



2021 Oregon Residential Specialty Code adoption
Additional hearing for public comments

Opportunity for public input:

A public rulemaking hearing was held on Feb. 16, 2021. However, due to power outages and weather impacts across the state, the division is holding an additional opportunity for public comment on the rule. Those who would like to provide oral testimony should virtually attend the additional hearing on **Feb. 24, 2021 at 9:30 a.m.** The hearing will be held via GoToMeeting and telephone.

Written comments may be submitted to the BCD rules coordinator, at rulescoordinator.bcd@oregon.gov, or to the address below. All written comments must be received by Feb. 26, 2021 at 5 p.m.

If you wish to provide oral testimony at the hearing, the best way to connect is to join the meeting from your computer, tablet or mobile device with internet access using a headset or earphones with a microphone. If you are unable to connect through your computer, tablet or mobile device, you can dial in using your phone. Use the following information to connect to the meeting.

By computer, tablet, or mobile device: [Global.gotomeeting.com/join/294875149](https://global.gotomeeting.com/join/294875149)

By phone: United States: +1 (571) 317-3112
Access Code: 294-875-149

(For supported devices, tap a one-touch number below to join instantly.)

- One-touch: <tel:+15713173112,,294875149#>

Get more information about giving testimony at Oregon.gov/bcd/Documents/GoToMeeting-process.pdf

Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting.](#)" or go to the division homepage at Oregon.gov/bcd, and click on "View live meetings."

Purpose of the rule:

These proposed rules adopt the 2021 Oregon Residential Specialty Code (ORSC). The 2021 ORSC is based on the 2018 edition of the International Residential Code for One- and Two-Family Dwellings (IRC), with Oregon specific amendments.

Citation:

Amends: OAR 918-480-005 and 918-480-0010.
These proposed rules become effective April 1, 2021.

History:

The Residential and Manufactured Structures Board selected a code review committee to review the base code, public proposals, Oregon amendments, alternate methods, and code interpretations. The ORSC review committee completed an analysis of the 2018 IRC changes, existing Oregon code amendments, statewide code interpretations, and statewide alternate method rulings. The review committee met three times on Aug. 3, 2020, Aug. 17, 2020, and Aug. 25, 2020, finalizing its recommendations to the board on Aug. 25, 2020. On Oct. 7, 2020, the Residential and Manufactured Structures Board approved the review committee's recommendation for the 2021 ORSC and recommended that the code be sent to public hearing.

Contact:

If you have questions or need further information, contact Tony Rocco, Structural Program Chief, at 503-373-7529 or Anthony.J.Rocco@oregon.gov.



2021 Oregon Residential Specialty Code
Draft changes

918-480-0005

Adopted Oregon Residential Specialty Code

- (1) The Low-Rise Residential Dwelling Code, identified in ORS 455.610, will be known as the Oregon Residential Specialty Code.
 - (2) The Oregon Residential Specialty Code is adopted pursuant to OAR chapter 918, division 8.
 - (3) Effective ~~October~~ **April 1, 2017-2021**, the ~~2017-2021~~ **2021** Oregon Residential Specialty Code consists of the following:
 - (a) The ~~2015-2018~~ edition of the International Residential Code for One- and Two-Family Dwellings as published by the International Code Council, Inc., Chapters 1 through 24 and Chapter 44, Appendices E, F, ~~G, H, K, R,~~ **and S, and T**, and as further amended by the Division. Chapters 25 through 43, and Appendices A, B, C, D, ~~G, I, J, L, M, N, O, P, Q,~~ **and U-T** are not adopted as part of the **2021** Oregon Residential Specialty Code.
 - (b) The low-rise plumbing provisions of the Oregon Residential Specialty Code are adopted in the ~~2017-2021~~ **2021** Oregon Plumbing Specialty Code.
 - (c) The low-rise electrical provisions of the Oregon Residential Specialty Code are adopted in the ~~2017-2021~~ **2021** Oregon Electrical Specialty Code.
 - (d) Low-rise apartment construction provisions of the Oregon Residential Specialty Code are adopted in the ~~2014-2019~~ **2019** Oregon Structural Specialty Code and the ~~2014-2019~~ **2019** Oregon Mechanical Specialty Code.
 - (4) Applicability of code changes to pending applications. Code requirements in effect at the time a plan review or permit application is filed controls the construction under the application unless the applicant agrees to be controlled by subsequent changes.
 - (5) For the purposes of implementing a phase-in period for the ~~2017-2021~~ **2021** Oregon Residential Specialty Code, the ~~2014-2017~~ **2017** Oregon Residential Specialty Code is adopted for a period of ~~three~~ **six** months beginning ~~October~~ **April 1, 2017-2021** and ending ~~December~~ **September 30, 2017-2021**.
 - (6) During the ~~six~~ **three**-month phase-in period established in subsection (5), all building departments in the state are required to accept plans for low-rise residential dwellings designed to either the ~~2017-2021~~ **2021** Oregon Residential Specialty Code or to the ~~2014-2017~~ **2017** Oregon Residential Specialty Code.
- [Publications: Publications referenced are available for review at the division. See division website for information on purchasing publications.]

Statutory/Other Authority: ORS 455.020, 455.030, 455.110, 455.380 & 455.525

Statutes/Other Implemented: ORS 455.610

Hist: BCD 11-2017, f. 9-14-17, cert. ef. 10-1-17; BCD 9-2014, f. 9-25-14, cert. ef. 10-1-14; BCD 13-2011, f. 5-13-11, cert. ef. 7-1-11; BCD 5-2008, f. 2-22-08, cert. ef. 4-1-08; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98, Renumbered from 918-480-0000; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCA 10-1993(Temp), f. & cert. ef. 6-11-93; BCA 7-1993, f. 4-28-93, cert. ef. 5-1-93; BCA 3-1993(Temp), f. & cert. ef. 3-3-93; BCA 28-1992(Temp), f. 12-30-92, cert. ef. 1-1-93; BCA 13-1992, f. 6-29-92, cert. ef. 7-1-92; BCA 6-1992, f. 3-24-92, cert. ef. 3-27-92; BCA 4-1992(Temp), f. 3-4-92, cert. ef. 3-5-92; BCA 1-1992, f. & cert. ef. 2-6-91; BCA 32-1991(Temp), f. & cert. ef. 9-30-91 BCA 8-1991, f. 4-10-91, cert. ef. 7-1-91 BCA 30-1990, f. 12-21-90, cert. ef. 1-1-92; BCA 21-1990, f. 8-28-90, cert. ef. 9-24-90; BCA 7-1990(Temp), f. 3-23-90, cert. ef. 4-1-90; BCA 3-1990, f. 1-30-90, cert. ef. 4-1-90; DC 6-1987(Temp), f. & cert. ef. 4-3-87, Renumbered from 814-031-0005; DC 11-1986, f. 6-30-86, cert. ef. 7-1-86

918-480-0010

Amendments to the Oregon Residential Specialty Code

(1) The Oregon Residential Specialty Code is amended pursuant to OAR chapter 918, division 8. Amendments adopted during the code-cycle for inclusion into the Oregon Residential Specialty Code are placed in this rule, showing the section reference and a descriptive caption.

(2) Effective January 24, 2019, **until October 1, 2021**, the **2017** Oregon Residential Specialty Code Section R327 is amended for additional wildfire hazard mitigation provisions that are available for local adoption.

(3) Effective October 1, 2020, **until October 1, 2021**, the **2017** Oregon Residential Specialty Code Section N1107.4 is amended for solar ready provisions.

[Publications: Publications referenced are available for review at the division. See division website for information on where to purchase publications.]

Statutory/Other Authority: ORS 455.020, 455.110 & 455.610

Statutes/Other Implemented: ORS 455.610

Hist: BCD 20-2020 (Temp), f. 9-30-20, cert. ef. 10-1-20 thru 3-28-21; BCD 1-2019, f. 1-24-19, cert. ef. 1-24-19; BCD 13-2018 (Temp), f. 6-22-18, cert. ef. 6-30-18 thru 12-26-18; BCD 11-2017, f. 9-14-17, cert. ef. 10-1-17; BCD 16-2017 (Temp), f. 12-21-17, cert. ef. 1-1-18 thru 6-29-18; BCD 2-2016, f. 1-28-16, cert. ef. 2-1-16; BCD 3-2015, f. 3-24-15, cert. ef. 4-1-15; BCD 9-2014, f. 9-25-14, cert. ef. 10-1-14; BCD 13-2011, f. 5-13-11, cert. ef. 7-1-11; BCD 11-2011(Temp), f. & cert. ef. 4-15-11 thru 9-30-11; BCD 1-2011, f. & cert. ef. 2-15-11; BCD 19-2010, f. 12-30-10, cert. ef. 1-1-11; BCD 5-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 8-2009, f. 9-30-09, cert. ef. 10-1-09; BCD 1-2009, f. 1-30-09, cert. ef. 2-1-09, BCD 24-2008(Temp), f. & cert. ef. 10-6-08 thru 4-1-09; BCD 21-2008, f. 9-30-08, cert. ef. 10-1-08; BCD 13-2008(Temp), f. & cert. ef. 7-3-08 thru 12-30-08; BCD 5-2008, f. 2-22-08, cert. ef. 4-1-08; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 1-2003(Temp), f. & cert. ef. 1-10-03 thru 3-31-03; BCD 30-2002, f. 12-6-02, cert. ef. 1-1-03; BCD 22-2002(Temp), f. 9-13-02 cert. ef. 10-1-02 thru 3-29-03; BCD 2-2002, f. 3-5-02, cert. ef. 4-1-02, BCD 3-2001, f. 2-9-01, cert. ef. 3-1-01; BCD 32-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 19-2000(Temp), f.& cert. ef. 8-15-00 thru 2-10-01; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 3-1998, f. 1-29-98, cert. ef. 4-1-98; BCD 5-1997, f. 3-21-97, cert. ef. 4-1-97; BCD 22-1996(Temp), f. 10-1-96, cert. ef. 10-4-96; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 6-1995, f. 3-31-95, cert. ef. 4-1-95; BCA 29-1993, f. 11-24-93, cert. ef. 12-1-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93

OFFICE OF THE SECRETARY OF STATE
SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 918
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
BUILDING CODES DIVISION

FILED
01/28/2021 2:15 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Adopts the 2021 Oregon Residential Specialty Code.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/26/2021 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Laura Burns
503-373-0226
laura.l.burns@oregon.gov

1535 Edgewater St. NW
Salem, OR 97304

Filed By:
Laura Burns
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 02/16/2021

TIME: 9:30 AM - 10:00 AM

OFFICER: Andy Boulton

ADDRESS: Building Codes Division

1535 Edgewater St. NW

Salem, OR 97304

SPECIAL INSTRUCTIONS:

This hearing will be held

through a GoToMeeting.

You may join the meeting...

By computer, tablet, or mobile device:

[https://global.gotomeeting.com/join/7](https://global.gotomeeting.com/join/770307381)

70307381

By phone:

United States: +1 (872) 240-3412

Access Code: 770-307-381

NEED FOR THE RULE(S):

ORS 455.610 requires the division to adopt, and amend as necessary, a low-rise code that contains all the requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade. Furthermore, ORS 455.020 and 455.110 require the division to adopt a uniform state building code that conforms to model building codes generally accepted and in use to govern the construction, reconstruction, alteration and repair of buildings and other structures and the installation and use of mechanical, heating and ventilating devices and equipment in buildings and other structures.

The current Oregon Residential Specialty Code is based on the 2015 edition of the International Residential Code, with

Oregon amendments. These proposed rules are needed to update the current residential code by adopting and amending the 2018 International Residential Code with additional Oregon amendments. This code will be adopted as the 2021 Oregon Residential Specialty Code.

The division has been attempting to harmonize the provisions of Chapter 1 of the International Residential Code with the specific legal framework in Oregon. The changes to Chapter 1 are necessary to foster predictable application and clarify the scope of delegable authority for local municipalities. Additional flexibility is given to local regulation to allow municipalities to meet their individual needs.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are posted on the division's Web site at: <http://www.oregon.gov/bcd/laws-rules/Pages/proposed-rules.aspx>.

FISCAL AND ECONOMIC IMPACT:

The division has determined that the proposed code may have some fiscal and economic impact on state agencies, units of local government, small businesses, and members of the public from the purchase of the 2021 edition of the Oregon Residential Specialty Code book and training associated with new code provisions. The cost of the code book is estimated to be approximately \$80. The division licenses approximately 900 residential inspectors that use this code. The overall impact of this cost cannot be determined at this time because it will be available online at no cost, and it is unknown how many copies of the code book will be purchased by local government and members of the public. There may also be costs associated with training on this new code. It is difficult for the division to quantify the costs associated with this training for a particular individual or local government, but we believe it would be minimal consisting of class registration fees and travel costs.

The Residential Manufactured Structures Board considered the fiscal impact of each code change proposal, and determined that building owners, developers, contractors and the general public will be impacted by the proposed rules because of the cost increases associated with the proposed code provisions. Several changes were identified as cost savings and may reduce the overall cost increases identified below. A specific and accurate overall cost estimate cannot be quantified at this time because it is dependent on the specifics of a particular building, design variables, construction methods, building type, and materials. Estimated fiscal impacts of substantive changes are as follows:

Structural provisions:

R301.2.1 Wind Design Criteria – Potential cost reduction, largest in areas where wind considerations govern design. Estimated savings as high as \$500 per home.

R301.2.1 Wind Design, Component and Cladding – Potential cost increase for a manufacturer that was not already compliant, but most manufacturers are likely already complying due to the marketing of products in jurisdictions with this requirement. If a manufacturer is not currently documented as compliant but has a compliant product, the cost to document the compliant product would be less than \$100. If a manufacturer does not currently have a product that is documented as compliant, the cost to test and evaluate the product would be greater and would depend on the specific nature of the product and the testing performed.

R301.2.2 Determination of Seismic Design Category – Potential cost reduction in most areas. Areas near the southern Oregon coast may see a slight cost increase.

R312.2.1 Window Sills – Only a requirement where the design was incorrectly approved without the required ASTM devices; \$10 cost per affected egress window if applicable.

403 Footings – For applicable prescriptive three-story dwellings cost, an increase of approximately \$300-\$500.

R602.9 Cripple Walls – Significant cost savings for designs that use interior cripple walls, \$200-\$500 per home.

Energy Provisions and Mechanical Provisions:

N1101.1(2) Additional Measures Table – The impact of this change could range from a \$300 cost increase to a \$2500 savings depending on the HVAC design used in the residence.

N1101.1(1) Prescriptive Envelope Requirements – Will scale with the size of the home, cost increase of approximately \$250 for a 1200 square foot home, but that will increase for larger homes.

N1104.8 Air Leakage – Possible savings on some designs, up to a savings of \$100.

N1106.2 Service Hot Water Pipe Insulation – Minimal cost increase of \$10-\$25

M1601.4.11 Ductwork installation location – If burying the vents is necessary, then the estimated cost impact is approximately \$600. If burying the vents is not necessary due to home design, then this will have no impact.

R303.4 & M1505.4.1 Whole-house Mechanical Ventilation – range of cost impact depending on HVAC design in use, \$650-\$1000.

M1505.6 Rooms with Water Closets, Bathing Facilities, or Spa Facilities – Cost impact of \$12 per relevant switch.

The Residential and Manufactured Structures Board made the specific finding that the added cost is necessary for the health and safety of the occupants and the public, or necessary to conserve scarce resources.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The division has determined that these proposed rules will have some fiscal impact to the division, local building departments, licensees, and small businesses for training costs and the purchase costs of new code books. Code books are expected to cost approximately \$80. The division will offer low cost training for local government, but local governments may still see an impact in staff time. The division is unable to determine the exact fiscal impact at this time because it is dependent upon specific factors related to a building's design, use, materials, etc. However, we expect training costs to be similar to training costs in past years, and overall, the impact on state agencies, units of local government and the public, should be minimal.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

Small businesses that are subject to these rules include residential and commercial contractors, designers, engineers, architects, and others associated with the construction industry. There are approximately 37,000 licensed active construction businesses in the state of Oregon. Construction businesses are primarily small and medium sized businesses. Additionally, there are approximately 135 municipalities administering and enforcing building inspection programs in Oregon and there are approximately 900 certified residential structural and mechanical inspectors. The division is unable to determine the exact fiscal impact at this time because it is dependent upon specific factors related to a building's design, use, materials, etc. However, we believe that the fiscal and economic impact outlined above may assist a small business in identifying costs of compliance for their specific project.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

The proposed rules do not impose any additional reporting, recordkeeping, or other administrative activities in order to comply.

c. Equipment, supplies, labor and increased administration required for compliance:

There may be a minimal additional cost associated with new equipment or design parameters. Actual cost cannot be determined at this time due to variables in types of construction, equipment, building type, etc.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were represented on the 2021 Oregon Residential Specialty Code Review Committee and the

Residential and Manufactured Structures Board; both of which reviewed the appropriate provisions of these proposed rules.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

HOUSING IMPACT STATEMENT:

No known housing impact

RULES PROPOSED:

918-480-0005, 918-480-0010

AMEND: 918-480-0005

RULE SUMMARY: Amends rule 0005, "Adopted Oregon Residential Specialty Code":

Articulates the contents of the 2021 Oregon Residential Specialty Code, effective April 1, 2021.

Changes the grace period during which both the either the 2017 or the 2021 code can be used, extends the grace period from three months to six months.

CHANGES TO RULE:

918-480-0005

Adopted Oregon Residential Specialty Code ¶¶

(1) The Low-Rise Residential Dwelling Code, identified in ORS 455.610, will be known as the Oregon Residential Specialty Code.¶¶

(2) The Oregon Residential Specialty Code is adopted pursuant to OAR chapter 918, division 8.¶¶

(3) Effective ~~October~~ April 1, 2021~~7~~, the 2021~~7~~ Oregon Residential Specialty Code consists of the following:¶¶

(a) The 2015~~8~~ edition of the International Residential Code for One- and Two-Family Dwellings as published by the International Code Council, Inc., Chapters 1 through 24 and Chapter 44, Appendices E, F, ~~G~~, H, K, R, ~~S~~, and ~~TS~~, and as further amended by the ~~D~~division. Chapters 25 through 43, and Appendices A, B, C, D, ~~G~~, I, J, L, M, N, O, P, Q, and ~~U~~ are not adopted as part of the 2021 Oregon Residential Specialty Code.¶¶

(b) The low-rise plumbing provisions of the Oregon Residential Specialty Code are adopted in the 2021~~7~~ Oregon Plumbing Specialty Code.¶¶

(c) The low-rise electrical provisions of the Oregon Residential Specialty Code are adopted in the 2021~~7~~ Oregon Electrical Specialty Code.¶¶

(d) Low-rise apartment construction provisions of the Oregon Residential Specialty Code are adopted in the 2014~~9~~ Oregon Structural Specialty Code and the 2014~~9~~ Oregon Mechanical Specialty Code.¶¶

(4) Applicability of code changes to pending applications. Code requirements in effect at the time a plan review or permit application is filed controls the construction under the application unless the applicant agrees to be controlled by subsequent changes.¶¶

(5) For the purposes of implementing a phase-in period for the 2021~~7~~ Oregon Residential Specialty Code, the 2014~~7~~ Oregon Residential Specialty Code is adopted for a period of ~~threesix~~ months beginning ~~October~~ April 1, 2021~~7~~ and ending ~~Dec~~ September 30, 2021~~7~~.¶¶

(6) During the ~~threesix~~-month phase-in period established in subsection (5), all building departments in the state are required to accept plans for low-rise residential dwellings designed to either the 2021~~7~~ Oregon Residential Specialty Code or to the 2014~~7~~ Oregon Residential Specialty Code.¶¶

[Publications: Publications referenced are available for review at the division. See division website for information on purchasing publications.]

Statutory/Other Authority: ORS 455.020, ORS 455.030, ORS 455.110, ORS 455.380, ORS 455.525

Statutes/Other Implemented: ORS 455.610

AMEND: 918-480-0010

RULE SUMMARY: Amends rule 0010, "Amendments to the Oregon Residential Specialty Code":

Sunsets amendments that were made to the Oregon Residential Specialty Code during the 2017 code cycle, when they become integrated into 2021 code under rule 0005.

CHANGES TO RULE:

918-480-0010

Amendments to the Oregon Residential Specialty Code ¶¶

(1) The Oregon Residential Specialty Code is amended pursuant to OAR chapter 918, division 8. Amendments adopted during the code-cycle for inclusion into the Oregon Residential Specialty Code are placed in this rule, showing the section reference and a descriptive caption.¶¶

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(3) Effective October 1, 2020, until October 1, 2021, the 2017 Oregon Residential Specialty Code Section N1107.4 is amended for solar ready provisions.]

Statutory/Other Authority: ORS 455.020, ORS 455.110, ORS 455.610

Statutes/Other Implemented: ORS 455.610