



OSSC: Emergency Responder Radio Coverage

Purpose of the rules:

This temporary rule provides predictable uniform standards regarding the installation of emergency responder radio coverage.

Citation:

Amend: OAR 918-460-0015

This rule became effective May 2, 2017

History:

The division received complaints from industry regarding the predictability and application of the emergency responder radio coverage provisions in the state building code. After examining the issues, the division determined that the best course of action was to remove the sections of the code that were creating the unpredictable environment and creating confusion, accordingly, the division repealed sections 403.4.5 and 915.1 from the Oregon Structural Specialty Code (OSSC). This information was presented to the Building Code Structures Board (board) on February 24, 2016. At the board meeting it was determined the Office of State Fire Marshal would develop a workgroup to develop a checklist to resolve industry complaints. During the board meeting, the division was informed that the workgroup would be able to develop the checklist in a relatively short period of time. The workgroup presented their checklist to the division in May 2016, but the division was unable to confirm the proposal had stakeholder support. The proposal was therefore presented again to the board on August 3, 2016, where the board approved the proposal with division recommended amendments.

During the August 3, 2016, meeting, questions regarding the legal authority to print the required code provisions were raised. The division then sought and received legal advice that all construction provisions would need to be printed in the OSSC. The division then proceeded to reformat the August 3 rule and moved all proposed construction provisions related to emergency responder radio coverage into the OSSC. The new format was presented to the board on November 2, 2016, for additional stakeholder feedback. The division informed the board that adopting this rule was critically important to emergency personnel, and to prevent a further delay, the checklist and rules were going to be adopted as a temporary rule on November 3, 2016. The division also requested board approval for the rules to be sent to public hearing. The board suggested additional technical changes and recommended that the proposal be adopted as a temporary rule and approved the proposal for a public hearing, with the understanding that the board would have an additional opportunity for review before the rules became effective as permanent rules. The division adopted temporary rules on November 3, 2016.

The division had planned on adopting a permanent rule to replace the November 3, 2016, temporary rule. The division did not adopt a permanent rule because the authority of the division to adopt rules in this area was challenged by the Office of State Fire Marshal and the Department of Administrative Services through the Strategic Interoperability Extension Council. This development was communicated to the board at its February 1, 2017, meeting. Subsequent to the February 1, 2017, meeting, the division received confirmation and clarification from the Oregon Department of Justice (DOJ) regarding the division's ability to adopt rules for construction requirements for emergency responder radio coverage. These temporary rules contain changes in accordance with the guidance provided by DOJ. These temporary rules are intended to maintain the requirements for construction components for emergency responder radio coverage while allowing time for remaining jurisdictional issues to be resolved.



The specific code changes are as follows:

- Reinstated OSSC Sections 403.4.5 and 915.1.
- Adopted OSSC Sections 915.1.1, 915.2, and 915.3.
- Amended OSSC Section 907.2.13.2.
- Adopted form OSSC 915.

Effect of the rules:

This temporary rule modifies the Oregon Structural Specialty Code to provide uniform and consistent standards for emergency responder radio coverage.

Contact:

If you have questions or need further information, contact Richard Rogers, Chief Building Official, at 503.378.4472, or richard.rogers@oregon.gov.

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

FILED
5-1-17 4:20 PM
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SECRETARY OF STATE

I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on Upon filing, by the
Department of Consumer and Business Services, Building Codes Division 918
Agency and Division Administrative Rules Chapter Number
Holly A. Tucker (503) 378-5331
Rules Coordinator Telephone
PO Box 14470, Salem, OR 97309-0404
Address

To become effective 05/02/2017 through 10/28/2017.

RULE CAPTION

Amends the Oregon Structural Specialty Code for Construction for Emergency Responder Radio Coverage

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

918-460-0015

SUSPEND:

Statutory Authority:

ORS 447.231, 455.030, 455.110 & 455.496

Other Authority:

ORS 183.335

Statutes Implemented:

ORS 455.110

RULE SUMMARY

This rule implements changes to further clarify the construction requirements for emergency responder radio coverage in the Oregon Structural Specialty Code adopted in a previous temporary administrative rule.

Holly A. Tucker
Rules Coordinator Name

holly.a.tucker@state.or.us
Email Address

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules
accompanies this form.

