

City of Falls City  
City Council Regular Meeting Minutes  
August 9, 2018 6:00 PM  
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

**Council Present:** Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**Staff Present:** Mac Corthell, City Manager; JoHanna Birr, City Clerk; Rachel Inman, Assistant City Clerk; Don Poe, Public Works Supervisor.

Mayor Gordon called the meeting to order at 6:00 pm.

**A. Roll Call**

Clerk Birr took roll call.

**B. Pledge of Allegiance**

Mayor Gordon led the pledge.

**C. Motion to adopt the entire Agenda**

A motion was made by Councilor Meier and seconded by Councilor Lauder to adopt the entire agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**D. Consent Agenda**

A motion was made by Councilor D. Sickles and seconded by Councilor Lauder to adopt the consent agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**E. Public Comments**

Pat McConnell voiced her dismay in a clerical error and a misapplied payment on her utility and being escorted out of City Hall for over aggressive behavior aimed staff. Ms. McConnell relayed consequent communication with staff and a letter of correction sent to her both by fax and regular mail.

**F. New Business**

**A. Public Hearing ZC/CPMA 18-01 401 Lombard St.**

A motion was made by Councilor Lauder and seconded by Councilor Meier for Council to act as Planning Commission. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

Public Hearing opened at 6:14 pm.

Mayor Gordon read the public hearing script. Councilor L. Sickles recused herself. Renata Wakely of Council of Governments presented the staff report highlighting the criteria. 401 Lombard no longer serves a PAI use and would be better suited as CR. This would allow flow from Industrial to residential in the area. Letters of notification were sent to affected landowners 10 days prior. No written testimony has been submitted to date.

Staff found the zone change meets all criteria.

Donna Graham, Realtor with Windermere and applicant noted the zone change would be an asset to the city as PAI has very limited uses.

Gary Firestone of Salem and interested buyer agreed there is no demand for the current zone designation.

Elliot Firestone of Portland handed out a Board Memo from the State of Oregon Building Code Division on the subject of Tiny House Reach Code to Council for consideration. (Exhibit A)

Laura Britton of Falls City owns property near 401 Lombard St. and is not opposed to the suggested zoning of CR but does have concerns for her tenants at 280 Lombard. Another nearby neighbor is in violation of code and makes noise with machinery and such.

Public Hearing closed at 6:41pm.

A motion was made by Councilor Lauder and seconded by Councilor D. Sickles that the City Council of Falls City adopt the findings in the staff report and approve the requested Comprehensive Plan Map Amendment and Zone Change as recommended by staff. Motion carried 6-0-1. Ayes: Mayor Gordon, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles Abstain: Lori Jean Sickles

#### **B. Resolution 20-2018 adjust Appropriations for 2018-2019 Budget Cycle**

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of Falls City adopt resolution 20-2018, A RESOLUTION TO ADJUST APPROPRIATIONS FOR THE 2018-2019 ANNUAL BUDGET. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

Council took a 5-minute break at 7:42 and reconvened at 7:47.

#### **C. Resolution 21-2018 Citizen Notice of Code Services**

A letter was prepared according to Council Goals to advise residents of the operable Code Services Department at the city. The letter is seeking voluntary compliance in advance of using compliance mechanisms.

Steve Birr, Falls City Code Services Officer was introduced to Council. Mr. Birr addressed Council and gave a brief biography of his qualifications and insight Mr. Birr is a retired Lieutenant from City of Salem law enforcement and has 36 years of experience. He is also retired Coast Guard of 33 years. Mr. Birr holds every certificate offered by DPSST and an Executive Certificate. He has attended the FBI National Academy. Mr. Corthell feels the City can have a fruitful and positive Code program with Mr. Birr's level of experience, restraint and ability to diffuse situations.

The City may need to make adjustment to update the Municipal Code in the area of Nuisances. Mr. Birr pointed out that some portions are archaic or ridiculous such as not allowing pigs in town however, a person may own a black bear in town. Code Enforcement being complaint driven has few major draw backs such as citizens fearing repercussion. This makes it difficult to address violations. Salem is able to address a violation as they see them taking responsibility for complaints off of the citizens and onto the City.

