

**DIVISION 674
PREFABRICATED CONSTRUCTION**

918-674-0000**Application, Scope and Purpose**

(1) Application. The provisions of OAR 918-674-0000 through 918-674-0300 shall apply to all prefabricated structures other than a manufactured dwelling or recreational vehicle as defined under ORS 446.003.

(2) Purpose. The purpose of these rules is to provide uniform, minimum procedures for plan approval and inspection for the regulation of structures or portions thereof, that are wholly or partially prefabricated using closed construction at an off-site location.

(3) Scope. These rules shall apply to the design and construction of all prefabricated structures that are intended to be sold, leased or installed in Oregon.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0005; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; Renumbered from 918-674-0010; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0005**Definitions**

The following definitions are in addition to those included in ORS 455.010, the **Oregon Structural Specialty Code** and the **Oregon One and Two Family Dwelling Specialty Code**.

(1) "Approved" means approved by the Building Codes Division or certified third-party inspection agency.

(2) "Audit" means an evaluation of a manufacturer's compliance control procedure or an examination of prefabricated structure construction by the Division or the Division's representative.

(3) "Building Site" means any lot or tract of land upon which a prefabricated structure is installed.

(4) "Closed Construction" means a factory-assembled structure or component that encloses factory-installed structural, mechanical, electrical, plumbing or energy conservation equipment or material inside a floor, wall or roof cavity which is not entirely open for visual inspection of the equipment or material at the site.

(5) "Compliance Control" means the method of controlling the construction, fabrication, assembly and erection where applicable, including storage and use of various materials, to insure compliance with the rules and construction codes adopted for the regulation of prefabricated structures.

(6) "Component." (See Prefabricated Structure.)

(7) "Custom Plan" means a plan for construction of a one-of-a-kind structure.

(8) "Design Option" means an alternative design or type of construction included in a design plan.

(9) "Design Master Plan" means a document, or set of documents, used for constructing multiple prefabricated structures utilizing the same plan with or without options.

(10) "Division" means the Building Codes Division.

(11) "Incomplete Structure" means either a prefabricated permanent or relocatable building which, because of design, size or transportation limitations, is not completed by the manufacturer at the manufacturer's facility (i.e., on-site roof framing, installation of plumbing fixtures or roof-mounted heating, ventilation or air conditioning equipment)

(12) "Insignia of Compliance" has the meaning given in ORS 455.705.

(13) "Installation" means the assembly of a prefabricated structure on-site, and the process of attaching the structure to land, foundation, or an existing building.

(14) "Manufacture" means the process of making, fabricating, constructing, forming or assembling a product from raw, unfinished or semi-finished materials to produce prefabricated structures.

(15) "Manufacturer." (See Registered Manufacturer.)

(16) "Manufacturer's Compliance Control" means an inspection program implemented and maintained by the manufacturer under Division certification and audit procedures.

(17) "Monitoring" means an evaluation or examination by the Division of a certified third-party agency to determine compliance with Oregon laws, rules and the **Oregon Specialty Codes**.

(18) "Panel." (See Prefabricated Component.)

(19) "Plan" means a specific design of prefabricated structure as designated by the manufacturer to be the working drawings for production of a unit.

(20) "Prefabricated Structure" has the meaning given in ORS 455.010 and includes the following types of structures and components:

(a) "Prefabricated Component" means any structural subassembly or component such as wall, floor or roof panels; plumbing or electrical service walls; bath, kitchen or utility service modules; service core modular units; refrigeration panels; and reinforced concrete components or subassemblies, provided they are built at an off-site location using closed construction. It does not include roof trusses, open wall panels and similar subassemblies which are built at an offsite location using open construction.

(b) "Prefabricated Component Building" means a building consisting of prefabricated components and shipped to a site for assembly.

(c) "Prefabricated Membrane Structure" means a temporary or permanent structure consisting in whole or

part of membrane construction manufactured at an off-site location using closed construction.

(d) "Prefabricated Permanent Building" means a structure built as one unit, which may be divided into transportable sections, and designed to be permanently installed on a building site.

(e) "Prefabricated Relocatable Building" means a prefabricated structure designed to be moved from one location to another.

(f) "Prefabricated Service Module" means a factory-assembled three-dimensional portion of a building that may include installed mechanical, electrical, plumbing, heating or cooling elements and related systems. These units may contain kitchens, bathrooms, utility rooms or other similar use modules, sometimes referred to as "wet boxes," "mechanical cores" or "utility cores." A prefabricated structure does not include a prefabricated permanent building after it has been initially installed on the building site, inspected and approved for initial occupancy and the Division has accepted the building owner's agreement that all future construction will be "open" construction under the control of the local authority having jurisdiction.

(21) "Reciprocity" means the acceptance among two or more states for prefabricated structures produced in the one state and designated for installation in the other state

(22) "Registered Manufacturer" means a person, partnership or corporation which has been approved by the Division as a manufacturer of prefabricated structures.

(23) "Specific Use Structure" means a prefabricated structure intended to be used for longer than 30 days in one location that is a single-story structure 400 square feet or less and specifically includes the following:

(a) "Dedicated Use Structure" means a prefabricated structure designed for a specific dedicated use beyond normal shelter or storage, such as hazardous materials buildings, walk-in freezer/coolers, clean rooms or toilet facilities;

(b) "Employee Protection Only Structure" means a prefabricated structure limited to employee occupancy only such as guard shacks, toll booths and kiosks, but does not include "Food Service Structures," "Equipment Protection Only Structures," or "Recreation Use Structures";

(c) "Equipment Protection Only Structures" means a prefabricated structure used for the protection of stationary equipment that is only occupied during maintenance or servicing of equipment, such as structures housing electronic switching stations, automatic teller machines, postage machines or communication equipment;

(d) "Food Service Structure" means a prefabricated structure primarily used for the preparation and serving of food or drink but is not accessible to the public, such as espresso or food buildings or stands where access is limited to owners or employees only; and

(e) "Recreation Use Structure" means a prefabricated structure designed for seasonal, recreation

or camping use such as cabins and yurts but does not include recreational vehicles.

(24) "Substantial Compliance" has the meaning given in ORS 455.410.

(25) "Substantially Prefabricated or Assembled" means a module or the major portion of a prefabricated structure that is assembled in such a manner that all portions may not be fully inspected without disassembly or destruction of the part.

(26) "System" means a specific part of the construction, structural, plumbing, electrical or mechanical.

(27) "Third-Party Agency, Certified" means an independent contractor (private or municipal) approved by the Division to provide prefabricated structure plan approval or inspection services as further defined in ORS 455.715 and who acts under the authority and direction of the building official charged with the administration of the prefabricated structures program.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.010

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0015; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0013

Manufacturer Registration

(1) All manufacturers of nonexempt prefabricated structures located in or being shipped into Oregon shall register with the Division.

(2) Prefabricated structure plant registrations shall be renewed January 1 of each year by submitting an application for renewal of the manufacturer registration along with the renewal fee.

