

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form..

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on [Upon Filing] by the
Date prior to or same as filing date

Department of Consumer and Business Services, Building Codes Division 918
Agency and Division Administrative Rules Chapter Number

Shauna M. Parker PO Box 14470 Salem, OR 97309 (503) 373-7438
Rules Coordinator Address Telephone

to become effective [Upon Filing] through [April 1, 2008].
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Interim amendments to the 2008 Oregon Residential Specialty Code regarding seismic and window sill safety.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

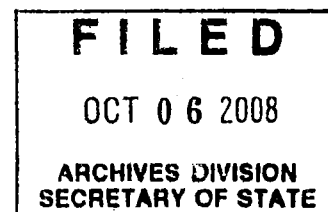
List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT:

AMEND: 918-480-0010

SUSPEND:



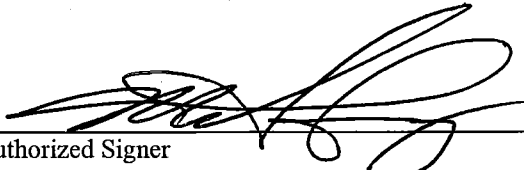
Stat. Auth.: ORS 455.020, 455.110, 455.525, & 455.610

Other Auth.:

Stats. Implemented: ORS 455.610

RULE SUMMARY

The proposed rule contains two interim amendments to the **2008 Oregon Residential Specialty Code (ORSC)**. The first interim amendment adds a new section R602.10.9, which establishes requirements for interior braced wall support in dwellings built under the ORSC located in Seismic Design Categories D1 and D2. The second interim amendment adds a new section R613.2, which establishes height and glazing requirements for window sills in dwelling units.

Authorized Signer  Mark Long 10/3/2008
Printed name Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. ARC 940-2005

BUD 24-2008 (TEMP)

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amending 918-480-0010

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Interim amendments to the 2008 Oregon Residential Specialty Code regarding seismic and window sill safety.

Statutory Authority: ORS 455.020, 455.110, 455.525, & 455.610

Other Authority:

Stats. Implemented: ORS 455.610

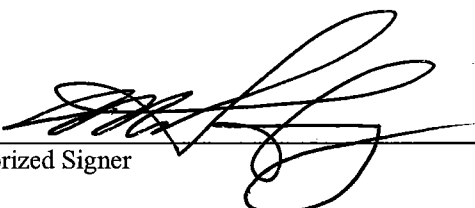
Need for the Temporary Rule(s):

The proposed rule contains two interim amendments to the **2008 Oregon Residential Specialty Code**. These interim amendments both address life and safety concerns regarding dwelling units that are not otherwise addressed by the current residential specialty code. The first interim amendment establishes new requirements for interior wall bracing in certain seismic areas, which should improve structural integrity of a dwelling during an earthquake. The second creates new height and glazing requirements for window sills in dwellings, which should help prevent young children from accidentally falling out of windows.

Documents Relied Upon, and where they are available: Residential Structures Board minutes from October 1, 2008; 2008 Oregon Residential Specialty Code; and temporary rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are available on the division's Web site: www.bcd.oregon.gov

Justification of Temporary Rule(s):

The interim amendments to the **2008 Oregon Residential Specialty Code** contained in this proposed rule address immediate life and safety concerns regarding dwelling units that are constructed in Oregon.


Authorized Signer

Mark Long
Printed name

10/3/2008
Date

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534)

FOR ADMINISTRATIVE RULES

AGENCY NAME: Department of Consumer and Business
Services, Building Codes Division

ADDRESS: 1535 Edgewater St. NW, PO Box 14470

CITY/STATE: Salem, Oregon

PHONE: (503) 373-7529

PERMANENT: ☐

HEARING DATE:

TEMPORARY: ☒

EFFECTIVE DATE: 10/01/08

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance) Amends 2008 Oregon Residential Specialty Code to include a requirement for window sill height and glazing, and a prohibition on use of alternate braced wall lines.

Description of the need for, and objectives of the rule: Both interim code amendments address life and safety concerns regarding dwelling units that are not otherwise addressed by the current residential specialty code. The prohibition on the use of alternate braced panels in interior braced wall lines should improve the structural integrity of a dwelling during an earthquake. The requirement on window sill height, as well as glazing, was proposed because experience with the 2008 residential code has demonstrated that the current code does not adequately address the life and safety concerns raised by the proposed R613.2, specifically reducing the risk that children will climb up and fall from a window sill.

