



**Oregon**

Tina Kotek, Governor



Department of Consumer  
and Business Services

Aug. 31, 2023

**To: Interested parties**  
**From: Ian Paik, policy analyst, policy and technical services**  
**Subject: City of Durham proposed fee adoption**

The State of Oregon Building Codes Division (division) has received the enclosed notice of intent to adopt building inspection program fees from the City of Durham. Pursuant to Oregon Administrative Rule 918-020-0220, municipalities seeking to adopt fees are required to provide all the following summary information 45 days prior to the proposed adoptive date.

- A. The affected specialty code or program areas.
- B. A description of the proposed building inspection program fees including the approximate percentage change when applicable.
- C. The proposed effective date.
- D. The date of the last fee increase in the specialty code or program area if applicable.
- E. The anticipated date, time and location of the local municipal hearing scheduled pursuant to Oregon Revised Statute (ORS) 294.160.
- F. The name, phone number and title of a contact person.
- G. A narrative explaining the purpose of the proposed fee adoption.

The division is required to notify interested parties after receiving a notice of intent to adopt building inspection program fees from a municipality. Enclosed is the information provided to the division pursuant to the above administrative rule requirements.

If you have concerns about this proposed fee change, you may contact the municipality directly, or attend the local municipal hearing on:

**Hearing Date(s) and Time(s):** Oct. 24, 2023 at 7:30 p.m.  
**Address:** 17160 SW Upper Boones Ferry Rd. Durham, OR 97224  
**Contact information:** Linda Tate  
503-639-6851  
[cityofdurham@comcast.net](mailto:cityofdurham@comcast.net)

If you still have unresolved concerns, you may, pursuant to ORS 455.210(3) and 479.845, appeal this fee adoption by sending a written request to the division within 30 days of the municipality's fee adoption date.

cc: City of Durham



# City of Durham

17160 SW Upper Boones Ferry Rd.  
Durham, Oregon 97224

**Linda Tate - City Administrator**

Website: [www.durham-oregon.us](http://www.durham-oregon.us)

e-mail: [cityofdurham@comcast.net](mailto:cityofdurham@comcast.net)  
503.639.6851 Fax 503.598.8595

**Becky Morinishi - Administrative Assistant**

September 1, 2023

State of Oregon Building Codes Division  
PO Box 14470  
Salem, OR 97309-0404

RE: Proposed Adoption of Building Permit Fee Increase

To Whom It May Concern:

Please accept this as notification that in accordance with Oregon Administrative Rule 918-020-0220, the City of Durham is notifying the Building Codes Division of a proposed adoption of fees. The purpose of the fee increase is to comply with our Intergovernmental Agreement with the City of Tualatin to provide building plan check and inspection services. Our IGA requires that Durham charge not less than those fees charged by the City of Tualatin for building services. The City of Tualatin has provided notice of its intent to increase fees, so Durham needs to adjust its fees within sixty days. Tualatin increased its fees to enable them to offset the inflationary increase in its building program costs and allow stable funding needed to maintain staffing required to enforce their program. Current revenue was not sufficiently supporting the building department. In addition, the proposed fee schedule change will modernize the currently adopted fee schedule to better align cost recovery and long-term financial goals to keep pace with rising costs.

- The last fee increase occurred in 2005.
- The fee schedule change will affect the following specialty code programs: Structural, Mechanical, and Plumbing.
- The average increases for specialty code programs with increases and newly implemented fees are: Structural program increase 32%, Mechanical program increase 38% and Plumbing program increase 98%.
- Included in the proposal are the following:
  - An increase in structural plan review fee from 65% to 70% of the building permit fee.
  - A 5% yearly fee indexing beginning July 2024 and running until July 2028.
  - A 3% technology fee.
  - A 3% electronic transaction fee.
  - A pre-submittal fee of \$100.00.
  - A building re-evaluation fee of a minimum of 2 hours of plan review time.
  - A permit extension fee of \$100.00.
  - A change of contractor fee of \$100.00
  - The establishment of a revised fee schedule for solar and wind in alignment with State of Oregon OAR 918-050-0180 fee methodology amendments.
  - An increase in the temporary certificate of occupancy fee from \$100.00/30 days to \$300.00/30 days.