(3) When revising or updating the application for registration or renewal, the manufacturers under a Division-approved compliance control program shall submit two copies of the current compliance control manual for each manufacturing facility if there have been any changes since the last submittal of the manual.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0015

Responsibility for Services

(1) The Division shall be responsible for providing plan review and inspection services to prefabricated structure manufacturers who have not contracted with certified third-party agencies for these services. The Division shall be responsible for monitoring certified

thirdparty agencies to assure compliance with the **Oregon Specialty Codes** and these rules.

(2) Authority. Any prefabricated structure approved by the Division or a certified third-party agency and bearing an Oregon insignia of compliance shall be considered in compliance with all appropriate construction laws, codes and regulations within the State of Oregon and shall be acceptable to the local authority having jurisdiction in all Oregon municipalities.

(3) No local authority having jurisdiction shall cause closed construction to be open for inspection on a prefabricated structure or component bearing an Oregon insignia of compliance.

(4) Certified third-party agencies shall be responsible for providing plan review and in-plant inspection services to prefabricated structure manufacturers with whom they have contracted those services.

(5) The local authority having jurisdiction shall:

(a) Insure the prefabricated structure has been approved by the Division as evidenced by an Oregon insignia of compliance;

(b) Insure the prefabricated structure meets the requirements for all local regulations at the building site;

(c) Insure the prefabricated structure will meet the minimum setbacks from property lines and other structures;

(d) Insure all fire-resistive occupancy separations and required fire separation walls, parapet walls and other fire-resistive requirements meet the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**;

(e) Insure prior to issuing a permit that sufficient information is made available to determine whether the prefabricated structure will be installed and used according to its intended design and purpose as identified on the Oregon Insignia of Compliance;

(f) Insure prior to issuing a permit that sufficient information is made available to determine whether site-specific information or local regulations affect the construction or intended use. Information should include but not be limited to a site plan, occupancy classification, construction type, structure size, floor live load, roof live load, wind exposure, seismic area, energy zone, electrical service loads, plumbing fixture loads, number of modules and whether it is a permanent or relocatable structure;

(g) Issue permits and perform plan reviews and inspections of the prefabricated structure foundation;

(h) Review plans, issue permits and perform inspections for sitespecific, accessibility, geographic, geologic or climatic code requirements affecting the prefabricated structure;

(i) Issue permits and perform inspections of the electrical, water, gas and sewer connections on and to the prefabricated structure;

(j) Issue permit and perform inspections of the prefabricated structure installation. If a multi-section modular building, inspect connections at the marriage

lines to assure that such connections are capable of developing a complete load path as required. If a prefabricated component, inspect connections of the component assemblies to assure that the assemblies are capable of developing a complete load path as required;

(k) Issue permit and perform inspections of incomplete structures during on-site construction when the Division has granted prior approval for the local authority having jurisdiction or certified thirdparty agency to inspect the work on behalf of the Division;

(l) Notify the Division of any prefabricated structures damaged in route to the building site or during installation; and

(m) Issue a Certificate of Occupancy for prefabricated structures after the installation is complete.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0010; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0023

Codes and Standards

(1) Except where otherwise specifically stated in this division of rules, all prefabricated construction shall be subject to the appropriate codes listed below:

(a) The **Oregon Structural Specialty Code**;

(b) The **Oregon Mechanical Specialty Code**;

(c) The **Oregon Plumbing Specialty Code**;

(d) The **Oregon Electrical Specialty Code**;

(e) The **Oregon Elevator Specialty Code**;

(f) The **Oregon Boiler and Pressure Vessel Safety Specialty Code**; and

(g) The **Oregon One and Two Family Dwelling Specialty Code**. **EXCEPTIONS:** See OAR 918-674-0025 and 918-674-0033.

(2) Additions, alterations, conversions or repairs to prefabricated structures shall be subject to the requirements of this section of rule.

(3) The permit exemptions in the **Oregon Structural Specialty Code** shall apply to prefabricated structures.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0025**Plumbing Exception**

In addition to the **Oregon Plumbing Specialty Code and the Oregon One and Two Family Dwelling Specialty Code**, prefabricated structures that are entirely self-contained by the use of holding tanks and that are not intended to be connected to a public water supply or sewer shall be designed to meet the requirements of **Sections 7.5.5.2, 7.5.5.3, 7.5.6.1, 7.5.6.2, 7.6.11 and 7.6.12** of the **American National Standards Institute ANSI Publication A119.2/NFPA A119.2, 2002 Edition**. All other portions of the plumbing system shall comply with the Oregon Plumbing Specialty Code or the Oregon One and Two Family Dwelling Specialty Code.

NOTE: The Oregon Health Division may have additional plumbing requirements to those mentioned in these rules, the Oregon Plumbing Specialty Code or the Oregon One and Two Family Dwelling Specialty Code.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110
 Stats. Implemented: ORS 455.110
 Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04

918-674-0033**Specific Use Structures**

(1) When it can be demonstrated that compliance with strict requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** are impractical and the intent and purpose of the code can still be met without causing structural failure or risk of fire in employee protection only structures, equipment protection only structures, recreational use structures and food service structures, the requirements of the code may be modified by the building official charged with administration of the prefabricated structures program.

(2) All new or converted food service structures shall provide required fire-resistive construction and suppression equipment including the structural elements necessary for any mechanical installations.

(3) The Division may waive the formal plan review process required in the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** for specific use structures if the plans are prepared by an Oregon registered architect or engineer and it is found that the nature of the work applied for is such that plan review is not necessary to obtain minimum compliance with the code.

(4) If the Division determines the work in a specific use structure is not of a highly technical nature and there is no unreasonable risk to life and safety, plans required by the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** may be

prepared by a person who is not an Oregon registered architect or engineer.

(5) Specific use structures shall be exempt from the exterior envelope requirements of **Section 1312** of the **Oregon Structural Specialty Code** provided the roof/ceiling assembly meets the prescriptive requirements of the code and the center of non-bullet-resistant window glass has a minimum U-factor of .35.

(6) Equipment protection only structures shall be exempt from all of the envelope requirements of **Section 1312** of the **Oregon Structural Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.010, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04

918-674-0038**Installations**

(1) Foundations and tie-downs for permanently sited prefabricated structures shall be designed according to the requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**.

(2) Foundations and tie-downs for temporary, portable or removable prefabricated structures shall be designed according to the manufacturer's installation instruction which shall be based on the requirements of the Oregon Structural Specialty Code or the Oregon One and Two Family Dwelling Specialty Code.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0043**Reciprocity**

Prefabricated structure manufacturers located outside Oregon but in a state having reciprocity with Oregon may ship prefabricated structures into Oregon for rent, lease, sale or installation provided the manufacturer is a registered manufacturer with the State of Oregon, is certified by the Division and has obtained approved plans and Oregon Insignias of compliance according to ORS 455.430 and the reciprocity agreements on file with the Division.

Stat. Auth.: ORS 455.030, 455.100, 455.110 & 455.430

Stats. Implemented: ORS 455.110 & 455.430

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

Tests of Assemblies

918-674-0055

Inspections

(1)(a) Each prefabricated structure required to bear the State of Oregon insignia of compliance shall be inspected by the Division or a certified third-party agency in accordance with an approved compliance control program and the appropriate **Oregon Specialty Codes** as defined in ORS 455.010.