Two properties are on the way to compliance. If not, they will be processed at the expense of the landowner. Councilor Lauder would like to have the clean town everyone wants to see. Street and City appeal are huge for property value. Mr. Birr asked for patience from Council, as the program gets underway. 15 days may not be enough for some folks, as their properties certainly did not get so bad in just 15 days.

A motion was made by Councilor Drill and seconded by Councilor Lauder that the City Council of Falls City adopt RESOLUTION ADOPTING AND ENDORSING A LETTER NOTIFYING THE COMMUNITY THAT THE CODE SERVICES

PROGRAM HAS BEGUN AND PROVIDING OPPORTUNITY TO VOLUNTARILY COMPLY WITH CITY CODE. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**D. Resolution 22-2018 HUDA Section 3 Plan**

This resolution is required as a condition of the wastewater grant for HUD monies exceeding \$200,000.00. Section 3 Plan encourages monies to be used to place bids with minority and underrepresented business owners.

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of the City of Falls City adopt resolution 29-2018, A RESOLUTION ADOPTING A PLAN TO COMPLY WITH SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 AS AMENDED. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**E. Resolution 23-2018 Limited English Proficiency Plan**

When a population reaches a 5% inability to read, write or speak English is triggered, postings must be in one other language. This is determined by the Federal Census. The policy must be in place but only triggered when it reaches 5%.

A motion was made by Councilor Lauder and seconded by Councilor D. Sickles adopt resolution 23-2018. A RESOLUTION ADOPTING A LIMITED ENGLISH PROFICIENCY LANGUAGE ACCESS PLAN. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**F. Work Session- Polk Community Development Corporation Revolving Fund Dissolution**

Rita Grady, founder of Polk CDC is soliciting Polk County and all participating cities therein, including Falls City, to transition their revolving loan fund money to a larger county wide "regional revolving loan fund." The purpose of this session is for the City Council to discuss this request and develop any questions that may aid in their final decision.

In the early 1980's Polk CDC, a non-governmental non-profit entity was created in part to pursue grant funds for each city that would be used to fund low-interest loans to low-income persons for housing needs. Polk CDC was very successful in its endeavor and built the fund up to \$2.1 million by 2002. In the late 1980's, Polk CDC expanded its services to offer grant management services and develop housing for low-moderate income families, seniors, veterans, persons with disabilities and persons with other special needs.

Today, the Falls City fund built by Polk CDC has reached approximately \$542k with \$92k currently in cash, and the remaining \$450k in loans.

Polk CDC has requested all participating cities in Polk County, and the County to transfer these funds into one pool of money that would make the fund eligible for substantially larger federal grant monies to not only increase its capacity to make low-interest housing loans, but to also expand the use of the fund for business development in oppressed areas.

At present, Independence, Dallas, and Polk County have pledged to transfer their (much larger) funds.

There is no guarantee currently that Falls City would receive a proportionate share, or any share, of the monies gotten through the larger fund. Notably, Polk CDC has never undertaken a low-income housing development in Falls City throughout it's more than 30 year history, but seems to have done so for each other city in Polk County.

After lengthy discussion, Council requested a list of their questions with responses from Rita Grady of the Polk CDC. Staff will organize the list for the next regular Council meeting.

**G. Correspondence, Comments and Ex-Officio Reports**

**A. Mayor's Report**

Mayor Gordon announced that a non-city community event went well and had many visitors from far and wide.

Councilor Drill thanked Public Works and the City for repairing the Dayton St. Foot Bridge.

**A. Manager's Report**

Mr. Corthell introduced Rachel Inman, the City's new Assistant City Clerk. Ms. Inman is a local resident who will assist with utilities and various projects. Ms. Inman is picking up her duties quickly. The City has been treading water since before May of this year. Now Ms. Birr can make time to work on compliance issues and other projects placed on the back burner. Mr. Birr has taken a large portion of work on.

**B. Council Announcements**

Councilor Drill thanked Don Poe and Public Works and the city for repairing Dayton St. Bridge.

D. Sickles said the zoning for the High School is incorrect and was changed in 2003-2005. The school wanted to put housing units on part of the property. This never happened. The Residential Zoning should be converted to Public Assembly Institutional or PAI.