- An increase in inspections outside of normal business hours from \$60.00/hour to \$100.00/hour.
  - An increase in re-inspection fees from \$60.00/hour to \$100.00/hour.
  - An increase in inspections for which no fee is specifically indicated from \$60.00/hour to \$100.00/hour.
  - Additional plan review service increase from \$60.00/hour to \$100.00/hour with a minimum of 1 hour of time assessed.
  - An increase in the minimum phased plan review fee from \$300.00 to \$360.00.
  - An increase in the minimum deferred submittal fee from \$300.00 to \$360.00.
  - An increase in the stand-alone residential permitting fees doubling the current fees.
  - The addition of a manufactured dwelling placement permit to the fee schedule.
- The new fee increase will become effective on November 1, 2023.
  - Attached is the proposed fee schedule change compared to the City's current, adopted fee schedules.

A public hearing will be held at 7:30 p.m. on October 24, 2023 at the regularly scheduled City Council meeting. This notice is provided pursuant to the notification requirements of OAR 918-020-0220 and ORS 455.210.

If you or any other interested parties have questions regarding the proposed fee schedule change, please contact our office at 503-639-6851 or by email to [cityofdurham@comcast.net](mailto:cityofdurham@comcast.net)

Sincerely,



Linda Tate  
City Administrator  
City of Durham



**Proposed Fee Schedule  
CITY OF DURHAM**

**ONE & TWO FAMILY DWELLINGS, MANUFACTURED HOMES, MULTI-FAMILY, COMMERCIAL,  
AND INDUSTRIAL**

**STRUCTURAL PERMIT FEE SCHEDULE**

**FOR NEW BUILDINGS & ADDITIONS / ALTERATIONS / REMODELS**

(See below for determining valuation.)

\$0.00 to \$2,000.00 valuation.....	\$110.00	<del>56.00</del>
\$2,001.00 to \$25,000.00 valuation.....	\$110.00	<del>56.00</del> for the first \$2,000.00 and \$7.00 for each additional \$1,000.00 or fraction thereof.
\$25,000.01 to \$50,000.00 valuation.....	\$271.00	<del>\$216.00</del> for the first \$25,000.00 and \$8.20 <del>\$6.00</del> for each additional \$1,000.00 or fraction thereof.
\$50,001.00 to \$100,000.00 valuation.....	\$476.00	<del>\$375.00</del> for the first \$50,000.00 and \$5.30 <del>\$4.00</del> for each additional \$1,000.00 or fraction thereof.
\$100,001.00 and over valuation.....	\$741.00	<del>\$587.00</del> for the first \$100,000.00 and \$3.75 <del>\$3.00</del> for each additional \$1,000.00 or fraction thereof.

Structural Plan Review Fee..... 70 ~~65~~ percent of building permit fee

Fire and Life Safety Plan Review Fee.....45 percent of building permit fee (on multi-family, commercial & industrial only)

State Surcharge.....12 percent of building permit fee or inspection fee

Technology Fee.....3 percent of building permit fee

Pre-Submittal Fee.....\$100.00

Building Re-evaluation Fee.....Hourly basis, minimum 2 hours

Permit Extension Fee.....\$100.00

Change of Contractor Fee.....\$100.00

Temporary Certificates of Occupancy.....\$300.00/30 days ~~\$100.00/30 days~~

Solar Structural Installation Permits per OAR 918-050-180:

Prescriptive path (as described in the Oregon Solar Installation Specialty Code, Flat fee that includes plan review):  
All other installations are considered non-prescriptive and shall be based on the valuation of the structural elements for the solar elements for the solar panels, including racking, mounting elements, rails, and the cost of labor to install. The cost of the solar electrical equipment, including collector panels, and inverters shall be excluded from the permit valuation. The valuation shall be applied to the structural permit fee schedule. The standard plan review fee will be added to the permit.

