

Dog Training Facilities Exemption Includes analysis of HB 3318 (2021)

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Oregon Revised Statute (ORS): ORS 455.315(1) and (2)

Date: Issued—September 2021

Subject: Dog training facilities exemption from the application of the Oregon Structural Specialty Code (OSSC)

HB 3318 (2021), as passed by the 2021 Legislature and effective Sept. 25, 2021, expanded the exemption from applying the “state structural specialty code” to include dog training facilities, as defined in ORS 415.315(2)(c)

Questions:

- 1) What is the definition of a “dog training facility?”
- 2) Is the exemption from code requirements for dog training facilities in ORS 455.315 limited to the Oregon Structural Specialty Code?
- 3) Is a building official authorized to determine what constitutes a “farm” as the term is applied in ORS 455.315(2)?
- 4) Where a given parcel has been designated a farm, and is permitted by ORS 215.213 (1)(z) or 215.283 (1)(x) in conjunction with a dog training facility are there any other considerations which must be met prior to issuance of the structural code exemption?

Answers:

- 1) ORS 455.315(2)(c) defines “dog training facility” as a “farm building used for dog training classes or testing trials permitted under ORS 215.213 (1) (z) or 215.283 (1)(x) in which no more than 10 persons are present at any one time.”
- 2) Yes. The exemption is only from the Oregon Structural Specialty Code. Any electrical, plumbing or mechanical work is subject to permit and must comply with the respective specialty code provisions.
- 3) No. The determination for what constitutes a farm is vested with the local planning department in conjunction with adopted zoning ordinances. The local building official, acting under the authority granted in ORS 455, has no authority in this determination.
- 4) No. If the indicated use meets the statutory definition of ORS 455.315 and is located on a farm the exemption applies.

Other interpretations related to ORS 455.315

Equine Facilities: [Oregon.gov/bcd/codes-stand/Documents/interp-equine-exemption.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/interp-equine-exemption.pdf)

Wineries: [Oregon.gov/bcd/codes-stand/Documents/interp-wineries-exemption.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/interp-wineries-exemption.pdf)

AG/Forestry/Additional uses: [Oregon.gov/bcd/codes-stand/Documents/interp-ag-forestry-exemption.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/interp-ag-forestry-exemption.pdf)

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