List of rules adopted or amended: OAR 918-480-0010

Materials and labor costs increase or savings: The division cannot, at this time, determine whether the code amendment will result in either a cost increase or savings.

Estimated administrative construction or other costs increase or savings: This rule does not impose additional administrative requirements on small businesses, based on the limited information available to the division. An estimate of potential cost increases or savings cannot be determined at this time.

Land costs increase or savings: N/A

Other costs increase or savings: No other cost increases or savings are anticipated for detached single-family dwellings.

*Typical-Single story 3 bedrooms, 1 ½ bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME: Matthew Barber

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918-480-0010

Amendments to the Oregon Residential Specialty Code

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

(2) Effective April 1, 2008:

(a) The **2006 Edition of the Uniform Plumbing Code**, as published by the International Association of Plumbing and Mechanical Officials and amended by the division, is adopted to provide the plumbing provisions of the **Oregon Residential Specialty Code**; and

(b) The **2008 Edition of the NFPA 70, National Electrical Code** as amended by the division is adopted to provide the electrical provisions of the **Oregon Residential Specialty Code**. See OAR chapter 918, division 305 for Oregon amendments to **NFPA 70, National Electrical Code**.

(3) Effective April 1, 2007 Appendix N, Low-Rise Multiple-Family Dwelling Construction is moved from the **2005 Oregon Residential Specialty Code** to the **2007 Oregon Structural Specialty Code**.

(4) During the phase-in period established in OAR 918-480-0005(3), plans designed to the **2005 Oregon Residential Specialty Code** must use the plumbing and electrical provisions included in that 2005 code. Plans that are designed to the **2008 Oregon Residential Specialty Code** must use the plumbing and electrical provisions adopted in this rule.

(5) Effective October 1, 2008, the **2008 Oregon Residential Specialty Code** is amended as follows:

(a) Section R 109.1.4.1 is deleted and replaced with the following: The requirement in R318.2 that all moisture-sensitive wood framing members used in construction shall have a moisture content of not more than 19 percent of the weight of dry wood framing members is not subject to inspection by the authority having jurisdiction.

(b) Section R318.2 is amended to read: Moisture content. Prior to issuance of the insulation/vapor barrier approval required by R109.1.5.2 of this code:

(A) All moisture-sensitive wood framing members used in construction shall have a moisture content of not more than 19 percent of the weight of dry wood framing members.

(B) The general contractor or the owner who was issued the structural permit shall notify the building official, on a division-approved form, that the contractor or the owner who was issued the structural permit is aware of and has taken steps to meet the requirement in paragraph (A).

(6)(a) Effective upon adoption of this subsection, the **2008 Oregon Residential Specialty Code** is amended as follows:

(b) Section R602.10.9 is amended to read: R602.10.9 Interior braced wall support. In buildings located in Seismic Design Category D₁ and one-story buildings located in Seismic Design Category D₂, interior braced wall lines shall be supported on continuous foundations at intervals not exceeding 70 feet (21,336 mm). Braced wall panels located in interior braced wall lines at less than 70-foot (21,336 mm) intervals shall be supported by double floor joists or blocking between floor joists. Where floor joists are perpendicular to the braced wall line, blocking shall be provided for the length of braced panel and shall extend to the next available joist below for braced panels whose ends are not aligned with joists below. The length to width

ratio of the horizontal diaphragm supporting interior braced wall lines shall not exceed 4 to 1. Use of alternate braced panels in interior braced wall lines is not permitted.

(7) Effective upon adoption of this subsection, the **2008 Oregon Residential Specialty Code** is amended to include, as a new section:

(a) R613.2 Window sills. In dwelling units, where the opening of an operable window is located more than 72 inches (1829 mm) above the finished grade or surface below, the lowest part of the clear opening of the window shall be a minimum of 24 inches (610 mm) above the finished floor of the room in which the window is located. Glazing between the floor and 24 inches (610 mm) shall be fixed or have openings through which a 4-inch-diameter (102 mm) sphere cannot pass.

(b) Exceptions.

(A) Windows whose openings will not allow a 4-inch-diameter (102 mm) sphere to pass through the opening when the opening is in its largest opened position.

(B) Openings that are provided with window guards that comply with ASTM F 2006 or F 2090.

Stat. Auth.: ORS 455.020, 455.110, 455.525 & 455.610

Stats. Implemented: ORS 455.610

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