Prescriptive Path – Flat Fee.....\$180.00 ~~\$150.00~~

Non-Prescriptive Path.....\$ Use structural permit fee schedule



**Other Inspections and Fees:**

1. Inspections outside of normal business hours (minimum charge – one hour).....\$100.00 ~~\$60.00~~ per hour\*
2. Re-inspection fees assessed under provisions of OAR Section 309.1.....\$100.00 ~~\$60.00~~
3. Inspection for which no fee is specifically indicated (min. charge – one hour).....\$100.00 ~~\$60.00~~ per hour\*
4. Additional plan review required by changes, additions, or revisions to proposed or approved plans (minimum charge – one hour ~~½-hour~~).....\$100.00 ~~\$60.00~~ per hour\*

\*Or total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved. State Surcharge applies.

Phased Projects: There shall be a minimum plan review phasing fee of \$360.00 ~~\$300.00~~ for each separate phased portion of the project. In addition, a plan review phasing fee shall be charged in an amount equal to ten percent of the total project building permit fee calculated in accordance with OAR 9198-050-100 through 110 not to exceed an additional \$1,500.00 for each phase.

Deferred Submittals: The plan review fee for processing deferred plan submittals shall be an amount equal to 65 percent of the building permit fee calculated in accordance with OAR 918-050-110 (2) and (3) using the value of the particular deferred portion of the project with a minimum fee of \$360.00 ~~\$300.00~~. This fee is in addition to the project plan review fee based on total project value.

**Building Permit Fee Schedule for Stand-Alone Residential Fire Sprinkler Systems**

Square footage of Dwelling (including garage)	Permit/Plans Review Fee
0 – 2,000 square feet.....	\$240.00 <del>\$120.00</del>
2,001 – 3,600 square feet.....	\$300.00 <del>\$150.00</del>
3,601 – 7,200 square feet.....	\$420.00 <del>\$210.00</del>
Greater than 7,200 square feet.....	\$540.00 <del>\$270.00</del>

Permit Valuation Methodology: The Permit Valuation methodology is mandated by the State of Oregon in OAR 918-050- 0100. A structural permit fee for new construction and additions shall be calculated using the currently adopted ICC Building Valuation Data Table, using the occupancy and construction type as determined by the building official, multiplied by the square footage of the structure. The square footage of a building, addition, or garage shall be determined from outside exterior wall to outside exterior wall for each level. The valuation used will be the greater of either the above calculated value or the value as stated by the applicant. A structural permit fee for alterations or repair shall be based on the fair market value of the permitted work as determined by the building official and defined below.

Fair Market Value: The Fair market Value to be used in computing the permit fee for alterations and repair shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and other permanent work or equipment, and contractor’s profit.

**Building Permit Fee Schedule for Manufactured Dwellings**

Manufactured Dwelling Placement.....	\$400.00
State Administrative (Cabana) Fee.....	\$30.00

Manufactured Dwelling Placement – Includes the concrete slab, runners or foundations that are prescriptive, electrical feeder and plumbing connections and all cross-over connections and up to 30 lineal feet of site utilities. Decks, other accessory structures, and foundations that are not prescriptive, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, and new plumbing – may require separate permits. All

decks 30" above ground, carports, garages, porches, and patios are based on valuation and may also require separate permits.

ORS 446.176(1) and OAR 918-5000105 require all local governments providing construction permits or inspections for manufactured dwelling and cabana installations to collect and remit to the Department of Consumer and Business Services a \$30 fee for each installation permit issued. This fee is to be added to manufactured dwelling and cabana installation permits only and should not be added to accessory structures or building, electrical, plumbing, mechanical permits or plan reviews.

