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**PERMANENT ADMINISTRATIVE ORDER**

**DOE 3-2024**

CHAPTER 330  
DEPARTMENT OF ENERGY

**FILED**

06/14/2024 10:51 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Energy Efficient Wildfire Rebuilding Incentive Program rule amendment for new residential building code

EFFECTIVE DATE: 06/14/2024

AGENCY APPROVED DATE: 06/06/2024

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AMEND: 330-260-0030

NOTICE FILED DATE: 04/04/2024

RULE SUMMARY: The amendment includes a new residential building code in the eligibility requirements for incentives for residential structures.

CHANGES TO RULE:

330-260-0030

**Incentives for Residential Structures**

(1) An owner that is altering or restoring an eligible residential structure, or replacing an eligible residential structure or manufactured dwelling with a residential structure, shall be eligible to receive an incentive of \$3,000 per eligible structure if:

(a) The dwelling has been determined by a local government as being adequately served by water, sanitation and roads;

(b) The dwelling is located within the same lot or parcel as the original dwelling being altered, restored, or replaced;

(c) The alteration, restoration, or replacement is complete;

(d) The dwelling meets the Oregon Residential Specialty Code in effect as specified in OAR 330-260-0030(5) and as administered by Oregon's Building Codes Division and local jurisdictions, including all energy efficiency requirements; and

(e) The applicable local jurisdiction code official has verified the completion of the alteration, restoration, or replacement of the structure to the required building code including all energy efficiency requirements.

(2) An owner that is altering or restoring an eligible residential structure, or replacing an eligible residential structure or manufactured dwelling with a residential structure, shall be eligible to receive an incentive of \$3,000 per eligible structure in addition to the amount they may be eligible to receive under OAR 330-260-0030(1) if:

(a) The dwelling has been determined by a local government as being adequately served by water, sanitation and roads;

(b) The dwelling is located within the same lot or parcel as the original dwelling being altered, restored, or replaced;

(c) The alteration, restoration, or replacement is complete;

(d) The dwelling meets the 2021 Oregon Residential Reach Code or is participating in a utility new homes energy efficiency program as specified in OAR 330-260-0030(6);

- (e) Any required utility inspections have been completed following completion of a utility new homes energy efficiency program; and¶¶
- (f) The applicable local jurisdiction code official has verified the completion of the alteration, restoration, or replacement of the structure to the required building code including energy efficiency standards.¶¶
- (3) An owner that demonstrates in their application they meet low- or moderate-income eligibility requirements specified in OAR 330-260-0060 shall be eligible for an additional incentive of \$4,500 if they qualify for an incentive under OAR 330-260-0030(1) but not (2).¶¶
- (4) An owner that demonstrates in their application they meet low- or moderate-income eligibility requirements specified in OAR 330-260-0060 shall be eligible for an additional incentive of \$9,000, if they qualify for an incentive under OAR 330-260-0030(2).¶¶
- (5)(a) For building permit applications submitted prior to April 1, 2021, the Oregon Residential Specialty Code in effect is the 2017 Oregon Residential Specialty Code.¶¶
- (b) For building permit applications submitted on or between April 1, 2021, and September 30, 2021, both the 2017 and 2021 Oregon Residential Specialty Code are considered in effect and are eligible to receive incentives.¶¶
- (c) For building permit applications submitted ~~beginning October 1, 2021~~ on or between October 1, 2021, and September 30, 2023, the Oregon Residential Specialty Code in effect is the 2021 Oregon Residential Specialty Code.¶¶
- (d) For building permit applications submitted on or between October 1, 2023, and March 31, 2024, both the 2021 and 2023 Oregon Residential Specialty Code are considered the Oregon Residential Specialty Code in effect.¶¶
- (e) For building permit applications submitted beginning April 1, 2024, the Oregon Residential Specialty Code in effect is the 2024~~13~~ Oregon Residential Specialty Code.¶¶
- (6) Participating in one of the following above energy code programs qualifies the owner for an incentive under OAR 330-260-0030(2)(d):¶¶
- (a) Energy Trust of Oregon's Energy Performance Score Program.¶¶
- (b) Bonneville Power Administration's Single Family New Construction Performance Path.¶¶
- (c) Consumer Owned Utility energy efficiency new homes program verifying homes are 10 percent more energy efficient on a site energy consumption basis.¶¶
- (7) An owner that is altering or restoring an eligible residential structure, or replacing an eligible residential structure or manufactured dwelling with a residential structure, shall be eligible to receive an incentive of \$3,000 in addition to the amount they may be eligible to receive under OAR 330-260-0030(1) or OAR 330-260-0030(2) for each new accessory dwelling unit that meets the above current energy code building standard or is participating in a utility new homes energy efficiency program as specified in OAR 330-260-0030(6) that they build within the same property lot or parcel as the altered, restored, or replacement structure. A maximum of two incentives for accessory dwelling units can be applied for per application, unless the local jurisdiction permits fewer accessory dwelling units on a property, in which case the number of accessory dwelling units permitted per property is the maximum.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2021, chapter 669 (House Bill 5006)

Statutes/Other Implemented: Oregon Laws 2021, chapter 669 (House Bill 5006)