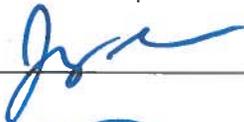
A motion was made by Councilor L. Sickles and seconded by Councilor Flynn to waive land use variance fees for FCHS's proposed scoreboard. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**Sheriff's Report**

None

**C. Adjourn**

The meeting adjourned at 8.23 pm.

  
\_\_\_\_\_ Mayor, Jeremy Gordon

Attested:

  
\_\_\_\_\_ City Clerk, JoHanna Birr

**State of Oregon**

**Board memo**

**Building Codes Division**

**July 11, 2018**

**To:** The Residential and Manufactured Structures Board

**From:** Richard Rogers, chief building official, Policy and Technical Services

**Subject:** Tiny House Reach Code

**Action requested:**

Provide input to the division. No motion or approval is required.

**Background:**

Under ORS 455.500, the division may adopt Reach Code standards. Reach Code standards are a voluntary set of standards and are not limited to energy issues. Working with the Department of Justice, the division has identified a customer choice path for builders of tiny house projects to use the Reach Code. The Reach Code is not part of the state specialty codes and does not require or mandate all of the processes for adoption as the codes adopted under the state building code system. The division is presenting these Reach Code concepts for the board to comment and make suggestions. These Reach Code provisions do not change or eliminate the building codes previously adopted by the division as required by HB 2737 (2017).

Under this concept a builder can chose to use either the two occupancy classification paths available through the Reach Code or build to the state building code. Since the Reach Code provides a choice to use the 2018 IRC model code in its entirety, the areas the division anticipates comments are on the policy issues identified in the Reach Code document. Those issues include the use of the new R5 classification, the role of the local building official and the builder responsibilities. Builders now have multiple choices to provide temporary, transitional and/or permanent housing using tiny house products. Local government must accept the standards built to the Reach Code, but retain the ability to determine land use, length of stay, temporary or permanent uses and how these types of structures will be used outside of established recreational vehicle, mobile home and transitional housing areas. The division anticipates adoption by September 1, 2018.

For the tiny house portion of the Oregon Reach Code (Part II) to remain in compliance with the statute the division must propose a higher energy requirement than the State Building Code. The division proposes requiring high-efficiency LED lighting to meet this requirement. The following information is presented for stakeholder and Board consideration before agency adoption. The division plans to have both Part I and Part II available to builders no later than Sept. 1, 2018.

This *2018 Oregon Reach Code* proposal updates the previous version and includes two significant changes:

- Recognizes the latest national energy code, the *2018 IECC (Part I)* Provides construction standards for tiny homes intended for use on wheels or foundation systems under the *2018 IRC* and Appendix Q. (*Part II*)

#### **2018 Oregon Reach Code:**

**Part I** - The *2018 International Energy Conservation Code (IECC)* is a contemporary code that advances energy efficiency through a timely evaluation and recognition of the latest advancements in construction techniques, emerging technologies and science related to the built environment. The *2018 IECC* is recognized by the U.S. Department of Energy as the most current national energy efficiency construction code. For commercial structures, the 2018 IECC represents an improvement over the 2014 OSSC/2014 OEESC. The 2017 ORSC Chapter 11 energy provisions are more stringent than the 2018 IECC residential chapters.

**Part II** - The *2018 International Residential Code (IRC)* including Appendix Q provides minimum standards for the construction of Tiny Homes, 400 square feet or less in floor area, not including loft areas.

## **Part 1 – 2018 IECC**

The Division, after consultation with the Building Code Structures Board, has adopted the *2018 International Energy Conservation Code* with the following Oregon modifications:

### **Commercial Provisions:**

#### **Chapter 1 [CE]**

Summary of Revisions:

Chapter 1 of the *2018 IECC* is deleted in its entirety and replaced with the following:

### **SECTION 101 GENERAL**

**101.1 Title.** Chapter 1 of these regulations shall be known as the Oregon Commercial Reach Code, hereinafter referred to as “this code.”

**101.2 Scope.** The provisions of this code shall apply to the design, construction, *addition, alteration*, replacement, *repair*, equipment, and site orientation, of every *building* or *structure* or any appurtenances connected or attached to such *buildings* or *structures* and to the site on which the *building* is located. Occupancy classifications shall be determined in accordance with the *Building Code*.