Structural, mechanical, and plumbing designated permit fees will be automatically adjusted annually by 5% each July 1<sup>st</sup> through 2028 based on the Engineering News – Record Construction Cost Index (20-city average) published April 1. Valuations will be calculated in accordance with OAR 918-050-010, with calculated amounts is rounded to the nearest whole dollar.

**Proposed Fee Schedule**

**CITY OF DURHAM**

**ONE & TWO FAMILY DWELLINGS**

**MECHANICAL FEE SCHEDULE**

**FOR NEW & ADDITIONS / ALTERATIONS / REMODELS**

**Heating/Cooling:**

Furnace.....	\$25.00	<del>\$15.00</del>
Air Conditioning .....	\$25.00	<del>\$15.00</del>
Gas Heat Pump .....	\$25.00	<del>\$15.00</del>
Duct Work .....	\$25.00	<del>\$15.00</del>
Hydronic Hot Water System .....	\$25.00	<del>\$15.00</del>
Residential Boiler (radiator or hydronic) .....	\$25.00	<del>\$15.00</del>
Unit Heaters (fuel-type, not electric), in-wall, in-duct, suspended .....	\$25.00	<del>\$15.00</del>
Flue/Vent for any of the above .....	\$25.00	<del>\$15.00</del>

**Other Fuel Appliances:**

Water Heater .....	\$25.00	<del>\$15.00</del>
Gas Fireplace .....	\$50.00	<del>\$15.00</del>
Flue Vent for Water Heater of Gas Fireplace .....	\$25.00	<del>\$15.00</del>
Log Lighter (gas) .....	\$25.00	<del>\$15.00</del>
Wood / Pellet Stove.....	\$25.00	<del>\$15.00</del>
Chimney/Liner/Flue/Vent .....	\$25.00	<del>\$15.00</del>

**Environmental Exhaust and Ventilation:**

Range Hood/Other Kitchen Equipment .....	\$25.00	<del>\$15.00</del>
Clothes Dryer Exhaust .....	\$25.00	<del>\$15.00</del>
Single-Duct Exhaust (bathrooms, toilet compartments, utility rooms) .....	\$25.00	<del>\$15.00</del>
Attic/Crawlspace fans .....	\$25.00	<del>\$15.00</del>

**Radon Ventilation.....** \$50.00

**Fuel Piping:**

For First Four <b>Outlets</b> .....	\$25.00	<del>\$15.00</del>
For Each Additional <b>Outlets</b> .....	\$15.00	<del>\$7.50</del>
Minimum Permit Fee .....	\$110.00	<del>\$60.00</del>



State Surcharge ..... 12 percent of mechanical permit fee or inspection fee (see below)

Technology Fee ..... 3 percent of mechanical permit fee

Permit Extension Fee.....\$100.00

Change of Contractor Fee.....\$100.00

**Other Inspections and Fees:**

- 1. Inspections outside of normal business hours (minimum charge – one hour).....\$75.00 ~~\$60.00~~ per hour\*
- 2. Reinspection fees assessed under provisions of OAR Section 309.1.....\$75.00 ~~\$60.00~~
- 3. Inspection for which no fee is specifically indicated (min. charge – one hour).....\$75.00 ~~\$60.00~~ per hour\*
- 4. Additional plan review required by changes, additions, or revisions to  
Proposed or approved plans ( minimum charge – one hour).....\$75.00 ~~\$60.00~~ per hour\*

\*Or total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved. State surcharge applies.

**Proposed Fee Schedule**  
**CITY OF DURHAM**  
**MULTI-FAMILY, COMMERCIAL, AND INDUSTRIAL**  
**MECHANICAL FEE SCHEDULE**

**FOR NEW & ADDITIONS / ALTERATIONS / REMODELS**

(See Mechanical Valuation Table to determine valuation.)