(b) When use of a Division inspector is impractical, the Division may utilize the services of an inspector from a local authority having jurisdiction to perform inspections of prefabricated structures. The local inspectors must be certified by the Division in the appropriate discipline(s). The Division may utilize local inspectors to perform inspections of prefabricated structures in the plant or on site for incomplete structures, accessory buildings, alterations, conversions and repairs.

(c) Except as directed by the Administrator, no inspections shall be made prior to the approval of plans and issuance of the notice of plan review. The approved plans and notice of plan review shall be available to the inspector upon arrival at the manufacturing plant.

(d) All regular inspections shall be requested by mail, fax transmission, electronic mail or telephone.

(e) The Division shall be notified 48 hours, excluding weekends and holidays, before the requested time of inspection. Out-of-state inspections in locations more than 150 air miles from Oregon require a 21-day prior notice.

(2) In-Plant Inspections:

(a) Cover inspection requires each system constructed to be inspected prior to covering or concealing any portion of the electrical, plumbing, mechanical, fire safety, structural or insulation work.

(b) Final inspection requires each system to be inspected after the construction noted in subsection (a) of this section has been covered and prior to the structure leaving the manufacturing plant;

(c) Reinspection. A reinspection is required when corrections necessitating additional work to a particular system or systems of construction are identified by the authority having jurisdiction.

(3) Out-of-State Inspections:

(a) All out-of-state prefabricated structures intended for rent, lease, sale or installation in the State of Oregon under reciprocity agreements shall have Division approval and Oregon insignia of compliance prior to being shipped to Oregon;

(b) The Division, to provide assurance that quality control and code compliance is maintained, may make out-of-state inspections as necessary.

(4) Damage Inspection:

(a) The local authority having jurisdiction shall report units that have been damaged in route to the building site, or during installation, so the Division may arrange for a damage inspection of the unit.

(b) All prefabricated structures arriving at the installation site in a damaged condition, or damaged during installation, shall be visually reinspected in the field by the Division or the Division's representative. When restoration is complete, a field reinspection is required to validate the Division's initial approval.

(5) Installation Inspection:

(a) To complete the inspection and approval of the prefabricated structure, the local authority having jurisdiction over the construction site shall make an installation inspection;

(b) A "hook-up" inspection shall be performed by the authority having jurisdiction prior to providing electrical power, plumbing and sewage connections to the structure. The manufacturer of the unit is not required to remedy damages or defects caused by on-site work by persons not within the control of the manufacturer.

(6) Requested Site Inspections. Upon written request and payment of required fees the Division will perform advisory at-site installation inspections.

(7) Incomplete Unit At-Site Inspection. Prefabricated structures designed and approved to be completed on-site by the manufacturer shall have a Notice to Local Enforcement Agency (NLEA) form completed by the Division or third-party agency and forwarded to the local authority having jurisdiction receiving the structure within two days of final approval. One set of Division-approved plans identifying the work to be completed on site shall be provided by the manufacturer at the site of each incomplete prefabricated structure. Incomplete units shall be inspected by the Division or by a Division approved inspector, at the building site, when completed, to validate the Division's insignia of compliance.

(8) Complaint Investigation. Complaints other than those received from a Building Official, must be submitted to the Division in writing. The Division shall notify the manufacturer of all complaints.

(9) Audit Inspection. The Division may conduct unannounced inspections at any manufacturing site to review manufacturer's production and compliance control procedures.

(10) Upon discovery of any violations of the **Oregon Specialty Codes** or this rule, the Division or certified third-party agency shall verify the correction by inspection. If the correction cannot be verified during the initial inspection, the Division or certified third-party agency shall make a written report and require the corrective action to be held open for reinspection at the manufacturing plant.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0055; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93;

BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0060

Compliance Control Programs

(1) The Division's Compliance Control inspection services are maintained by the Division in accordance with the in-plant inspection procedure, and requires:

(a) That all permits be obtained before delivery of any unit to a building site; and

(b) That when required by local ordinance all prefabricated structures meet the requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** establishing standards for mitigation of wild fires.

(2) Manufacturer Compliance Control: Upon application the Division may approve a prefabricated structure manufacturer's compliance control program using employees who hold the appropriate Division inspection certifications:

(a) Application for manufacturer's compliance control approval shall be in writing and shall include a complete compliance control manual containing administrative, construction and program control procedures for the compliance control program; and

(b) The name of the manufacturer's designated compliance control officer responsible for the compliance control program and whose responsibility shall include maintaining records of the inspection program, copies of all plans and technical reports approved by the Division;

(c) Authority to use, apply and continue to use the Division's insignia is contingent upon the manufacturer's compliance with the approved compliance control standards and procedures, and upon compliance with all applicable laws and rules;

(d) An approved compliance control manual stamped with the Division's approval stamp, shall be maintained by the manufacturer's compliance control officer, and a copy filed with the Division;

(e) When it is demonstrated that a manufacturer can no longer assure compliance with the **Oregon Specialty Codes**, these rules, or its compliance control manual, the Division may rescind the manufacturer's compliance control approval and return to Division inspections.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0060; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0065

Plan Requirements

Plan Review Procedures:

(1) Plans Required. Prefabricated structures constructed for use in Oregon shall be constructed to plans approved by the Division or a certified third-party agency. The Division or certified third-party agencies shall review and approve plans for the construction of prefabricated structures in compliance with the **Oregon Specialty Codes** prior to the construction of a prefabricated structure. The application for plan approval shall be on forms provided by the Division. The application shall show the use or occupancy, be accompanied by plans, specifications and other data and include the plan review fee required by OAR 918-674-0155. Plans shall be submitted as custom plans or design master plans.

(a) Custom Plans. Plans shall be submitted to the Division or a certified third-party agency as custom plans if the manufacturer plans to build just one structure from the plans. If a manufacturer later decides to build additional structures, the manufacturer can convert the custom plans to design master plans, if they meet the minimum requirements for design master plans and an application is submitted to the Division or a certified third-party agency along with the difference in fees required by OAR 918-674-0155.

(b) Design Master Plans. Plans should be submitted to the Division as design master plans if the manufacturer plans to build multiple structures of the same design according to ORS 455.685. Design master plans shall meet the minimum requirements for every geographical area for which the prefabricated structure is designed or intended to be located. The Division may approve a manufacturer to submit a limited number of design options in a design master plan. The Division may approve the use of common engineering for multiple design master plans if properly referenced within each set of plans. Amendments to design master plans may be submitted to the Division or third-party agency at any time and shall be reviewed at the current hourly rate established in OAR 918-674-0155.

(2) Copies Required. At least two complete sets of plans, specifications, engineering calculations and other data, when required by the Division, shall be submitted with each application for plan approval. A minimum of three sets of plans shall be submitted for all incomplete structures with a "Notice to a Local Enforcement Agency" (NLEA) form. One set of these Division-approved plans identifying the work to be completed on site shall be shipped with the incomplete structure for use by the local authority having jurisdiction.

(3) Plot Plan. When required, plans shall include a plot plan showing the location of the prefabricated structure in relation to other buildings on the same property, if any, their exit ways and property lines.

