

PREFABRICATED STRUCTURES PROGRAM

Local building department guide

This guide covers the roles and responsibilities local building department have in Oregon for the installation of prefabricated buildings, the use of prefabricated building components, and the erection of prefabricated component buildings in their jurisdiction.

When something is identified as being “prefabricated,” it does not automatically mean construction is regulated by or required to be regulated by the Oregon Building Codes Division, Prefabricated Structures Program (Program). The Program regulates those prefabricated structures meeting the various definitions established in Oregon law for the occupancy classification and intended use in Oregon.

When something is identified as being “prefabricated,” it does not automatically mean that it is regulated by or required to be regulated by the Oregon Building Codes Division, Prefabricated Structures Program (Program). The Program regulates those prefabricated structures meeting the various definitions established in Oregon law for the occupancy classification and intended use in Oregon.

For example, requirements in the Oregon Structural Specialty Code (OSSC) equally apply to the construction of prefabricated buildings. The OSSC contains permit exemptions for certain construction but allows for local adoption of certain exempt matters. This means that certain prefabricated buildings (e.g. certain equipment shelters) are not regulated by the Program but may be regulated by the local building department if the municipality has adopted an ordinance to do so. Also, an exemption from the OSSC does not exempt required code provisions in other code disciplines like electrical and plumbing.

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Prefabricated buildings

Oregon-approved prefabricated buildings terminology and information

Identification. Initially the local building department must determine if a prefabricated building is an Oregon-approved prefabricated building or an existing building, and the processes and procedures that apply.

Oregon-approved prefabricated building. This terminology is used by Program staff to identify a prefabricated building where all the following conditions exist:

- The building was constructed according to Program-approved plans
- Inspected according to Oregon laws and Oregon adopted specialty codes
- Issued an Oregon insignia of compliance
- Not altered without Program approval

Program-approved plans. This terminology is used by Program staff to identify the construction documents approved by the Program for the construction of a prefabricated building. Program approval of prefabricated buildings only includes the floor to the roof, the exterior walls, and everything in between. Oregon-approved prefabricated buildings are expected to remain in compliance with Program-approved plans for the occupancy classification and intended use.

Oregon insignia of compliance. An Oregon insignia of compliance is a tag attached to a prefabricated building by the Program when the prefabricated building was originally manufactured. The insignia not only identifies the building as initially being approved by the Program but may also contain other useful information about the building's approval.

The Oregon insignia of compliance is gold or yellow in color. Prior to 2016, Oregon insignia of compliance were affixed to the exterior of the building. If located on the exterior it may have faded due to exposure. Beginning in 2016, Oregon insignia of compliance began being affixed to the interior of the building typically at the main electrical distribution panel. An Oregon insignia of compliance is required for each section/module of a multi-section building.

Note: Program procedures allow certain prefabricated buildings to be delivered to an installation site without the Oregon insignia of compliance affixed to the building. The Program has procedures in place to complete the required final inspection of the building at the installation site. When the final inspection is completed Oregon insignia are affixed to the building.

Other insignias. Prefabricated buildings may have insignia of compliance affixed to them issued by another state or other entity. Those insignias are not a substitute for an Oregon insignia of compliance. The Program does have a shared government services agreement with two other states. This reciprocity agreement (also known as the tristate agreement) is for shared plan review and inspection services only. It should not be construed to mean that a prefabricated building approved in one state is automatically deemed to comply with laws or codes in one or more of the other states.

Please contact the Program if there are any questions or concerns as to the identification that a prefabricated building is an Oregon-approved prefabricated building.

[Examples of Oregon insignia of compliance](#)

Acceptance of Oregon-approved prefabricated buildings. Oregon laws specify that a prefabricated building with an attached Oregon insignia of compliance shall be acceptable to a local building department as meeting state building code regulations. Local building departments are not authorized to re-review an Oregon-approved prefabricated building for code compliance. This provision accounts for prefabricated buildings designed to be relocatable. For example, an Oregon-approved prefabricated building manufactured ten years prior is being installed in Oregon. The building itself is not required to be brought into compliance with current editions of Oregon adopted specialty codes.

Specific requirements for the installation of Oregon-approved prefabricated buildings. Local building departments must follow applicable requirements established in OAR 918-674-0015(5) and 918-674-0055(5). Those requirements are summarized below:

- Ensure compliance with any local requirements at the installation site (i.e. planning/zoning and sanitation).
- Ensure minimum setback and separations are maintained (site plan).
- Verify the prefabricated building will be used according to the approved occupancy classification and intended use as specified on the Oregon insignia of compliance.
- Ensure the design criteria for the prefabricated building meets or exceeds the minimum design criteria for the geographic area where.
- Issue permits for any site-specific requirements including, but not limited to, accessibility, geographic, geologic or climatic code requirements affecting the prefabricated structure.
- Issue permits and perform plan review of the prefabricated building foundation system.

- Issue permits and perform inspections of the electrical, water, gas and sewer connections on and to the prefabricated building.
- Issue permit and perform inspections of the prefabricated building installation. For multi-section prefabricated buildings inspect connections at the marriage lines.
- Issue permits and perform inspections of an incomplete structure that has construction elements authorized by the Program to be completed at the installation site that are listed on a Program-approved Notice to Local Enforcement Agency (NLEA) document.
- Issue a Certificate of Occupancy for the prefabricated building after the installation is complete and all required inspections have been approved. Note: The Oregon insignia of compliance is not a Certificate of Occupancy.

Additional information applicable to Oregon-approved prefabricated buildings:

Foundations. Foundation plans are reviewed by the local building department. They must comply with the OSSC or ORSC as applicable and be designed by a registered design professional where required.

Notes:

1. The Program does not review or approve foundation systems for prefabricated buildings. Program-approved plans provided to the local building department by the applicant may be used for determining load paths from the building to the foundation.
2. Some manufacturers produce relocatable prefabricated buildings (sometimes referred to as portable buildings). "Relocatable" means the prefabricated building was designed by the manufacturer to be moved from one location to another.
3. There are also retail businesses that offer prefabricated buildings for sale, rent, lease or installation in Oregon. These retail businesses are not exempt from Oregon laws, codes, Program requirements, or requirements for local building department regulation of prefabricated buildings installed in Oregon.

Providing documents and Program-approved plans. The person applying for the installation of a prefabricated building is required to provide the necessary documents and specifications for the installation of the building to the local building department.

Notes:

1. A local building department may not deny the issuance of a permit or plan review based solely on the applicant not being able to provide a copy of Program-approved plans for an Oregon-approved prefabricated building.
2. The design professional stamp expiration date or the plan expiration date on Program-approved plans are not under the purview of the local building department and may not delay or impact the review of the building's foundation system. Additionally, approval stamps on prefabricated structure plans approved under the reciprocity agreement may not be clear to persons outside the Program.
3. If the applicant does provide plans for an Oregon-approved prefabricated building (Program-approved or not) the local building department is not authorized to re-review those plans for code compliance. Unless otherwise specified, an Oregon-approved prefabricated building received a code compliant plan review and inspection from the Program as evidenced by the Oregon insignia of compliance affixed to the building.
4. A local building department does not have the authority to require corrections to an Oregon-approved prefabricated building or a prefabricated building that is intended to have the Oregon insignia of compliance issued at the installation site. If the local building department has questions or concerns about any code compliance issues with an Oregon-approved prefabricated building, the local building department must communicate those questions or concerns to the Program for resolution.
5. The Program is not permitted under Oregon law to release plans and specifications for prefabricated buildings in the Program's possession. It is not the Program's responsibility to provide local building departments with these documents.

Notice to Local Enforcement Agency (NLEA). Prefabricated buildings are intended to be substantially completed by the manufacturer at the manufacturing facility. The Program allows for certain construction elements to be completed at the installation site. Any construction elements authorized by the Program to be completed at the installation site are listed on a Program-approved NLEA document. The person applying for the installation of a prefabricated building is required to provide a copy of the Program-approved NLEA and apply for permits for any work authorized by the Program to be completed and inspected by the local building department. Not all prefabricated buildings require an NLEA. Construction elements on an NLEA document for local building department inspection may include, but are not limited to:

- Hinged or raised roof assembly, piggy-back or cap trusses, or site installed roof framing.
- Completion of electrical or plumbing systems inside the building or under floor systems.
- HVAC equipment that is part of the building (not site installed outside of the building).
- Fire alarm or fire sprinkler systems.
- Fire-resistive wall and ceiling construction in specified locations.
- Overhangs, exterior stairways

Notes:

1. The NLEA is not intended to cover any work that is not part of the Program-approved plans or work that exceeds the limitations of the Program.
2. Persons performing work at an installation site on a prefabricated building are not exempt from state licensing laws. This includes employees or representatives of the manufacturer of the prefabricated building. For example, persons performing electrical or plumbing work are required to be properly licensed for the scope of work being performed. Local building departments are authorized to check these individuals for proper licenses.

Oregon insignia of compliance not yet affixed. As previously mentioned above, the Program does perform final inspections of certain prefabricated buildings at the installation site. This allowance occasionally creates an issue for local building departments when they are checking the building for Oregon insignia of compliance and prior to approving site utility connections to the prefabricated building. Local building departments are often reluctant to connect electrical power to prefabricated buildings that don't have an Oregon insignia of compliance attached. However, the building must be energized electrically so the Program can complete the electrical inspection of the building. When this happens, please contact Program staff and staff will validate if the prefabricated building is intended to have an on-site final inspection by the Program. If there are any issues or concerns associated with connecting power to the building prior to Program final inspection, please communicate those concerns to the Program for resolution. The local building department does not have authority to require corrections to a prefabricated building intended to have the Oregon insignia of compliance affixed to it at the installation site.

Fees. Local building departments are authorized to charge fees according to their adopted fee schedules to cover the costs associated with the installation of prefabricated buildings.

Older prefabricated buildings

General information. Local building departments may receive prefabricated buildings in their jurisdiction that were manufactured up to 30 years ago or more. Oregon laws applicable to prefabricated buildings contemplate that certain prefabricated buildings may continue to be recognized as an Oregon-approved prefabricated building provided the building remains compliant with the original approval for occupancy classification and intended use, and the building has not been altered without the prior Program approval. Older Oregon-approved prefabricated buildings are not required to be brought into compliance with current editions of Oregon adopted specialty codes.

Missing Oregon insignia of compliance. There are some situations where Oregon insignia of compliance are missing from an Oregon-approved prefabricated building but there is no record or known reason why the insignia are no longer affixed to the building. If the owner of a prefabricated building believes the Oregon insignia of compliance are missing from their prefabricated building, the building owner can work with the Program to determine if the prefabricated building is eligible to receive replacement Oregon insignia of compliance. It is the

responsibility of the building owner to demonstrate to the Program that the prefabricated building is an Oregon-approved prefabricated building and must comply with any Program requirements necessary to obtain replacement insignia. Local building departments should allow some flexibility for this process to be resolved. If the Program determines the prefabricated building is not eligible for replacement insignia, the local building department should be prepared to determine if the building is code compliant as an existing building for use in their jurisdiction.

Note: It is the responsibility of the building owner to provide all necessary information and pay applicable fees associated with the Program potentially issuing a replacement insignia. This includes a visual inspection of the project by Program inspection staff to ensure no alterations have been performed, and the occupancy classification and intended use have not changed from the original approval.

Alterations. Oregon-approved prefabricated buildings are allowed to be altered provided such alteration is approved by the Program. [See the Alterations Guide.](#)

Program data for older prefabricated buildings. The Program maintains information on prefabricated buildings approved by the Program from the late 1980s to current. Contact the Program if there are any questions or concerns about a prefabricated building regarding whether or not the building is an Oregon-approved prefabricated building. If available, this information typically includes:

- Oregon plan number
- Manufacturer name
- Date of manufacture
- Manufacturer's serial number(s) for the project
- Number of modules (if multi-module building)
- Occupancy classification & intended use
- Roof live load
- Floor live load
- Wind speed/exposure
- Seismic zone
- Size of prefabricated building
- NLEA information

Useful information regarding older prefabricated buildings. It's the responsibility of the applicant to provide documents and specifications to a local building department necessary to complete the installation of a prefabricated building as described above. Construction plans for older prefabricated buildings may not be available. The applicant can contact the manufacturer of the prefabricated building and see if a copy of the building plans can be obtained. The applicant may have to obtain an engineering analysis of the building if sufficient construction documents are not available. The "Notice of Plan Review" document from the Program-approved plans can be helpful if available. This document contains design criteria and other useful information. It will likely indicate if an NLEA document was associated with the original installation of the building. These details might provide local building department's information or clues needed to determine next steps or if a project requires additional permits.

Retail businesses. Local building departments should be alert to certain activities associated with retail businesses that sell, rent or lease prefabricated buildings for installation in Oregon. These businesses are not exempt from regulatory requirements for the installation of prefabricated buildings. These businesses may also be performing or authorizing alterations to Oregon-approved prefabricated buildings without program approval. They may also be using unlicensed persons to perform electrical and plumbing work in violation of Oregon licensing laws. If a local building department is aware of or suspects this kind of activity, or if there are any questions or concerns with prefabricated buildings being installed in their jurisdiction, please contact the Program and staff will investigate the situation to determine if there are any violations of Oregon laws or Program requirements.

Prefabricated buildings considered existing buildings

Assessment. A prefabricated building that does not qualify as being an Oregon-approved prefabricated building is considered an existing building for the purposes of determining code compliance. Existing buildings are under the purview of the local building department where the building is located or intended to be installed. Local building departments are authorized to regulate existing buildings using their delegated authority for administering and enforcing a building inspection program. This should not be construed to mean a local building department is authorized to enforce Oregon laws specific to the Prefabricated Structures Program.

Loss of identity. A prefabricated building that was never an Oregon-approved prefabricated building; or a prefabricated building determined to be out of compliance with the Program that had Oregon insignia of compliance removed from the building; or a prefabricated building that had Oregon insignia of compliance removed by the building owner cannot become an Oregon-approved prefabricated structure through any plan review, visual inspection, or other equivalency processes. This essentially means that once a prefabricated building is no longer approved by the Program (or was never approved by the Program) it will forever be outside the regulatory authority of the Program.

Altered without Program approval. Oregon-approved prefabricated buildings discovered to have been altered without prior Program approval will have Oregon insignia of compliance removed from the building. Oregon insignia compliance removed from a prefabricated building are voided in the Program's database along with the reason for future reference. Alterations include, but are not limited to:

- Change of occupancy classification or intended use.
- Addition or removal of plumbing systems (like adding or removing a restroom).
- Addition or removal of electrical installations involving the building's electrical system.
- Structural changes that alter the building from its original approval.
- Reconfiguring a multi-section building by adding to or splitting up sections, or the joining of building sections from separately approved buildings.

Alterations approved by the local building department. Local buildings are allowed to permit and inspect alterations to any prefabricated building. However, if a local building department receives a permit application to alter an Oregon-approved prefabricated building, the local building department should inform the applicant that any alterations to the building approved by the local building department will require the Oregon insignia of compliance to be removed from the building and returned to the Program. The building owner may contact the Program if they have any questions or concerns regarding the removal of Oregon insignia of compliance from their building. Please provide information as to why Oregon insignia of compliance were removed when insignia are sent back to the Program.

Prefabricated building components

Local building departments permitting construction that use prefabricated building components, or the erection of prefabricated component buildings must check for Oregon insignia of compliance for the grouping of components associated with a specific building or structure.

Prefabricated building components

Prefabricated building components are subassemblies of a building or structure that utilize closed construction methods, but do not conceal construction elements that require inspection before being covered (e.g. structural fasteners, anchors, electrical or plumbing installations). Prefabricated building components include, but are not limited to, wall, floor, or roof panels; refrigeration panels or reinforced concrete components. Manufacturers of prefabricated building components are required to comply with Program requirements if they intend to sell, rent, lease or install prefabricated building components in Oregon.

Note: Prefabricated building components are exactly that – just one of the many components (or building materials) used to construct a building or structure. The prefabricated building components alone are not buildings or structures. Prefabricated component buildings primarily consist of prefabricated building components that when assembled at the building site will be a complete building or structure.

Program approval of prefabricated building components. Prefabricated building components are not plan reviewed or inspected by the Program. Manufacturers of prefabricated building components are required to demonstrate compliance with flame spread index and smoke-developed index requirements in Chapter 26 of the OSSC. Prefabricated building components are not part of any reciprocity agreement (tristate agreement).

Oregon component insignia of compliance. An Oregon component insignia of compliance is a tag attached to one component of a grouping of components that identifies the grouping of components as complying with Program requirements. The Oregon component insignia of compliance is blue in color and is typically affixed near an entry door or next to the manufacturer's data plates. Contact the Program if there are any questions or concerns about projects that utilize prefabricated building components.

[Examples of Oregon component insignia of compliance](#)

Note: Oregon component insignia of compliance are issued directly to Program-approved prefabricated building component manufacturers. The manufacturer is responsible for affixing Oregon component insignia of compliance to one of the prefabricated building components associated with a project at the manufacturer's facility prior to the project leaving the manufacturer's facility. Oregon component insignia of compliance may not be shipped loose, or mailed to a dealer, distributor, or customer, or otherwise found outside the possession of the manufacturer. Please contact the Program if there are any questions or concerns regarding this.

Local plan review and inspection. Local building departments are responsible for issuing permits, performing plan reviews, and completing required inspections of buildings or structures that utilize prefabricated building components or are prefabricated component buildings under the purview of their building inspection program for code compliance for the occupancy classification and intended use of the building or structure. Additionally, OAR 918-674-0015(5)(j) requires local building departments inspection of prefabricated component connections of the component assemblies to assure that the assemblies are capable of developing a complete load path as required.

Fees. Local building departments are authorized to charge fees according to their adopted fee schedules to cover the costs associated with the installation of prefabricated buildings.

Open construction. Prefabricated building components that are not manufactured using closed construction or that conceal construction elements that require cover inspection are not permitted to receive Oregon component insignia of compliance. Prefabricated building components that are considered open construction can be inspected by a local building department at the building site.

Note: If a local building department receives newly manufactured prefabricated building components without the required Oregon component insignia of compliance, please contact the Program and provide detailed information about the manufacturer of the prefabricated building components, project name or number, site location, and name of a site contact individual. The Program will investigate the issue and resolve any compliance concerns.

Missing Oregon component insignia of compliance. If no Oregon component insignia of compliance can be located for projects involving prefabricated building components or on a prefabricated component building and the building owner believes the Oregon component insignia of compliance is missing, the building owner can contact the Program to determine if an Oregon component insignia was issued for the project. The request must include sufficient information for staff to search available records. This includes providing the name of the manufacturer, the date of manufacture, and unit serial number(s). If the Program determines an Oregon component insignia of compliance was issued, but is missing, the building owner can apply for a replacement insignia of compliance.

Note: It is the responsibility of the building owner to provide all necessary information and pay applicable fees associated with the Program potentially issuing a replacement insignia. This includes a visual inspection of the project by Program inspection staff to ensure no alterations have been performed that were not approved by the Program, and the occupancy classification and intended use have not changed from the original approval.

Older prefabricated building components or prefabricated component buildings. Questions or concern regarding older prefabricated building components (pre-owned, used, relocated, etc.) seem to mostly involve freezers and coolers. Even though these products are typically installed inside an existing building, the descriptive information on the insignia does fade, gets covered up, or painted over. If found, the imprinted or typed data on the insignia may be readable and usable to Program staff for the purpose of verifying status of the prefabricated building components.

Alterations involving prefabricated building components or prefabricated component buildings. The Program does not review or approve any alteration projects involving prefabricated building components or prefabricated component buildings. The Program does not review or inspect prefabricated building components or prefabricated component buildings when they are manufactured so there is no purview over any alteration. Local building departments are authorized to regulate any alterations involving prefabricated building components or prefabricated component buildings.

Note: When prefabricated building components or prefabricated component building are altered, the Oregon component insignia of compliance must be removed and returned to the Program. Alterations to prefabricated building components or prefabricated component buildings typically change the original Program approval specific to the issued Oregon component insignia of compliance.

Prefabricated building components considered existing construction

Assessment. A prefabricated component building or prefabricated building components that were never regulated by the Program are either considered an existing building or existing construction materials. These fall under the purview of the local building department to regulate using their own authorities and the various provisions in Oregon adopted specialty codes necessary to achieve compliance for any occupancy classification and intended use in their jurisdiction.

Loss of identity. Prefabricated building components or prefabricated component buildings that were never issued an Oregon component insignia of compliance cannot receive an Oregon component insignia of compliance through plan review, visual inspection, or other equivalency process.