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5-1-17 4:20 PM
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SECRETARY OF STATE

Department of Consumer and Business Services, Building Codes Division
Agency and Division

918
Administrative Rules Chapter Number

Amends the Oregon Structural Specialty Code for Construction for Emergency Responder Radio Coverage

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

In the Matter of:

Amending 918-460-0015

Statutory Authority:

ORS 447.231, 455.030, 455.110 & 455.496

Other Authority:

ORS 183.335

Statutes Implemented:

ORS 455.110

Need for the Temporary Rule(s):

This rule is needed to adopt changes to the Oregon Structural Specialty Code. These code changes provide uniform and predicable standards for the installation of emergency responder radio coverage. This coverage is integral to the duties of first responders and the safety of building occupants.

Documents Relied Upon, and where they are available:

Draft rules, proposed code changes, referenced form, notice of code section repeal dated February 22, 2016, and Building Code Structures Board minutes from the February 24, 2016, August 3, 2016, November 2, 2016, and February 1, 2017, Building Code Structures Board meetings are available from the division's rules coordinator located at 1535 Edgewater St. NW, Salem, Oregon, 97304 and are available on the division's web site: www.bcd.oregon.gov.

Justification of Temporary Rule(s):

Failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned. Without a temporary rule there will be no provisions in the Oregon Structural Specialty Code requiring emergency responder radio coverage. The agency finds that issuing temporary rules under ORS 183.335(5) is appropriate because this coverage is critical to first responders and increases public safety. Updated legal advice required making certain changes to the previously filed temporary rule, to ensure continued coverage while clarifying jurisdictional issues.

Holly A. Tucker

holly.a.tucker@state.or.us

Printed Name

Email Address

918-460-0015

Amendments to the Oregon Structural Specialty Code

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

(2) Effective April 1, 2015 the **Oregon Structural Specialty Code** is amended according to the following:

(a) Amend Chapter 2 Definitions to include definitions related to solar photovoltaic installations;

(b) Amend Section 1008.1.10 Panic and Fire Exit Hardware by changing the ampere threshold to 800 to align with the **Oregon Electrical Specialty Code**. Clarifies that the **Oregon Electrical Specialty Code** determines what constitutes a “work space”;

(c) Amend Table 1016.2 Exit Access Travel Distance by adding “Note” (d) specifying exit travel distance;

(d) Amend Section 1018.1 Corridors by adding “Exception” (6) relating to fire-resistance rating;

(e) Amend Sections 1107.5.1 Group I-1 and 1107.6.4 Group R-4 by adding an “Exception” allowing folding seats to be omitted and shower controls to be located on the side wall;

(f) Amend Section 2902.2 Separate Facilities by amending “Exception” (2), and adding “Exception” (3); and

(g) Adopt Section 3111 Solar Photovoltaic Panels/Modules.

(3) Effective February 1, 2016, the **Oregon Structural Specialty Code**, Sections 907.2.11 and 908.7, for low frequency single- and multiple-station smoke alarms and carbon monoxide alarms is amended. NFPA 72 Section 29.3.8 and NFPA 720 Section 9.4.2.2 are not adopted.

(4) Effective May 2, 2017, for new construction standards related to emergency responder radio coverage, **Oregon Structural Specialty Code Sections** 403.4.5, 907.2.13.2, 915.1, 915.1.1, 915.2, and 915.3 are adopted and amended. Form OSSC 915, which contains the minimum necessary required information for building departments to consider new construction standards related to emergency responder radio coverage, is adopted.

