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191581

Ordinance

Amend Building Regulations Code to adopt portions of the 2021 International Building Code, the State of Oregon 2023 Edition of the Oregon Residential Specialty Code, and the 2022 Edition of the Oregon Structural Specialty Code (amend Code Sections 24.10.040 and 24.10.072, add Code Section 24.10.150)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to ORS 455.148, the City of Portland serves as the administrator for the State Building Codes, including the Oregon Structural Specialty Code (OSSC).
2. Per Portland City Code (PCC) Title 3, the Bureau of Development Services (BDS) administers PCC Title 24, Building Regulations.
3. The State Building Codes Division regularly updates the OSSC based on the most recent version of the International Building Code (IBC).
4. In its 2022 OSSC update, the State Building Codes Division did not adopt any provisions of Chapters 32 (Encroachments into the Public Right-of-Way) and various sections of Chapter 33 (Safeguards During Construction) from the 2021 IBC into the 2022 OSSC.
5. The City adopted the 2022 Edition of the OSSC by reference via Ordinance No. 191148 (effective February 24, 2023).
6. The sections of 2021 IBC Chapter 33 that are being added to Title 24 are IBC Sections: 3301 - General; 3306 - Protection of Pedestrians; 3307 - Protection of Adjoining Property; 3308 - Temporary Use of Streets, Alleys and Public Property.
7. The State updated the Oregon Residential Specialty Code (ORSC) in October 2023; consequently, the City must adopt the 2023 Edition of the Oregon Residential Specialty Code.
8. Per OAR 918-480-005, Chapter 1 of the 2023 Oregon Residential Specialty Code is effective October 1, 2023, with no phase-in period.
9. The 2021 Oregon Residential Specialty Code, except for Chapter 1, will remain in effect for a period of six months beginning October 1, 2023, and ending March 31, 2024. During the six-month phase-in period BDS will accept plans for low-rise residential dwellings designed to either the

Introduced by

[Commissioner Carmen Rubio](#)

Bureau

[Development Services](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

January 10, 2024

Changes City Code

2023 Oregon Residential Specialty Code or the 2021 Oregon Residential Specialty Code.


10. Resolution No. 37577 directs that the effective dates of development-related City Code changes should be either October 1 or March 1.


Because the ORSC is already in effect, the effective date of amendments in Exhibit A to this ordinance will be 30 days after the second reading.

NOW, THEREFORE, the Council directs:

A. Amend City Code Sections 24.10.040 and 24.10.072 and add Section 24.10.150 as shown in Exhibit A.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-dbedits.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-dbedits.pdf) 57.74 KB

 [Memo to Council \(https://www.portland.gov/sites/default/files/council-documents/2023/amend-title-24-memo-to-council-12.20.23.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/amend-title-24-memo-to-council-12.20.23.pdf) 181.87 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
January 10, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

Pursuant to ORS 455.148, the City of Portland serves as the administrator for the State Building Codes, including the Oregon Structural Specialty Code (OSSC). The State Building Codes Division manages the content of the OSSC, adopting relevant portions of the International Building Code (IBC). The State Building Codes Division did not adopt Chapters 32 and Sections of Chapter 33 from the current 2021 IBC into the current 2022 OSSC, which has created a regulatory gap. The OSSC states that municipalities may choose to regulate these items outside the authority of the code. Per Portland City Title 3, the Bureau of Development Services (BDS) administers and enforces Portland City Title 24 (Building Regulations). This ordinance closes BDS's regulatory gap by adopting Chapter 32 and sections of Chapter 33 of the 2021 IBC to Title 24, granting BDS regulatory authority that closes the current regulatory gap.

This ordinance amends the Administration and Enforcement Chapter of Portland City Code (PCC) Title 24 by adding Section 24.10.040 F to adopt by

reference the 2021 – International Building Code (IBC) Chapters 32 in entirety and 33, Sections 3301, 3306, 3307, and 3308.

This ordinance also corrects Section 24.10.040(A), changing the International Building Code Edition year from 2022 to 2021.

This ordinance adopts a Severability Clause to Title 24, Section 24.10.150.

Financial and Budgetary Impacts

This ordinance has no budgetary impacts and would not impact staffing levels. Any changes in work resulting from this ordinance is expected to be performed using existing resources.

Community Impacts and Community Involvement

No community involvement was conducted in the development of this ordinance.

Budget Office Financial Impact Analysis

No fiscal impact.

Agenda Items

1078 Regular Agenda in [December 20, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/12/20) (<https://www.portland.gov/council/agenda/2023/12/20>)

Passed to second reading

Passed to second reading January 10, 2024 at 9:30 a.m.

28 Regular Agenda in [January 10-11, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/1/10) (<https://www.portland.gov/council/agenda/2024/1/10>)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea