

### UNIFORM ALTERNATE STANDARDS

#### Fire apparatus access, firefighting water supply, and the state building code

The state building code is defined as “the combined specialty codes adopted pursuant to ORS 455 and any code regulation or requirement in effect at the time of construction – regardless of when the building or structure was built.” (See OSSC Chapter 2)

Firefighting water supply and/or fire apparatus access determinations are not under the authority of the local building department or building official, and are not part of the state building code.

Where a local determination of inadequate fire apparatus access and/or firefighting water supply has been made, the uniform alternate standards may prescribe a remedy.

#### Uniform Alternate Construction Standards (UACS) Oregon Revised Statute 455.610

Oregon Revised Statute (ORS) 455.610 outlines the framework of the Uniform Alternate Construction Standards (UACS), which is detailed in Oregon Administrative Rule [\(OAR\) 918-480-0125](#). In conjunction with the Legislative Assembly’s modification of this statute, the date of July 2, 2001 is identified as a demarcation point when considering the local application of UACS for one- and two-family dwellings.

The UACS are the alternate construction process appropriate for ORS 455.610. The process allows the local fire official to make a determination regarding the adequacy of firefighting water supply and/or fire apparatus access for a lot of record and enables local building officials to use the construction standards listed within the rule to remedy any determinations of inadequacy through notice of intent to allow use of the UACS. This notice must be given at the time of a land use application approval. A notice of intent to allow the use of the UACS does not require a building official to apply the rule. Regardless of a local building official’s notice of intent to use the UACS, the customer retains the option to comply with locally adopted standards for firefighting water supply and/or fire apparatus access.

#### Application of UACS

For lots of record existing *prior to* July, 2, 2001, the developer/owner/customer would work directly with the local fire official to satisfy the fire service’s requirements for access/water serving the existing site. In so doing, the UACS are allowed to be considered and used in the agreement negotiated with the fire official to remedy inadequate access or inadequate water supply. In these instances, application of the UACS is not mandated by statute.

Conversely, for lots of record created *on or after* July 2, 2001, the municipality allowing an alternate construction standard must apply the UACS where the local fire official's requirements for access and/or water supply cannot be met. OAR 918-480-0125 establishes the process that must be followed if the local building official intends to allow one or more of the UACS at the time of building permit application (again, for lots of record created *on or after* July 2, 2001) as a uniform alternate remedy.

The key difference dependent upon the lot creation date is one of "final approving authority." For residential lots of record existing *prior to* July, 2, 2001, the UACS are allowed to be part of the negotiations between the developer/owner/customer and the local fire official.

In contrast, for lots of record created *on or after* July 2, 2001, the building official shall give consideration to the local fire official comments, but retains the final approval authority for satisfying the local fire official's determination of inadequate access and/or inadequate water supply by applying one or more of the UACS listed in OAR 918-480-0125, Section (4).

The list of uniform alternate standards was developed as a collaborative effort that included both local building officials and the Office of State Fire Marshal.

## **Local questions and collaboration**

Where local questions arise regarding existing lots of record created *prior to* July 2, 2001 and the authority for access and/or water supply determinations to be made in relation to damage and/or reconstruction on an existing site, our best recommendation is to direct the customer to the local fire service representatives and/or the Office of the State Fire Marshal.

As stated above, the local building official has no authoritative role regarding any fire apparatus access or firefighting water supply determinations.

The importance of building and fire officials working together in the review and inspection of new building construction is essential. The intent of adopted codes and standards is to establish the minimum acceptable level to safeguard public health, safety, and welfare. These standards advance fire and life safety for first responders as well as property protection by providing a comprehensive and integrated approach to code regulations and hazard management.