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

Stat. Auth.: ORS 447.231, 455.030, 455.110 & 455.496

Stats. Implemented: ORS 455.110

Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCD 6-1994, f. 2-25-94, cert. ef. 5-1-94; BCD 22-1994, f. 9-28-94, cert. ef. 1-1-95; BCD 31-1994(Temp), f. & cert. ef. 12-23-94; BCD 32-1994, f. & cert. ef. 12-30-94; BCD 2-1995, f. & cert. ef. 2-9-95; BCD 5-1995, f. & cert. ef. 3-15-95; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 6-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 12-1997, f. 9-10-97, cert. ef. 10-1-97; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 24-1998(Temp), f. & cert. ef. 12-1-98 thru 5-29-99; Temporary Rule repealed by BCD 3-1999, f. 3-12-99, cert. ef. 4-1-99; BCD 5-1999, f. 6-17-99, cert. ef. 10-1-99; BCD 12-1999(Temp), f. 9-23-99, cert. ef. 11-1-99 thru 4-28-00; BCD 2-2000 f. 1-14-00, cert. ef. 4-1-00; BCD 20-2000, f. 9-15-00, cert. ef. 10-1-00; BCD 8-2001, f. 7-17-01, cert. ef. 10-1-01; BCD 18-2001, f. 12-21-01, cert. ef. 1-1-02; BCD 14-2003, f. 8-13-03, cert. ef. 10-1-03; BCD 18-2003(Temp) f. & cert. ef. 11-14-03 thru 5-11-04; BCD 5-2004,f. & cert. ef. 4-1-04; BCD 16-2004, f. 9-24-04, cert. ef. 10-1-04; BCD 21-2004, f. & cert. ef. 10-1-04; BCD 9-2005(Temp), f. & cert. ef. 4-7-05 thru 9-30-05; BCD 14-2005, f. & cert. ef. 7-5-05; BCD 18-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 22-2005, f. 9-29-05, cert. ef. 10-1-05; BCD 23-2005, f. 9-29-05, cert. ef. 10-1-05; BCD 1-2006, f. & cert. ef. 2-1-06; BCD 9-2006, f. 6-30-2006, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07; BCD 9-2008 (Temp), f. & cert. ef. 6-25-08 thru 12-22-08; BCD 20-2008, f. 9-30-08, cert. ef. 10-1-08; BCD 4-2010, f. 5-14-10, cert. ef. 7-1-10; BCD 1-2011, f. 2-15-11, cert. ef. 4-1-11; BCD 14-2011, f. & cert. ef. 5-13-11; BCD 30-2011, f. & cert. ef. 11-1-11; BCD 32-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 1-2012, f. 1-31-12, cert. ef. 2-1-12; BCD 8-2012, f. 8-31-12, cert. ef. 9-1-12; BCD 7-2014, f. 6-20-14, cert. ef. 7-1-14; BCD 3-2015, f. 3-24-15, cert. ef. 4-1-15; BCD 2-2016, f. 1-28-16, cert. ef. 2-1-16

**Emergency Responder Radio Coverage
Oregon Structural Specialty Code**

Proposed Code Changes

Text denotation:

Underline denotes new text,
~~strikethrough~~ denotes deletion

SECTION 915

CONSTRUCTION FOR EMERGENCY RESPONDER RADIO COVERAGE

915.1 General. When required by ~~the fire code official~~ this section, construction components for emergency responder radio coverage shall be provided in all new buildings which meet one of the following criteria: in accordance with Section 510 of the Fire Code.

1. Any building with one or more *basement* or below-grade building levels.
2. Any underground building.
3. Any building more than five stories in height.
4. Any building 50,000 square feet in size or larger.
5. Any building regulated as a *high-rise* under Section 403.1.

<p>For information about coverage requirements regulated and enforced by the fire official, see Section 510 of the Fire Code.</p>

915.1.1 Exceptions. A building meeting the criteria listed in Section 915.1 may be excepted from emergency responder radio coverage construction requirements for the following reasons:

1. Where recommended by the fire official and approved by the building official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of emergency responder radio coverage construction requirements.

2. Where recommended by the fire official and approved by the building official, construction requirements for an emergency responder radio coverage system is not necessary for the specific building based on the fire official's recommendation.

915.2 Form OSSC 915. A completed Form OSSC 915 shall be submitted to the building official at the time of initial permit application.

Exception: Where portions of the construction documents demonstrating compliance with Section 915 are being deferred in accordance with Section 107.3.4.2, only Parts I and II of Form OSSC 915 are required to be completed and submitted to the building official at the time of initial permit application.

OSSC Form 915 is available at the following link: www.oregon.gov/bcd/Pages/forms.aspx

915.3 Survivability. The following construction components shall be required as specified for the installation of emergency responder radio coverage systems:

- 1. All signal booster components shall be protected in NEMA 4-Type waterproof cabinets.**
- 2. All system backbone pathways between signal boosters, donor antennae and secondary power supplies and between head end and remote units for fiber based systems shall be protected by a shaft enclosure in accordance with Section 713. Protection of system backbone pathways within a single floor level is not required.**
- 3. Primary cable riser pathways between floors shall be protected in shaft enclosures constructed in accordance with Section 713.4 or an approved equivalent. Connections between riser and feeder cables shall occur within the shaft enclosure. Protection of a primary cable riser pathway within a single floor level is not required.**

SECTION 403 HIGH-RISE BUILDINGS

403.4.5 Construction for emergency responder radio coverage. Construction components for emergency responder radio coverage shall be provided in accordance with Section 510 of the Fire Code 915 unless otherwise exempted by this code.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

907.2.13.2 Fire department communication system. Where a wired communication system is **recommended by the fire official and approved by the building official** ~~approved~~ in lieu of an emergency responder radio coverage system in accordance with Section ~~510 of the Fire Code 915~~, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and shall operate between a fire command center complying with Section 911, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside enclosed exit stairways. The fire department communication ~~device~~ **equipment** shall be provided at each floor level within the enclosed exit stairway. **Approval of a wired communication system must be documented on Form OSSC 915 in accordance with Section 915.**

State of Oregon
Form OSSC 915
Emergency Responder Radio Coverage (ERRC) Checklist

For use to determine compliance with 2014 OSSC 403.4.5 and 915.