\$0.00 to \$500.00 valuation.....	\$110.00 <del>\$60.00</del>
\$501.00 to \$2,000.00 valuation.....	\$110.00 <del>\$45.00</del> for the first \$500.00 and \$4.00 <del>\$7.00</del> for each additional \$100.00 or fraction thereof.
\$2,000.01 to \$25,000.00 valuation.....	\$170.00 <del>\$148.00</del> for the first \$2,000.00 and \$31.00 <del>\$27.00</del> for each additional \$1,000.00 or fraction thereof.
\$25,001.00 to \$50,000.00 valuation.....	\$883.00 <del>\$773.00</del> for the first \$25,000.00 and \$24.00 <del>\$20.00</del> for each additional \$1,000.00 or fraction thereof.
\$50,001.00 to \$100,000.00 valuation.....	\$1,483.00 <del>\$1,283.00</del> for the first \$50,000.00 and \$15.50 <del>\$14.00</del> for each additional \$1,000.00 or fraction thereof.
\$100,001.00 and over valuation.....	\$2,258.00 <del>\$1,963.00</del> for the first \$100,000.00 and \$13.90 <del>\$11.00</del> for each additional \$1,000.00 or fraction thereof.
Minimum Permit Fee .....	\$110.00 <del>\$60.00</del>
Plan Review Fee .....	70 <del>65</del> percent of the mechanical permit fee
Fire and Life Safety Plan Review Fee .....	45 percent of the mechanical permit fee
State Surcharge .....	12 percent of the mechanical permit fee or inspection fees (see below)
Technology Fee .....	3 percent of the mechanical permit fee
Permit Extension Fee.....	\$100.00
Change of Contractor Fee.....	\$100.00
Radon Mitigation.....	\$100.00

**Other Inspections and Fees:**

5. Inspections outside of normal business hours (minimum charge – one hour).....\$100.00 ~~\$60.00~~ per hour\*
6. Reinspection fees.....\$100.00 ~~\$60.00~~ \*
7. Inspection for which no fee is specifically indicated (min. charge – one hour).....\$100.00 ~~\$60.00~~ per hour\*
8. Additional plan review required by changes, additions, or revisions to  
Proposed or approved plans (minimum charge – one hour ~~1/2 hour~~).....\$100.00 ~~\$60.00~~ per hour\*

\*Or total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved. State surcharge applies.

Structural, mechanical, and plumbing designated permit fees will be automatically adjusted annually by 5% each July 1<sup>st</sup> through July 2028 based on the Engineering News – Record Construction Cost Index (20-city average) published April 1. Valuations will be calculated in accordance with OAR 918-050-010, with calculated amounts is rounded to the nearest whole dollar.



**Proposed Fee Schedule**

**CITY OF DURHAM**

**ONE & TWO FAMILY DWELLINGS, MULTI-FAMILY, COMMERCIAL, AND INDUSTRIAL**

**PLUMBING FEE SCHEDULE**

**FOR NEW & ADDITIONS / ALTERATIONS / REMODELS**

**New 1 & 2 Family Dwellings (include 100' for each utility connection):**

SFR (1) Bath .....	\$310.00	<del>240.00</del>
SFR (2) Bath .....	\$390.00	<del>300.00</del>
SFR (3) Bath .....	\$480.00	<del>375.00</del>
Each Additional Bath/Kitchen .....	\$160.00	<del>125.00</del>
Re-pipe SFR.....	\$160.00	