This code shall not apply to the following:

1. Where an owner or designer has not opted to build under this code.
2. Any Group R, residential occupancies constructed under the *Residential Code*.
3. Equipment or systems that are used primarily for industrial or manufacturing processes.

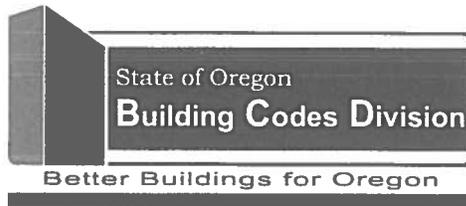
**101.2.1 Appendices.** Provisions in the appendices shall not apply.

**101.3 Intent.** This code shall be an optional set of construction standards and methods that are economically and technically feasible, to regulate the design and construction of buildings for the effective use of energy and the employment of renewable energy technologies. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve the effective use of energy, and to reduce the negative potential impacts of the built environment. This code is intended to be used as an alternate compliance method for Chapter 13 of the *Building Code*. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes and ordinances.

### **SECTION 102 APPLICABILITY**

**102.1 General.** This code is an overlay to the other Oregon Specialty Codes. This code is not intended to be used as a standalone construction regulation document or to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.

**102.1.1 Code conflicts.** Where there is a conflict between a general requirement and a specific requirement of this code, the specific requirement shall be applicable.



**2018 Oregon Reach Code**

(Ref.: ORS 455.500)

*The Oregon Reach Code is a statewide optional construction standard approved by the Building Codes Division in consultation with the appropriate advisory board. This code:*

- *Is separate from the state building code;*
- *Is administered at the local level;*
- *Requires building officials to recognize and accept the standard, method, installation, product, equipment or device if a person applies to construct, reconstruct, alter or repair a building in conformance with the Oregon Reach Code;*
- *Is applicable at the designer's and contractor's discretion; and*
- *Does not limit the authority of the building official to consider other proposed alternate methods, modifications, and/or waivers encompassing the same subject matter.*

**Background:**

Under Oregon Revised Statute (ORS) 455.500, the division, after consultation with the appropriate advisory board, may establish a "Reach Code." The Oregon Reach Code is an optional set of standards that all municipalities must accept. Local adoption is not needed as the Oregon Reach Code provides a choice for builders, consumers, contractors, and others to use. The choice customers have is either to build to the codes adopted as the "State Building Code" or the optional code known as the "Oregon Reach Code". When adopting this code, the Agency considers: economic and technical feasibility and any published codes that are newly developed for construction.

The Oregon Reach Code is not limited to energy provisions and may include other matters. The division proposes to break this code into two parts. Part I includes optional energy standards for commercial and residential buildings. Because the current codes adopted by the division exceed national standards that are technically and economically feasible for residential structures, a minimum modification is proposed for residential structures. For commercial structures, the Division proposes the 2018 International Energy Conservation Code (IECC) standard which are the highest national construction standards available. For Part II, the division believes the statute may help those builders and contractors wanting to build to the 2018 International Residential Code (IRC) and Appendix Q. Under the statute, the division is not required to achieve the same level of care as the State Building Code. The Oregon Reach Code is not applicable in areas of state administration. The division also believes the statute provides a framework to establish a new occupancy classification for the tiny house on wheels product. The specific provision in statute that is helpful is the exemption of product certification requirements under the electrical and plumbing statutes. Many wheeled-typed structures may use recreational vehicle-type products that are not typically allowed for permanent dwelling use. The Oregon Reach Code provides a solution for contractors wanting to incorporate these products.



Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most practical and effective requirement to meet the intent of the code shall govern.

**102.1.2 Innovative approaches.** It is intended that the provisions of this code provide flexibility to allow and encourage the use of innovative approaches, techniques and technology to achieve compliance with the intent of the code.

