on a uniform set of facts and assumptions. View the ORSC energy efficiency additional code amendment proposal criteria on page 4 of this application.

Submit the additional energy efficiency information with responses to the criteria questions and the first page of this application.

N/A

## 2024 IPMC Code and Commentary (Property Maintenance)

### CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

#### **[P] 502.1 Dwelling units.**

Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

Every dwelling unit is to have at least one water closet, one lavatory, one kitchen-type sink and one bathtub or shower to meet the basic requirements for sanitation and personal hygiene.

The lavatory must be located in the same room as or near the door that leads to the water closet. This requirement makes it convenient for occupants to wash their hands after using the water closet, which is good practice for personal hygiene and greatly reduces the spread of germs and bacteria.

The required kitchen sink is intended to provide separate facilities for food preparation and dishwashing and is not intended for hand cleansing after using the toilet facilities, thus reducing the likelihood of contamination of surfaces that are subject to contact with food.

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