**Site Utilities:**

Catch Basin or Area Drain .....	\$25.00	<del>15.00</del>
Drywell, Leach Line, or Trench Drain .....	\$50.00	<del>15.00</del>
Footing Drain (Each) .....	\$25.00	<del>15.00</del>
Manufactured Home Utilities .....	\$75.00	<del>60.00</del>
Manholes .....	\$25.00	<del>15.00</del>
Rain Drain Connector .....	\$25.00	<del>15.00</del>
Sanitary Sewer (first 100' or fraction thereof) .....	\$75.00	<del>60.00</del>
Sanitary Sewer (additional 100' or fraction thereof) .....	\$60.00	<del>45.00</del>
Storm Sewer (first 100' or fraction thereof) .....	\$75.00	<del>60.00</del>
Storm Sewer (additional 100' or fraction thereof) .....	\$60.00	<del>45.00</del>
Water Service (first 100' or fraction thereof) .....	\$75.00	<del>60.00</del>
Water Service (additional 100' or fraction thereof) .....	\$60.00	<del>45.00</del>

**Fixture or item:**

Absorption Valve .....	\$25.00	<del>15.00</del>
Backflow Preventer .....	\$50.00	<del>15.00</del>
Backwater Valve .....	\$25.00	<del>15.00</del>
Clothes Washer .....	\$25.00	<del>15.00</del>
Dishwasher .....	\$25.00	<del>15.00</del>
Drinking Fountain .....	\$25.00	<del>15.00</del>
Ejectors/Sump .....	\$50.00	<del>15.00</del>

Expansion Tank.....	\$25.00	<del>15.00</del>
Fixture/Sewer Cap .....	\$25.00	<del>15.00</del>
Floor Drain/Floor Sink/Hub Drain .....	\$25.00	<del>15.00</del>
Garbage Disposal .....	\$25.00	<del>15.00</del>
Hose Bib .....	\$25.00	<del>15.00</del>
Ice Maker .....	\$25.00	<del>15.00</del>
Interceptor/Grease Trap .....	\$150.00	<del>15.00</del>
Primer .....	\$25.00	<del>15.00</del>
Roof Drain (commercial) .....	\$25.00	<del>15.00</del>
Sink/Basin/Lavatory .....	\$25.00	<del>15.00</del>
Tub/Shower/Shower Pan .....	\$25.00	<del>15.00</del>
Urinal .....	\$25.00	<del>15.00</del>
Water Closet .....	\$25.00	<del>15.00</del>
Water Heater .....	\$25.00	<del>15.00</del>
Minimum Permit Fee .....	\$120.00	<del>60.00</del>
Plan Review Fee .....	45 <del>25</del> percent of the plumbing permit fee	
State Surcharge .....	12 percent of the plumbing permit fee or inspection fee (see below)	
Technology Fee .....	3 percent of the plumbing permit fee	
Permit Extension Fee.....	\$100.00	
Change of Contractor Fee.....	\$100.00	

**Other Inspections and Fees:**

1. Inspections outside of normal business hours (min. charge – one hour).....\$100.00 ~~60.00~~ per hour\*
2. Re-inspection fees assessed under provisions of OAR Section 309.1.....\$100.00 ~~60.00~~
3. Inspection for which no fee is specifically indicated (min. charge – one hour).....\$100.00 ~~60.00~~ per hour\*
4. Additional plan review required by changes, additions, or revisions to proposed or approved plans (min. charge – one hour ~~½ hour~~).....\$100.00 ~~60.00~~ per hour\*

\*Or total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved. State surcharge applies.

**Current Fee Schedule**  
**CITY OF DURHAM**  
**COMMERCIAL AND INDUSTRIAL**

**MEDICAL GAS PERMIT FEE SCHEDULE**

Formula.....Value / 1000 x 6.9 + 37.45 = Permit Fee

Minimum Fee.....\$105.00

Plan Review.....65 percent of the medical gas permit fee

Fire and Life Safety Review.....40 percent of the medical gas permit fee

State Surcharge.....12 percent of the medical gas permit fee

Structural, mechanical, and plumbing designated permit fees will be automatically adjusted annually by 5% each July 1<sup>st</sup> through July 2028 based on the Engineering News – Record Construction Cost Index (20-city average) published April 1. Valuations will be calculated in accordance with OAR 918-050-010, with calculated amounts is rounded to the nearest whole dollar.