(4) Approval. If the Division or certified third-party agency finds that the submittal conforms to the

requirements of these rules and that the fees have been paid, the documents shall be endorsed in writing or stamped "Approved" and one set returned to the applicant. The applicant's set of plans shall be kept at the place of manufacture and shall be made available during inspection.

(5) Records Required. The manufacturer shall maintain a permanent record of construction documents, by serial number, of all units manufactured.

(6) If a manufacturer fails to renew its registration with the Division, all Division approvals of plans and manuals and unused insignia shall become void.

(7) Applications for units with incomplete systems shall include a list of all items to be installed on the job site to complete the units for occupancy.

(8) In addition to the plans described in this rule, the Division may, when deemed necessary, require the manufacturer of prefabricated building components and component buildings to submit an installation manual or installation instructions for Division approval.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0065; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0075

Out-of-State Applicant

(1) All out-of-state manufacturers producing prefabricated structures for installation in the State of Oregon shall obtain the Division's approval prior to production. Applications, plans and fees shall be submitted to the Division and be processed the same as other applications according to these rules.

(2) Out-of-state manufacturers in states which have a reciprocity agreement with Oregon and producing prefabricated structures that have Oregon plan approval and bear an Oregon insignia of compliance, shall be accepted for installation in Oregon according to these rules and the conditions specified under the reciprocal agreement.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0075; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0085

Plan Approval, Renewal and Expiration

(1) Design master plans may be valid for a period of 12 months or, if renewed, up to 36 months from the date of the original Division approval. Applications for

renewal of plan approval shall be submitted no later than two months prior to the expiration date of the current approval or may be submitted with the original submittal for all three years. If Oregon laws, codes or regulations change, the Division may require existing plans to be amended or may require a complete resubmittal of all design master plans along with those fees in OAR 918-674-0155. This requirement may be waived if plans have been updated and approved by reciprocal states due to earlier code adoption and implementation dates.

2) Approval of custom plans shall be valid for 180 days from the date of initial approval. If the structure has not been completed, approval of custom plans may, upon request, be extended.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0085; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0090

Changes to Approved Plans

(1) When a manufacturer changes any portion of a submitted design, or when a change is required by the Division or third-party agency, the manufacturer shall submit two copies of the plans and data detailing the changes for plan examination and approval.

(2) Plans shall be accompanied by Division plan application form, and the appropriate plan filing fee pursuant to the fee schedule of OAR 918-674-0155.

(3) When a manufacturer proposes changes to a compliance control manual, two copies of the revised manual shall be submitted to the Division for approval accompanied by those fees required by OAR 918-674-0155.

(4) When changes in design master plans or manual are required by the Division or third-party agency, the manufacturer shall submit changes within 90 days of the date the Division or third-party agency gives notice of the required change.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0090; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0095

Transfer of Approvals

When there is a change of ownership of a manufacturing business which has the Division's plan approval, or has approvals to be utilized by another manufacturer, the change shall be considered to be a renewal submittal which requires application, plans, manuals, fees and a statement releasing or transferring

plans and manuals, signed by the owner or officers of each firm.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0095; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 8-2005, f. & cert. ef. 4-1-05

918-674-0100

Change of Name or Address, or Ownership

A manufacturer shall notify the Division in writing of any change of name, address or ownership within ten days of the change by submitting an updated manufacturer registration along with those fees required by OAR 918-674-0155.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0100; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0105

Production Discontinued by Manufacturer

When a manufacturer discontinues production of an approved product the manufacturer shall immediately notify the Division and shall return all insignia allocated for such discontinued production.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0105; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0115

Compliance and Right of Entry

(1) The Division or a certified third-party agency may conduct inspections at a manufacturer's plant or at the construction site to verify compliance with the approved plans.

(2) Each prefabricated structure supplier or manufacturer shall sign a written agreement on Division forms allowing the Division and appropriate third-party agency to inspect their manufacturing facility including, but not limited to, the product being produced, the materials being used, the manufacturing processes and plans, reports and records directly related to manufacturing and inspecting.

(3) Division or third-party inspectors shall be provided physical access by the manufacturer to all parts of the manufacturing facility, products, materials and records and shall, when necessary, provide steps, ladders, tie-offs and scaffolds in accordance with the regulations of the Oregon Occupational Safety and Health Division (OR-OSHA) to provide for the inspector's safety.

(4) Third-party agencies shall provide the Division with an agreement in writing that the Division has the right to monitor the third party's performance as described in OAR 918-674-0300 at the fees described in OAR 918-674-0155. Monitoring shall be accomplished by examining:

(a) The performance of individuals completing the duties outlined in these rules;

(b) Records, reports and plans within the office of the third-party;

(c) Products, materials and methods of construction, records, plans and reports at the manufacturing plant;

(d) Finished products held by a dealer, distributor or leasing agent; and

(e) Finished products installed on site.

(5) The Division may revoke or suspend plan approval and deny use of Division insignia for failure to comply with this rule.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0115; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0125

Proprietary Material

All material submitted by the manufacturer to the Division or a third-party agency in the form of design plans, engineering data, test results, compliance control manual and other design information relating to the application shall be considered as confidential information exempt from public disclosure under ORS 192.502(3) and may not be released for public scrutiny unless ordered by a court having jurisdiction.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0125; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0130

Insignia(s) of Compliance Required

(1) Each prefabricated structure, except as required in sections (2), (3) and (4) of this rule, manufactured for sale, lease, rent or installation in Oregon shall bear an Oregon insignia of compliance affixed to each section or module, located on an accessible exterior wall or according to the approved plans, prior to leaving the manufacturing plant.

(2) Each prefabricated component building manufactured for sale or installed in Oregon shall bear an Oregon insignia of compliance located on an accessible exterior wall prior to leaving the manufacturing plant.

(3) Prefabricated refrigeration panels manufactured for sale or installed in Oregon shall bear one Oregon

insignia of compliance located on the exterior side of the panel located nearest the door prior to leaving the manufacturing plant.

(4) Each prefabricated building component not identified in section (2) or (3) of this rule, manufactured for sale or installed in Oregon, shall bear one Oregon insignia of compliance located in a conspicuous place prior to leaving the manufacturing plant.

(5) The application shall be submitted to the Division's Salem office accompanied by the appropriate insignia fees and must be received prior to construction.

(6) Only an Oregon certified third-party agency may issue Oregon insignias of compliance to prefabricated structure suppliers or manufacturers for those prefabricated structures inspected by that third-party agency.

(7) Manufacturers shall order insignias of compliance on Division-supplied forms for any prefabricated structures to be inspected by the Division or a third-party agency at the fees described in OAR 918-674-0155.

(8) Third-party agencies shall designate at least one individual, but not more than two individuals, in their organization authorized to receive insignias of compliance. The Division shall only issue insignias of compliance to the person(s) authorized by the third-party.

(9) Upon receipt, the third-party agency shall verify the insignias of compliance have been received in satisfactory condition and contain the correct information. Any insignias of compliance damaged or containing incorrect information shall be returned to the Division immediately for replacement.

(10) A third-party agency is responsible for an insignia of compliance from the time it is received until it is issued to the manufacturer. The third-party agency shall insure insignias of compliance are secured under lock and key until issued.

(11) No insignia shall be issued by a third-party for any prefabricated structure prior to plans being approved and inspections made verifying compliance with the **Oregon Specialty Codes** and these rules.

(12) All insignias of compliance remain the sole property of the Division and may be withdrawn from the manufacturer or third party upon cause.

(13) When a manufacturer's registration has been canceled by the Division, the third-party agency shall not issue any insignias of compliance to that manufacturer.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0130; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0135

Lost or Damaged Insignia of Compliance

(1) The owner of a prefabricated structure shall immediately notify the Division in writing of lost or damaged insignias of compliance.

(2) Damaged insignia shall be promptly returned to the Division. Upon payment of a replacement insignia fee, the Division will replace damaged and lost insignia.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0135; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0145

Unit Identification

Each prefabricated building and relocatable building unit on a production line shall have a specific identification serial number to assure continuity of inspections and the insignia is attached to the proper unit. Prefabricated building components shall be identified by project number or job number to assure the insignia is attached to the proper component built structure.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0145; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93

918-674-0150

Components

(1) Components Application. An application for approval of components shall include all design and engineering information necessary to verify the system's performance and capabilities for its intended use. Each manufacturer of component products shall submit two copies of their compliance control manual to the Division.

(2) Components Approval. Division approval of components shall be by letter of authorization with accompanying technical report. Each component built structure shall be identified with an insignia of compliance indicating the Division's approval.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0150; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0155

State Fees

(1) Filing Fee: Registration as a prefabricated structure manufacturer:

- (a) Each manufacturer or each plant manufacturing three or more relocatable structures per year \$100;
- (b) Annual renewal of registration \$20;

(c) Administration fee for change of name, ownership or location of manufacturing facility \$20.

(2) Additional Fee for Travel to Out-of-State Inspections:

(a) Commercial travel shall be charged at the actual cost for bus, rail, air or ferry fare;

(b) Cost of food, lodging, car rental, parking and other reimbursable costs shall be charged at the rate established for per diem allowance set by the State of Oregon for State Employees;

(c) Out of state travel fees begin at the Oregon border or at the point of departure by commercial transportation.

(3) Plan Review Fees:

(a) Plan review fees except for plumbing and mechanical plan review, and the hourly design option plan review, shall be based upon **Table 1** or **2**; **Table 1** shall be used for all custom plan review fees and **Table 2** for all design master plan review fees;

(b) The Division structural plan review fee shall not exceed the **Table 1** (custom plans) or **Table 2** (design master plans) fees for 65 percent of the building valuation. The local authority having jurisdiction's structural plan review fee for foundations and all other site work shall be based on the valuation of the work performed on site;

(c) The Division fire and life safety plan review fee shall not exceed the **Table 1** (custom plans) or **Table 2** (design master plans) fees for 40 percent of the building valuation. The local authority having jurisdiction's fire and life safety plan review fee shall be based on the valuation of the work performed on site;

(d) The plumbing plan review fee shall be 30 percent of the fee adopted in the **Oregon Plumbing Specialty Code**;

(e) The mechanical plan review fee shall be 25 percent of the fee adopted in the **Oregon Mechanical Specialty Code**;

(f) The hourly fee for design option plan review shall be \$60 per hour;

(g) The fee for renewal of design master plans and design options previously reviewed and approved shall be 50 percent of the initial plan review fees;

(h) The fee for additional review of plans required by changes, addition or revisions shall be 50 percent of the initial plan review fees;

(i) An administrative fee of \$100 shall be charged for transfer of approved plans to another manufacturer;

(j) The fee for resubmission of plans that have expired or been revoked, shall be 100 percent of the appropriate plan review fee;

(k) An administrative fee of \$60 shall be charged for filing a Notice to Local Enforcement Agency;

(l) The valuation used to calculate plan review fees for subsections (a), (b) and (c) of this section shall be based on the Division's published valuation table or when approved by the Division, the invoice price, FOB factory, of the prefabricated structure;

(m) Design master plan approval fees shall be 100 percent of the plan review fees in this section of rule for one year, 150 percent of the fees in this section of rule for two years and 200 percent of the fees in this section of rule for three years. The annual renewal of design master plans shall be 50 percent of the fees in this section of rule.

(4) Manufacturer's Compliance Assurance Fees:

(a) To review manufacturing facility compliance control manual = \$400;

(b) For resubmission of a compliance control manual that has been revoked or not approved = \$200;

(c) To transfer a compliance control program = \$100;

(d) For inplant and field evaluation or audit of a compliance control program = \$60 per hour.

(5) Permit, Inspection and Service Fees:

(a) The Division fee for a permit for each prefabricated structure other than components, shall be computed at the rate of \$60 per hour, but shall not exceed the fees in **Table 1**;

(b) The Division permit fee for component buildings shall not exceed **Table 1** for 35 percent of the building valuation. The local authority having jurisdiction's permit fee for component building installations and all site work shall be based on the valuation of the work performed on site;

(c) The Division permit fee for prefabricated sandwich panels shall be \$.03 per square foot of the total surface area for all panels erected. This fee shall be remitted to the Division within one month of the time the structure is erected at the building site. The local authority having jurisdiction's site inspection permit fee shall be based on the valuation of the work performed on site;

(d) The Division permit fee for building components not identified in subsections (b) and (c) of this section shall not exceed the **Table 1** fees for 35 percent of the building valuation. The local authority having jurisdiction's permit fee for building component installations and all site work shall be based on the valuation of the work performed on site;

(e) Any required reinspection shall be charged at the rate of \$60 per hour not to exceed the fees in **Table 1** for 50 percent of the building valuation;

(f) A fee of \$19.50 per hour shall be charged for technical consultation, with a minimum charge of one hour;

(g) For an occupancy not found in the **ICBO Valuation Table** adopted in OAR 918-460-0030, use subsection (h) of this section to calculate permit fees;

(h) The valuation used to calculate permit fees for subsections (a), (b), (c) and (d) of this section may be based on the Division's published valuation table or when approved by the Division, the invoice price, FOB factory, of the prefabricated structure.

(6) Insignia of Compliance Fees:

(a) For the first section or module \$50;

(b) For each additional section or module \$35;

(c) For building components and service cores \$50.

- (7) Third-party agency fees:
 - (a) Certification application review fee: \$400;
 - (b) Certification renewal fee: \$200;
 - (c) Certification amendment fee: \$60;
 - (d) Application for recertification fee: \$400;
 - (e) Monitoring fee: \$60 per hour.
- (8) Other Inspection Fees:

(a) A special inspection fee shall be paid before a permit is issued for work started without a permit. The special inspection fee shall be equal to and in addition to the amount of the permit fee required by these rules;

(b) In addition to the called for inspections, the authority having jurisdiction may make or require additional inspections to insure compliance with the provisions of Oregon law, **Oregon Specialty Codes** and administrative rule;

(c) A reinspection fee may be assessed for each inspection or reinspection when the work for which an inspection is called is not complete or when required corrections are not made;

(d) The Division's plan review or permit fees collected for the initial construction and installation of each prefabricated structure shall not exceed 100 percent of rates in **Tables 1** or **2** except for incomplete structures or rework requiring additional inspections or plan reviews. [Tables not included. See ED. NOTE.]

[ED. NOTE: Tables referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100, 455.110, 455.210 & 455.685

Stats. Implemented: ORS 455.210

Hist.: DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0155; BCA 17-1991 (Temp), f. 6-12-91, cert. ef. 7-1-91; BCA 37-1991, f. 10-23-91, cert. ef. 10-31-91; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCA 9-1993(Temp), f. 5-28-93, cert. ef. 6-1-93; BCA 27-1993, f. 10-22-93, cert. ef. 11-1-93; BCD 19-1994, f. 8-30-94, cert. ef. 9-1-94; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 8-1999(Temp), f. & cert. ef. 7-1-99 thru 12-27-99; BCD 11-1999, f. 9-7-99, cert. ef. 10-1-99

918-674-0200

Third Party Inspection and Plan Review

(1) A supplier or manufacturer of prefabricated structures may contract with a certified third-party agency for plan review and inspection services under the provisions of ORS Chapter 455 and these rules.

(2) Nothing in these rules shall prohibit a local authority having jurisdiction from applying for certification as a third-party inspection agency for a prefabricated structure supplier or manufacturer.

(3) A prefabricated structure supplier or manufacturer shall not contract with more than one third-party agency for any one plant to provide plan review services or similar inspection services during the same time period.

EXCEPTION: A prefabricated structure supplier or manufacturer may employ several third-party agencies to perform inspections if each third-party is inspecting a different discipline, such as electrical, plumbing, structural or mechanical.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0210

Third-Party Certification Application

(1) Applicants for third-party certification shall submit an application on Division-supplied forms.

(2) The application for third-party agency certification shall contain at least the following:

(a) Type of approval being requested (original approval, renewal or supplement);

(b) Applicant's name, address and telephone number;

(c) Type of business (individual, partnership, corporation or municipality);

(d) Names and titles of principals, officers, directors and major stockholders in third-party agency;

(e) Names and titles of all managers and supervisors employed by the third-party agency;

(f) Names and registration numbers of any Oregon registered architects and engineers employed by the third-party agency;

(g) Name of person(s) authorized to request and assign Oregon insignias of compliance;

(h) Names and certification numbers of all plans examiners and inspectors used by the third-party agency;

NOTE: The information required in subsections (d) through (h) of this section may be submitted on an organizational chart.

(i) Names of prefabricated structure manufacturers with whom the third-party agency intends to contract, and if this information is not available, the geographical areas in which the third-party agency intends to work; and

(j) Name and policy number of the general liability insurance carrier as required by OAR 918-674-0230.

(3) The applicant for third-party agency certification shall submit resumes containing qualifications of all persons involved in the management of the agency except for persons certified as a plans examiner, inspector or building official or registered as an engineer or architect.

(4) Each application for certification shall contain a signed statement by the owner(s) or senior officers of the third-party agency declaring the third-party agency and its employees are free of any conflict of interest or collusion including, but not limited to, those activities listed in

OAR 918-674-0240 and 918-674-0250. In the case of a municipal third-party agency, the statement shall be signed by the person so authorized by the local authority having jurisdiction governing body.

(5) Each application for certification shall contain the signature and typed or printed name(s) of the owner(s) or senior officers of the third-party agency and the date of application submission. In the case of a municipal third-party agency, the application shall be signed by the person so authorized by the local authority having jurisdiction governing body.

(6) Each application for certification shall be accompanied by a fee as required in OAR 918-674-0155.

(7) The Division shall approve or deny any completed application for third-party agency certification within 60 days of receipt.

(8) Persons denied certification as a third-party agency from the Division may appeal this decision to the Administrator according to OAR 918-674-0270(4).

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0220

Inspector Certification Requirements

(1) An Oregon certified third-party agency shall employ inspectors and plans examiners who are certified by the Division in accordance with OAR chapter 918, division 098, 918-281-0030, 918-695-0400 and the following:

(a) Each inspector or plans examiner working for or as a thirdparty agency shall be certified for the specific type of inspections or plan reviews that person will be performing;

(b) Third-party agencies employing Limited One and Two Family Dwelling Electrical Inspectors shall comply with OAR 918-281-0030; and

(c) Third-party agencies employing Limited One and Two Family Dwelling Plumbing Inspectors shall comply with OAR 918-695-0400.

(2) A third-party agency shall assure that all certified inspectors and plans examiners maintain their minimum continuing education credits required by OAR chapter 918, division 098, 918-281-0030 and 918-695-0400.

(3) A third-party agency shall submit to the Division an amended application within ten days of the day any certified inspection or plans examiner staff is hired or discharged from the employment of that agency.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0230

Insurance Requirements

(1) Oregon certified third-party agencies shall be protected with a minimum one million dollar general liability insurance policy.

(2) All applicants for certification as a third-party agency shall provide proof of insurance, including but not limited to the name of the insurance company, the amount for which insured and the policy number.

(3) Third-party agencies shall authorize their insurance carrier to notify the Division upon any change to or cancellation of the insurance required by section (1) of this rule.

(4) Third-party agencies who cancel or lose the minimum required insurance shall have their certification revoked.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 29-1996(Temp), f. 12-31-96, cert. ef. 1-1-97; BCD 4-1997, f. 3-18-97, cert. ef. 4-1-97

918-674-0240

Conflict of Interest and Collusion

(1) A third-party agency and its agents shall be free of any conflicts of interest, affiliation, influence, collusion, control or fraud involving any supplier or manufacturer of prefabricated structures with whom it has contracted to perform plan review or inspection services. This prohibition shall include, but not be limited to, the following:

(a) A third-party agency and its owners, directors, management personnel, architects, engineers, plans examiners or inspectors shall not hold stock or have any ownership or managerial affiliation with any supplier, dealer, distributor or manufacturer of prefabricated structures;

(b) A third-party agency shall not promote any prefabricated structure, manufacturer or product;

(c) The employment status of any third-party agency personnel shall be free of influence or control by any dealer, distributor, supplier or manufacturer of prefabricated structures;

(d) A third-party agency shall not review or approve plans or inspect any work which was produced or participated in whole or in part by a member of the third-party agency's staff or by a member of the staff of any affiliated organization;

(e) When a third-party agency contracts with a supplier or manufacturer of prefabricated structures to perform plan review or inspection services, it shall, within ten days of signing, provide a statement to the Division that it is free of any conflicts of interest, affiliation, influence, collusion, control or fraud in connection with the supplier or manufacturer; and

(f) A third-party agency shall not perform or participate in design or engineering services for the same

prefabricated structure manufacturer(s) with which it has contracted to perform plan review or inspection services.

(2) Suppliers or manufacturers of prefabricated structures shall be free of any conflicts of interest, affiliation, influence, collusion, control or fraud involving any certified third-party agency with whom it has contracted to perform plan review or inspection services. This prohibition shall include, but not be limited to:

(a) A supplier or manufacturer and its owners, directors, management personnel, architects or engineers shall not hold stock or have any ownership or managerial affiliation with any certified third-party agency;

(b) The employment status of any supplier or manufacturing personnel shall be free of influence or control by any certified third-party agency;

(c) No employee or officer of a supplier or manufacturer shall perform consulting or engineering services for the same third-party agency with whom it has contracted to perform plan review or inspection services.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0250

Contractual Agreements

(1) Oregon certified third-party agencies shall execute a written contract with any supplier or manufacturer of prefabricated structures for the performance of plan review or inspection services.

(2) Contracts shall describe all services to be rendered by the third-party agency to the supplier or manufacturer of prefabricated structures and the method of computing payment for the services.

(3) Contracts between third-party agencies and suppliers or manufacturers of prefabricated structures shall not contain any language or intent which is in violation of Oregon law, the **Oregon Specialty Codes** or these rules.

(4) A copy of each contract shall be submitted to the Division for approval within ten days of signing and not less than 30 days prior to the third-party agency commencing work under the contract.

(5) The Division shall disapprove any contract found in violation of ORS Chapter 455 or these rules.

(6) A third-party agency shall, within ten days of cancellation of a contract, notify the Division in writing of the circumstances which led to the contract cancellation.

(7) A third-party agency shall submit to the Division a copy of the renewed contract within ten days of renewal and not less than 30 days prior to the effective date of the renewed contract.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0260

Third-Party Certification Renewal

(1) Oregon certified third-party agencies shall submit a request for certification renewal by April 1, 2000, and every three years thereafter.

(2) The renewal request shall be submitted on forms supplied by the Division along with the appropriate fees.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0270

Revocation of Third-Party Certification and Appeal Process

(1) The Division may deny, suspend, revoke or cancel a thirdparty agency's certification if the Division finds the third-party agency has violated Oregon law, the **Oregon Specialty Codes**, these rules or has:

(a) Employed or contracted with uncertified inspectors and plans examiners;

(b) Failed to control and provide for the security of insignias of compliance;

(c) Failed to perform plan reviews or inspections to the Oregon Specialty Codes;

(d) Failed to maintain plan review or inspection report records;

(e) Failed to perform plan reviews or inspections in a timely manner at the frequency required;

(f) Failed to meet the Division's reporting requirements; or

(g) Failed to pay the appropriate fees to the Division.

(2) The division shall deny, suspend, revoke or cancel a thirdparty agency certification if the Division finds the third-party has:

(a) Entered into a conflict of interest as described in these rules;

(b) Provided or participated in design or engineering work of or for a client;

(c) Submitted false information in its application for certification;

(d) Altered or falsified plan review or inspection reports or records; or

(e) Failed to obtain or maintain general liability insurance.

(3) When a third-party agency certification has been revoked by the Division, the third-party agency shall immediately return all unused insignias of compliance to the Division.

(4) A third-party agency whose certification has been denied, suspended, revoked or canceled may submit a formal appeal to the Administrator and request

contested case procedures under the Administrative Procedures Act, ORS Chapter 183.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 4-1997, f. 3-18-97, cert. ef. 4-1-97; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0280

Record Keeping Requirements

Third-party agencies shall maintain records and copies of plan review reports, inspection reports, test reports, insignia reports, inspector certifications, inspector continuing education and proof of insurance for a minimum of four years following expiration or use.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0290

Reporting Requirements

(1) Each Oregon certified third-party agency shall submit a monthly activity report to the Division by the tenth day of each month for the preceding month.

(a) The monthly activity report shall be on Division-supplied forms or submitted by electronic mail, if available.

(b) Monthly activity reports shall be completed for each manufacturer with which the third-party agency contracts and shall contain:

(A) The third-party agency's name, address, telephone number and certification number;

(B) The date of the report and the reporting period;

(C) The name and identification number of the manufacturer;

(D) The total number of prefabricated structure inspections or plan reviews, the total number of prefabricated structures reinspected and the total number of prefabricated structures produced for siting in Oregon;

(E) The total number of insignias of compliance issued by the third-party agency;

(F) Signed copies of all insignia of compliance applications;

(G) The number, type and date of all tests observed by the thirdparty agency;

(H) The serial number, plan approval number, occupancy, insignia of compliance number of each prefabricated structure inspected;

(I) The destination of each prefabricated structure inspected including street address and city; and

(J) The signature, printed name and title of the authorized person submitting the activity report.

(2) Any amendments to the third-party agency's certification approval not already reported shall be attached to the monthly activity report.

(3) The third-party agency shall, upon discovery, immediately submit any corrections to the monthly activity report to the Division.

(4) Third-party agencies shall recommend to the Division the cancellation of the Division's registration of a prefabricated structure supplier or manufacturer when:

(a) Inspections reveal the manufacturer consistently fails to comply with approved plans or the **Oregon Specialty Codes**;

(b) A manufacturer relocates or makes changes to the quality assurance program without giving prior notice to the third-party and the Division; or

(c) A manufacturer builds prefabricated structures without first obtaining approved plans.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0300

Monitoring of Third Parties

(1) The Division shall conduct monitoring of certified third-party agencies with or without prior notice during any reasonable time.

(2) The Division shall monitor the work performed by a thirdparty agency and may make additional observations that are not part of the monitoring effort and will not reflect on the third-party agency's performance unless they are missed in a subsequent inspection.

(3) Division monitoring may take place at the third-party agency office, at the manufacturing facility, at dealer or distributor lots or at the installation site. Upon conclusion of the monitoring, monitoring reports shall be forwarded to the third-party agency as quickly as possible, preferably by electronic mail or fax.

(4) The Division shall review and monitor the records and performance of each third-party agency to assure conformance with ORS Chapter 455, the **Oregon Specialty Codes** and these rules. The Division shall review and monitor each third-party agency at least once every three months or see at least ten percent of a third-party agency's work.

(5) The third-party agency or the manufacturer shall make available to the Division all requested documents including but not limited to:

(a) Inspection reports;

(b) Reviewed and approved plans;

(c) Insignia of compliance records;

(d) Notices to local enforcement agencies;

(e) Test records and reports;

(f) Copies of Division approved alternate methods and materials;

(g) Contracts; and

(h) Continuing education records.

(6) Third-party agencies shall pay all monitoring fees according to OAR 918-674-0155.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

EXHIBIT 1 - BUILDING VALUATION DATA/PHASED PROJECTS/DEFERRED SUBMITTALS

The valuation of building construction for building permit purpose shall be the total construction cost for all classes of work. The plan review and building permit fee will be based on valuation computed from the following average values, which were compiled in April 2001. See OAR 918-460-0070 and 918-480-0030 for fees related to phased projects and deferred submittals. Permit fees for less than a complete structure will be based upon the percent of construction to be completed under the permit as determined by the jurisdiction having authority. The cost is intended to comply with the definition of "valuation" in Section 223 of the State of Oregon Structural Specialty Code and includes architectural, structural, electrical, plumbing, heating and ventilation devices and equipment, except as specifically listed below. It also includes the contractors' profit, which should not be omitted.

Occupancy & Type	\$ PSF	Occupancy & Type	\$ PSF	Occupancy & Type	\$ PSF
1. APARTMENT HOUSES:		9. HOMES FOR THE ELDERLY:		18. PUBLIC BUILDINGS:	
Type I or II F.R*	\$88.89	Type I or II F.R.*	\$84.41	Type I or II F.R.*	\$100.43
Type V – Masonry	72.21	Type II – 1 Hour	68.56	Type II – 1 Hour	81.34
(or Type III)		Type II – N	65.57	Type II – N	77.77
Type V – Wood Frame	66.73	Type III – 1 Hour	71.38	Type III – 1 Hour	84.49
Type I – Basement Garage	30.46	Type III – N	68.48	Type III – N	81.51
2. AUDITORIUMS:		Type V – 1 Hour	68.97	Type V – 1 Hour	77.27
Type I or II F.R.	85.32	Type V – N	66.57	Type V – N	74.53
Type II – 1 Hour	61.75	10. HOSPITALS:		19. PUBLIC GARAGES:	
Type II – N	58.43	Type I or II F.R.*	132.80	Type I or II F.R.*	39.84
Type III – 1 Hour	64.91	Type III – 1 Hour	109.98	Type I or II Open Parking*	29.88
Type III – N	61.59	Type V – 1 Hour	104.91	Type II – N	22.83
Type V – 1 Hour	62.08	11. HOTELS & MOTELS:		Type III – 1 Hour	30.13
Type V – N	57.93	Type I or II F.R.*	82.17	Type III – N	26.81
3. BANKS:		Type III – 1 Hour	71.21	Type V – 1 Hour	27.39
Type I or II F.R.*	120.52	Type III – N	67.89	20. RESTAURANTS:	
Type II – 1 Hour	88.81	Type V – 1 Hour	62.00	Type III – 1 Hour	79.27
Type II – N	85.91	Type V – N	60.76	Type III – N	76.61
Type III – 1 Hour	98.02	12. INDUSTRIAL PLANTS:		Type V – 1 Hour	72.63
Type III – N	94.45	Type I or II F.R.	46.31	Type V – N	69.72
Type V – 1 Hour	88.81	Type II – 1 Hour	32.20	21. SCHOOLS:	
Type V – N	85.08	Type II – N	29.63	Type I or II F.R.	90.47
4. BOWLING ALLEYS:		Type III – 1 Hour	35.52	Type II – 1 Hour	61.75
Type II – 1 Hour	41.50	Type III – N	33.45	Type III – 1 Hour	66.07
Type II – N	38.76	Tilt-up	24.40	Type III – N	63.58
Type III – 1 Hour	45.15	Type V – 1 Hour	33.45	Type V – 1 Hour	61.92
Type III – N	42.25	Type V – N	30.63	Type V – N	59.10
Type V – 1 Hour	30.46	13. JAILS:		22. SERVICE STATIONS:	
5. CHURCHES:		Type I or II F.R.	129.48	Type II – N	54.70
Type I or II F.R.	80.76	Type III – 1 Hour	118.44	Type III – 1 Hour	57.02
Type II – 1 Hour	60.59	Type V – 1 Hour	88.81	Type V – 1 Hour	48.56
Type II – N	57.60	14. LIBRARIES:		Canopies	22.83
Type III – 1 Hour	65.90	Type I or II F.R.	94.70	23. STORES:	
Type III – N	63.00	Type II – 1 Hour	63.91	Type I or II F.R.*	67.06
Type V – 1 Hour	61.59	Type II – N	65.90	Type II – 1 Hour	41.00
Type V – N	57.93	Type III – 1 Hour	73.21	Type II – N	40.09
6. CONVALESCENT HOSPITALS:		Type III – N	69.55	Type III – 1 Hour	49.88
Type I or II F.R.*	113.30	Type V – 1 Hour	68.81	Type III – N	46.81
Type II – 1 Hour	78.60	Type V – N	65.90	Type V – 1 Hour	42.00
Type III – 1 Hour	80.59	15. MEDICAL OFFICES:		Type V – N	38.84
Type V – 1 Hour	75.95	Type I or II F.R.*	97.28	24. THEATERS:	
7. DWELLINGS:		Type II – 1 Hour	75.03	Type I or II F.R.	89.39
Type V – Masonry	78.85	Type II – N	71.30	Type III – 1 Hour	65.07
Type V – Wood Frame	75.20	Type III – 1 Hour	79.02	Type III – N	62.00
Basements -		Type III – N	75.78	Type V – 1 Hour	61.25
Semi-Finished	18.92	Type V – 1 Hour	73.37	Type V – N	57.93
Unfinished	14.44	Type V – N	70.80	25. WAREHOUSES***:	
8. FIRE STATIONS:		16. OFFICES**:		Type I or II F.R.	40.17
Type I or II F.R.	93.13	Type I or II F.R.*	86.90	Type II or V – 1 Hour	23.82
Type II – 1 Hour	61.25	Type II – 1 Hour	58.18	Type II or V – N	22.41
Type II – N	57.77	Type II – N	55.44	Type III – 1 Hour	27.06
Type III – 1 Hour	67.06	Type III – 1 Hour	62.83	Type III – N	25.73
Type III – N	64.24	Type III – N	60.09	26. WOOD FRAME POLE:	
Type V – 1 Hour	62.91	Type V – 1 Hour	58.85	Type V – N, No slab	12.68
Type V – N	59.68	Type V – N	55.44	Type V – N, With slab	15.68
		17. PRIVATE GARAGES:		EQUIPMENT:	
		Wood Frame	19.75	Air Conditioning:	
		Masonry	22.33	Commercial	3.40
		Open Carports	13.53	Residential	2.82
				Sprinkler Systems	2.16

*Add 0.6% to total cost for each story over three.
(updated 5/1/03)

**Deduct 20% for shell-only buildings.

***Deduct 11% for mini-warehouses.

Table 1
Permit Fees
(custom plans)

Total Valuation	Fee
\$1 to \$500	\$13
\$501 to \$2,000	\$13 for the first \$500 plus \$1.95 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$42.25 for the first \$2,000 plus \$7.80 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$221.65 for the first \$25,000 plus \$5.85 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$367.90 for the first \$50,000 plus \$3.90 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$562.90 for the first \$100,000 plus \$3.25 for each additional \$1,000 or fraction thereof

Note: Table 1 is based on 130 percent of **Table No. 3-A** in the **1979 Uniform Building Code** and applies to prefabricated structure permits, inspections and custom plan reviews.

Note: Valuations used to calculate fees may be based on the invoice price, FOB factory, of the prefabricated structure or on the division's published valuation table, whichever is less.

Table 2
Permit Fees
(design master plans)

Total Valuation	Fee
\$1 to \$500	\$19
\$501 to \$2,000	\$19 for the first \$500 plus \$2.60 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$58.50 for the first \$2,000 plus \$11.70 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$327.60 for the first \$25,000 plus \$8.45 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$538.85 for the first \$50,000 plus \$5.85 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$831.35 for the first \$100,000 plus \$4.55 for each additional \$1,000 or fraction thereof

Note: Table 2 is based on 130 percent of **Table No. 3-A** in the **1979 Uniform Building Code** and applies to design plan and design option plan reviews only.