

the purpose of erecting, installing, enlarging, altering, repairing, converting or replacing any electrical, gas, mechanical or plumbing system.

**R105.2 Work exempt from permit.** Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. Nonhabitable one-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>) and a height of 10 feet (3048 mm) measured from the finished floor level, to the average height of the roof surface.
2. Except for barriers around swimming pools as required in Appendix G, fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Concrete sidewalks, slabs, platforms and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, interior wall, floor or ceiling covering and similar finish work.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy where the pool walls are entirely above the adjacent grade. Barrier requirements found in Appendix G are not exempt.
8. Swings and other playground equipment.
9. Patio and porch covers not over 200 square feet (11 m<sup>2</sup>) and supported by an exterior building wall.
10. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
11. Nonbearing partitions, except when such partitions create habitable rooms.
12. Replacement or repair of siding not required to be fire-resistive.
13. Retrofitted insulation.
14. Masonry repair.
15. Porches and decks, where the floor or deck is not more than 30 inches (762 mm) above adjacent grade measured at any point within 3 feet (914 mm) horizontally of the floor or deck, and where in the case of a covered porch, the covered portion of the porch does not come closer than 3 feet (914 mm) to property lines.
16. Gutters and downspouts.

17. Door and window replacements (where no structural member is changed).
18. Re-roofing, where replacement or repair of roofing does not exceed 30 percent of the required live load design capacity and the roof is not required to be fire-resistive.

**Exceptions:**

1. Permits for re-roofing are required for structures in wildfire hazard zones as provided in Section R324; and
  2. Structures falling within the scope of Section R317.2.
  3. Permits for re-roofing are required where more than 15 percent of the existing space sheathing is removed to facilitate the installation of new sheathing.
19. Plastic glazed storm windows.
  20. Framed-covered nonhabitable accessory buildings not more than 500 square feet (46.45 m<sup>2</sup>) in area, one story in height and not closer than 3 feet (914 mm) to a property line, where the structure is composed of a rigid framework that supports a fabric membrane.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits may be required for the above exempted items. In addition, all new construction and substantial improvements (including the placement of prefabricated buildings and certain building work exempt from permit under Section R105.2) shall be designed and constructed with methods, practices and materials that minimize flood damage in accordance with this code, FEMA regulations and ASCE 24.

**Electrical:**

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

**Mechanical:**

1. Portable heating appliances, cooking or clothes drying appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.

8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

### || Plumbing:

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drain-pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

- || **R105.2.1 Emergency repairs.** Where mechanical *equipment* replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

For electrical emergency repairs, see ORS 479.570 and OAR 918-309-0080. For plumbing emergency repairs, see OAR 918-780-0035 and 918-785-0200.

**Note:** ORS 479.570, OAR chapter 918, divisions 309, 780 and 785 are available online at [www.bcd.oregon.gov](http://www.bcd.oregon.gov).

|| **R105.2.1.1 Structural temporary repairs.** For temporary (180 days) structural supports, structural replacement or repairs performed in an emergency on an existing structure, the authority having jurisdiction shall be notified within 72 hours and permit application for the temporary work shall be submitted within the next 10 business days.

**R105.2.2 Repairs.** Application or notice to the *building official* is not required for ordinary repairs to structures, replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**R105.2.3 Public service agencies.** A *permit* shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related *equipment* that is under the ownership and control of public service agencies by established right.

**R105.3 Application for permit.** To obtain a *permit*, the applicant shall first file an application therefor in writing on a form

furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the *permit* for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by *construction documents* and other information as required in Section R106.1.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the *building official*.

**R105.3.1 Action on application.** The *building official* shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable.

**R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.** Adopted by the State of Oregon for optional use in municipalities. For applications for reconstruction, rehabilitation, *addition* or other improvement of existing buildings or structures located in an area prone to flooding as established by the local jurisdiction, the *building official* shall examine or cause to be examined the *construction documents* and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamaged condition. If the *building official* finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the finding shall be provided to the board of appeals for a determination of substantial improvement or substantial damage. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall require all existing portions of the entire building or structure to meet the requirements of Section R322.

**R105.3.2 Time limitation of application.** An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a *permit* has