Department of Consumer  
and Business Services

## Notice of Rulemaking Hearing

Filed on Aug. 4, 2022

### Statewide methodology for solar structural installation permits rule reference update

#### Opportunity for public input

A rulemaking hearing is scheduled to receive public testimony regarding amending OAR 918-050-0180, statewide methodology for solar structural installation permits.

**Hearing date:** Sept. 20, 2022

**Time:** 9:30 a.m.

**Location:** This will be a hybrid meeting, open to the public both in-person and virtually.

#### In-person hearing

BCD Conference Room A  
1535 Edgewater St. NW  
Salem, Oregon 97304

#### Virtual connection and live online streaming

This hearing will be hosted virtually through Zoom and live-streamed online at [Oregon.gov/bcd/Pages/bcd-video.aspx](https://Oregon.gov/bcd/Pages/bcd-video.aspx).

The Zoom connection information will be posted on that web page the day of the hearing.

**Comments and testimony:** The division accepts written and oral testimony from the public.

Written comments/testimony may be submitted by email to [RulesCoordinator.bcd@dcbs.oregon.gov](mailto:RulesCoordinator.bcd@dcbs.oregon.gov), or to the mailing address below no later than **Friday, Sept. 23, 2022 at 5 p.m.**

If you wish to provide oral comments/testimony at the hearing you may do so in person or virtually. Email [RulesCoordinator.bcd@dcbs.oregon.gov](mailto:RulesCoordinator.bcd@dcbs.oregon.gov) to sign up in advance. Please include your name, email address, and organization, and whether you will be attending in-person or virtually.

#### Purpose of the rules

The rule provides statewide methodology for solar structural installation permits. The amendments are needed to align the rule with the current and upcoming Oregon Structural Specialty Code (OSSC).

#### Citation

Amends: OAR 918-050-0180

The anticipated effective date is Oct. 1, 2022.

#### History

The Oregon Solar Installation Specialty Code (OSISC) was integrated into the Oregon Structural Specialty Code (OSSC) in 2015 and is no longer a published code. This rule and the OSSC address statewide methodology for solar structural installation permits and the rule language needs to be updated to align with current code language and references. The Building Codes Structures Board served as a Rulemaking Advisory Committee and met on Aug. 3, 2022 to discuss these proposed amendments. The board reviewed the draft amendments and approved them for rulemaking.

#### Contact

If you have questions or need further information, contact Tony Rocco, Structural Program Chief at, 503-910-1678 or at [Anthony.J.Rocco@dcbs.oregon.gov](mailto:Anthony.J.Rocco@dcbs.oregon.gov).



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**

08/04/2022 9:43 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Provides statewide methodology for solar structural installation permits.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/23/2022 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: Andy Boulton  
971-375-7027  
rulescoordinator.bcd@dcbs.oregon.gov

1535 Edgewater Street NW  
Salem, OR 97304

Filed By:  
Andrew Boulton  
Rules Coordinator

HEARING(S)

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

DATE: 09/20/2022

TIME: 9:30 AM - 10:00 AM

OFFICER: Staff

ADDRESS: Building Codes Division Conference Room A  
1535 Edgewater Street NW  
Salem, OR 97304

SPECIAL INSTRUCTIONS:

This will be a hybrid meeting, open to the public both in-person and virtually. The hearing will also be live-streamed at <https://www.oregon.gov/bcd/Pages/bcd-video.aspx>, where the virtual connection information will be posted on the day of the hearing.

NEED FOR THE RULE(S)

The amendments to OAR 918-050-0180, Statewide Methodology for Solar Structural Installation Permits, are needed to align the rule with the current and upcoming Oregon Structural Specialty Code (OSSC).

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>.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

There is no anticipated impact on racial equity in Oregon, but the agency welcomes input about any potential impacts. There will be additional opportunity for public comment at the rulemaking hearing on September 20, 2022.