**102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.4 Reference codes and standards.** The provisions of Chapter 1 of the *Building Code* shall apply. The codes and standards referenced in this code and the *Building Code* shall be considered as part of the requirements of this code to the prescribed extent of such reference. It is the expressed intent of this code to require higher minimum standards relating to building energy performance than the corresponding minimum standards set by Chapter 13 of the *Building Code*, and in such cases, the higher minimum standards of this code shall take precedence.

**102.4.1 Conflicting provisions.** Where the extent of the reference to referenced code or standard includes subject matter that is within the scope of this code or the *Building Code*, the provisions of this code or the *Building Code* as applicable, shall take precedence over the provisions in the referenced code or standard.

**102.4.2 Residential occupancies.** The residential provisions of the *Reach Code* shall apply to the design and construction of *buildings* or portions thereof of detached one-and two-family dwellings and townhouses not more than three stories above grade in height with a separate means of egress.

**Exception:** Buildings permitted under the *Building Code* shall comply with the Commercial Reach Code provisions.

**102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

**102.6 Existing structures.** The legal occupancy of any *structure* existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *Building Code*, the *International Existing Building Code as adopted by Oregon*, or the *International Fire Code*, or as is deemed necessary by the *code official* for the general safety and welfare of *building* occupants and the public.

**102.7 Mixed occupancy buildings.** In mixed occupancy *buildings*, each portion of a *building* shall comply with the specific requirements of this code applicable to each specific occupancy.

## **Section 2 --- ADMINISTRATION AND ENFORCEMENT**

This code is administered and enforced under the provisions and authority of Chapter 1 of the *Building Code*.

## Chapter 2 [CE]

### Summary of Revisions:

Definitions in Chapter 2 of the 2018 IECC are modified in part to add or be replaced by the following definitions from Chapter 2 of the 2014 OSSC.

### Oregon Revisions:

**BUILDING CODE.** The Oregon Structural Specialty Code

**BUILDING OFFICIAL.** The officer charged with the administration and enforcement of this code, or a duly authorized representative

**CODE OFFICIAL.** See "Building Official"

**ELECTRICAL CODE.** The Oregon Electrical Specialty Code

**MECHANICAL CODE.** The Oregon Mechanical Specialty Code

**FIRE CODE.** As referenced in this code for construction, alteration and repair of buildings and structures is the Oregon Fire Code as adopted and amended by the State of Oregon Fire Marshal

~~**RESIDENTIAL BUILDING.** For this code, includes detached one- and two-family dwellings, and multiple single-family dwellings (townhouses) as well as Group R-2, R-3 and R-4 buildings three stories or less in height above grade plane.~~

**RESIDENTIAL BUILDING.** For this code, includes R-3 buildings regulated under the *Residential Code*: one- and two-family dwellings and townhomes.

**RESIDENTIAL CODE.** The Oregon Residential Specialty Code

**PLUMBING CODE.** The Oregon Plumbing Specialty Code

## Chapter 4 [CE]

### Summary of Revisions:

Delete Section C407. Total Building Performance in its entirety.

### Residential Provisions:

Residential buildings must meet Chapter 11 of the Oregon Residential Specialty Code with the following amendment:

**N1101.1 General.** The provisions of this chapter regulate the exterior envelope, as well as the design, construction and selection of heating, ventilating and air-conditioning systems, lighting and piping insulation required for the purpose of effective conservation of energy within a building or structure governed by this code.

All conditioned spaces within residential buildings shall comply with Table N1101.1(1) and ~~two~~three additional measures from Table N1101.1(2).

## Part II – Tiny Homes

The Reach Code provisions for Tiny Homes consists of the *2018 International Residential Code (IRC)*, including Appendix Q with the following Oregon modifications:

### Chapter 1

Summary of Revisions:

Chapter 1 of the *2018 IRC* is deleted in its entirety and replaced with Chapter 1 of the *2017 Oregon Residential Specialty Code* as amended by the following:

Replace Section R101 of the 2018 IRC with the following:

#### SECTION R101 GENERAL

**R101.1 Title.** Chapter 1 of these regulations shall be known as the *Oregon Reach Code Part II* and shall be cited as such and will be referred to herein as “this code.”