This checklist provides the minimum necessary required information and shall be provided to the local Building Code Official at time of building permit application where a proposed new building meets any one of the following criteria established by the state building code:

1. Any building with one or more basement or below-grade building levels (*OSSC 915*).
2. Any underground building (*OSSC 915*).
3. Any building more than five stories in height (*OSSC 915*).
4. Any building 50,000 square feet in size or larger (*OSSC 915*).
5. Any building regulated as a high-rise under *OSSC 403.1* (*OSSC 403.4.5*).

Part I Project Information *(to be completed by permit applicant or representative)*

Applicant or representative name: _____ **Phone number:** _____

Project name: _____

Address / location: _____

Building height: _____ **Construction type:** _____

Number of floors below grade: _____ **Number of floors above grade:** _____ **Building square footage:** _____

Acknowledgement: I understand, unless exempted by the building official, this project is required to comply with the construction requirements for emergency responder radio coverage systems, and that a building permit cannot be issued without this form being properly completed. If the project is an approved deferred submittal, only Parts I and II need to be completed at the time of permit application. I also understand that the fire official may waive the ERRC requirements. I have consulted with the local fire official.

Applicant / Representative signature **Date**

Part II Deferred Submittal *(signed by local fire official, permit applicant and building official)*

By signature below, the designated parties acknowledge that ERRC compliance documentation for this project is being deferred (see OSSC 107.3.4.2). As provided by Section 915.2, only Parts I and II need to initially be completed. Parts III through VII of this form must be completed as necessary to demonstrate compliance and be submitted to the building official when appropriate in the deferred submittal process.

Applicant/Representative **Date** **Building Official** **Date**

Local Fire Official / Title / Jurisdiction **Date**

Part III Local Fire Official Requirement *(to be completed by the Fire Code Official)*

Does the local fire official require Emergency Responder Radio Coverage?

- Yes** If yes, complete Part IV Technical Criteria.
- No** If no, indicate the reason below and return this form to the Building Official for approval.
 - Wired communication system is being installed.
 - Other (specify): _____

Local Fire Official / Title / Jurisdiction **Signature** **Date**

Part IV Technical Criteria *(to be completed by the local fire official)*

The following technical criteria are provided to aid in design where equipment is necessary to achieve compliance. This part may not be able to contain all necessary information and additional information may be required. This information is required as a condition of building permit issuance, but it is not adopted or made part of the state building code. If part of a deferred submittal, this section must be completed when appropriate in the process.

- Technologies Used / Frequencies / Channels Required:
- FCC License Holder for Emergency Radio frequency:
- Contact Person / Phone Number:
- Location and Technical Specifications of Agency Antennas Available at:
- FCC Frequency Holder Special Requirements for Equipment:
 - Repeater type(s):
 - Minimum distance to closest repeater:
 - Effective radiated power of donor site:
 - Specific standards for maximum spurious oscillation levels:
 - Any other specific criteria:
 - Anticipated frequency changes:
 - Specific testing requirements:
 - Legal agreement required with FCC license holder? Yes No
 - Plan and specification submittal required? Yes No
- Additional local information is attached.

Part V System Design *(to be completed by the applicant and FCC license holder)*

Systems must comply with local fire service requirements, Section 510 of the fire code, FCC rules, and all conditions of FCC license holder use agreements. This information is required as a condition of building permit issuance, but it is not adopted or made part of the state building code.

- System Type:** DAS with signal booster Other:
- Signal Booster Make / Model:**
- Donor Antenna Type:**
- Proposed Frequency Range or Number of Channels:**

Part VI FCC License Holder Verification

Additional information not contained in this form may be required to obtain license holder approval. This information is required as a condition of building permit issuance, but it is not adopted or made part of the state building code.
The proposed design meets FCC license holder requirements.

License Holder / Title / Jurisdiction	Signature	Date

Part VII Building Official Approval

Where Emergency Responder Radio Coverage is required by the fire official, the building official regulates the ERRC construction components through the state building code. Only a building official may waive the construction requirements after a determination by the local fire official that ERRC is not necessary for the building.

Building Official Name	Signature	Date