FISCAL AND ECONOMIC IMPACT:



Effective April 1, 2015, the Oregon Solar Installation Specialty Code (OSISC) was integrated into the Oregon Structural Specialty Code (OSSC) as an Oregon amendment and has been adopted as part of the OSSC in every edition thereafter.

The Statewide Methodology for Solar Structural Installation Permits rule will be updated to reflect the current OSSC. The Building Codes Structures Board (BCSB) reviewed and approved the rule amendments. These changes align rule language with existing code language and references, and do not change any existing permit fees. Permit fees are determined using the statewide methodology applied to a local fee schedule. The division is not aware of any jurisdictions that were relying on the outdated references in the rule, and any updates to the rule should not result in a change to current permit fees assessed by local jurisdictions. The BCSB considered the fiscal and economic implications as well. The division, with the support of the BCSB, anticipates nominal fiscal and economic impact due to the rule amendment.

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#### 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).*

#### Statement of cost of compliance:

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

If a local government was relying on the outdated language in the rule, some minimal cost may be required to update forms or other permit application materials. Contractors and other members of the public who purchase structural solar permits may be impacted if projects are located in a jurisdiction that was relying on the outdated references in the rule. The division does not directly set local permit fees and there should be no change to the calculated permit fees based on these rule updates.

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 purchase structural solar permits in jurisdictions that are using the old methodology could potentially be impacted. The division is not aware of any jurisdictions using the outdated references in the rule. The division also is not responsible for selling permits in local jurisdictions and does not track the number of businesses involved in the purchase of structural solar permits and is unable to provide an estimate of the number of businesses impacted.

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

Small businesses are not projected to have any changes to reporting, recordkeeping or other administrative compliance costs for this rule. Permits are sold and administered by local jurisdictions.

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

No changes to equipment, supplies, labor or administration are anticipated for compliance. Permits are sold and administered by local jurisdictions.

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

Small business owners are represented on the Oregon Building Codes Structures Board (BCSB), which was used as the RAC for this rulemaking. There was opportunity for public comment at the BCSB meeting on August 3, 2022. There will be additional opportunity for public comment at the rulemaking hearing on September 20, 2022.

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#### WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES



HOUSING IMPACT STATEMENT:

No known housing impact

AMEND: 918-050-0180

RULE SUMMARY: The amendments to OAR 918-050-0180, Statewide Methodology for Solar Structural Installation Permits, will align the rule with the current and upcoming Oregon Structural Specialty Code (OSSC). This rule and the OSSC address statewide methodology for solar structural installation permits and the rule language needs to be updated to align with current code language and references.

CHANGES TO RULE:

918-050-0180

Statewide Methodology for Solar Structural Installation Permits ¶¶

(1) Structural permits for solar photovoltaic (PV) system installation shall be calculated using the following methodology:¶¶

(a) Fees for installations that comply with the prescriptive installation path described in ~~section 305.4 of the Oregon Solar Installation Specialty Code~~ the state building code shall be a flat fee and includes one inspection and permit review by the municipality ~~as defined in section 105.1 of the Oregon Solar Installation Specialty Code.~~¶¶  
~~(b)(A) All other installations.~~¶¶

(b)(A) All other installations not meeting the prescriptive path shall be based on the valuation of the structural elements for the solar panels, including racking, mounting elements, rails, and the cost of labor to install. The cost of the solar electrical equipment, including collector panels, and inverters shall be excluded from the structural permit valuation. The valuation shall then be applied to the municipality's fee schedule to determine the permit fee.¶¶

(B) Plan review fees shall be based on a predetermined percentage of the permit fee set by the municipality.¶¶

(2) Electrical components of a PV system require an electrical permit. Electrical permits shall be calculated based on the methodology established in OAR 918-309-0020 through 918-309-0070.

Statutory/Other Authority: ORS 455.048, 455.055

Statutes/Other Implemented: ORS 455.046, 455.055