**R101.2 Scope.** The Oregon Reach Code Part II provisions shall apply to the construction, alteration, enlargement, replacement, repair, equipment, use and occupancy of the following:

1. *Tiny Homes* classified as a Group R-3 occupancy, one-family dwelling unit as defined in the *Oregon Residential Specialty Code (ORSC)* intended for permanent living.
2. *Tiny Homes* on wheels classified as a Group R-5 occupancy intended for temporary, emergency or recreational use.

This code shall not apply:

1. Where an owner or the owner’s authorized agent has not voluntarily opted to build under this code.
2. To any Group R residential occupancy constructed under the *ORSC* or the *Oregon Structural Specialty Code (OSSC)*.
3. Any structure over 400 square feet in *building area* as defined by the *OSSC*.

**R101.2.1 Appendices.** Provisions in Appendix Q of the *2018 IRC* are adopted as a part of this code, all other appendices shall not apply.

**R101.3 Intent.** This code shall be an optional set of construction standards and methods that are economically and technically feasible, to establish minimum standards for the design and construction of *Tiny Homes* incorporating effective use of energy while accommodating both temporary (wheeled) and permanent (dwelling) uses.

#### SECTION R102 APPLICABILITY

**R102.1 General.** The use of this code is at the discretion of the permit applicant and must be accepted by the local jurisdiction.

**R102.1.1 Code conflicts.** Where there is a conflict between a general requirement and a specific requirement of this code, the specific requirement shall be applicable. Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most practical and effective requirement to meet the intent of the code shall govern.

**R102.1.2 Innovative approaches.** It is intended that the provisions of this code provide flexibility to allow and encourage the use of innovative approaches, techniques and technology to achieve compliance with the intent of the code.

**R102.1.3 Separate compliance path.** The use of the Reach code constitutes a separate compliance path from the *ORSC* in that designs must comply with the 2018 Oregon Reach Code Part II in its entirety. Mixing of standards or cross-over applications with other codes is not allowed.

## **SECTION R104 DUTIES AND POWERS OF THE BUILDING OFFICIAL**

The building official may take any action, including but not limited to, waiving a Reach Code requirement, modifying a Reach Code requirement and/or accepting an alternate method to the Reach Code requirement for residential type structures 400 square feet or less. A building official may not fail to enforce a Reach Code provision that would create an imminent threat to public health or safety, and may not enforce requirements that are in addition to the Reach Code when built under the Reach code by the permit applicant.

**R104.10.2 (Modifications) Subsequent placement.** Modifications granted by the municipality of record shall not be binding upon a receiving municipality. The applicant must include any such modifications with the construction documents when applying to the receiving municipality for review.

## **SECTION R106 CONSTRUCTION DOCUMENTS**

**R106.2 Site plan or plot plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. The *building official* is authorized to waive or modify the requirements for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

**Exception:** Site plans for occupancy Group R-5 Tiny Home or Park Model type recreational structures are only required at the time of application for placement in a jurisdiction.

## **SECTION R107 TEMPORARY STRUCTURES AND USES**

**R107.3 Temporary power.** Temporary power for Tiny Homes intended to be permanent installations see the electrical code. Tiny Homes intended for temporary use, temporary “Recreation Vehicle” type electrical connections (cord and plug) complying with Article 551 of the *Electrical Code* are permissible.

**R107.3.1 Temporary plumbing connections.** Tiny Homes intended for temporary use may utilize plumbing systems, fixtures, methods and materials listed for Recreational Vehicle use.

## **SECTION R119 TINY HOME OCCUPANCY CLASSIFICATION**

**R119.1 Occupancy classification.** Occupancy classifications shall be determined by the *building official* as requested by the applicant in accordance with Section R119.1.1 or R119.1.2. and may be converted in accordance with Section R110.2.

**R119.1.1 Group R-3 permanent one-family dwelling.** Permit applicants seeking Group R-3 occupancy classification under the current Reach Code must include in their permit application submittal to the local jurisdiction adequate information demonstrating how the structure meets minimum Reach code standards including how it will be permanently anchored to the ground to meet minimum standards for resisting seismic and wind forces such as, construction details, calculations and other information necessary.

Where the frame of the chassis is a structural component of the floor system, the applicant must include adequate information demonstrating that the minimum floor loads are met and that the frame is capable of providing the necessary support to carry the load of the structure including connections. No temporary type cord and hose connections as allowed in R107.3 and R107.3.1 are allowed for a Group R-3 occupancy under the Reach Code.

**R119.1.2 Group R-5 wheeled residential & recreational structure 400 sq. ft. or less (May be referred to as a Park Model, Tiny Home or Tiny Home on Wheels).** Permit applicants seeking Group R-5 occupancy classification must include in their permit application submittal to the local jurisdiction adequate information demonstrating how the structure meets minimum code standards.

Where the frame of the chassis is a structural component of the floor system, the building official is not required to review this equipment for approval as a R-5.

R-5 structures are recreational-type structures on wheels approved by the local building official under the Reach Code (2018 IRC with Appendix Q). An R-5 structure must be built on a chassis with cord and hose utility connections in accordance with R107.3 and R107.3.2. An R-5 is limited to: temporary living quarters for seasonal or emergency use. The duration of stay may be determined by local ordinance or local administrative rule.

**Exception:** R-5 structures located in approved recreational vehicle, manufactured housing, or transitional housing parks may not be subject to limitation on use and period of stay. See ORS 197.493

**R119.2 Occupancy classification conversion.** Group R-5 wheeled residential structures constructed in accordance with this code may be converted to a Group R-3 permanent one-family dwelling provided that upon application to the local jurisdiction for change of occupancy, the applicant provides adequate information demonstrating how the structure will meet minimum standards for connection of electrical and plumbing systems and be permanently anchored to the ground to meet minimum standards for resisting seismic and wind forces such as, construction details, design drawings, calculations and other information necessary, including how the chassis and floor system is anchored to the proposed foundation system, and any products or equipment that may not meet minimum safety standards of the 2018 IRC including Appendix Q.

**R119.2.1 Applicant responsibility.** Applicants must keep all permit, inspection, Certificate of Occupancy and Certificate of Completion records for the life of the structure. Such records shall be presented to the building official upon request. The applicant must meet all Construction Contractor's Board, Building Codes Division and local licensing requirements.

**R119.2.2 Building Official Right of Refusal.** A building official may refuse to accept a request for occupancy classification, conversion, alteration or installation where permit, inspection, certificate of occupancy and certificate of completion records and/or other

documentation fail to clearly demonstrate that all applicable laws have been followed.

## SECTION R120 CERTIFICATE OF COMPLETION

**R120.1 Certificate of completion issued.** Where tiny homes are constructed off-site, the applicant may request a "Certificate of Completion." After the building official inspects the tiny home and does not find violations of the provisions of this code, the building official shall, at the applicants request, issue a certificate of completion containing the following:

1. The building permit number.
2. The name and address of the owner or the owner's authorized agent.
3. A description of that portion of the structure for which the certificate is issued.
4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
5. The name of the building official.
6. The edition of the Reach Code under which the permit was issued.
7. If an automatic sprinkler system is provided and whether the sprinkler system is required
8. Any special stipulations and conditions of the building permit.

**R120.2 Revocation.** The building official is authorized to, in writing, suspend or revoke a certificate of completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the tiny home or portion thereof is in violation of any of the provisions of this code.

### Chapter 11

Summary of Revisions:

Structures built under Part II of the Reach code as an R-3 or R-5 occupancy must meet the provisions of Chapter 11 of the ORSC with the modifications of sections N1107.2 and N1107.3 provided herein.

Chapter 11 of the *2018 IRC* is deleted in its entirety and replaced with Chapter 11 of the *2017 Oregon Residential Specialty Code* as amended by the following:

**N1107.2 High-efficacy lamps.** All permanently installed lighting fixtures shall contain high-efficacy LED lamps. ~~Screw-in compact fluorescent and LED lamps comply with this requirement.~~ The building official shall be notified in writing at the final inspection that the permanently installed lighting fixtures have met this requirement.

~~**Exception:** Two permanently installed lighting fixtures are not required to have high-efficacy lamps.~~

**N1107.3 High-efficacy exterior lighting.** All exterior lighting fixtures affixed to the exterior of the building shall contain high-efficacy LED lamps.

~~**Exception:** Two permanently installed lighting fixtures are not required to have high-efficacy lamps.~~