

Senate Bill 840

Sponsored by COMMITTEE ON BUSINESS, TRANSPORTATION AND ECONOMIC DEVELOPMENT (at the request of Special Districts Association of Oregon and Oregon Fire Chiefs Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Limits municipal entity assessment of additional or higher system development charge to dwelling for having large-capacity water meter required for fire sprinkler system.

Limits civil liability of municipal entity for damage to dwelling with fire sprinkler system caused by entity shutting off water supply for certain reasons.

A BILL FOR AN ACT

1
2 Relating to dwellings with fire sprinkler systems.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Building official" has the meaning given that term in ORS 455.715.**

6 (b) **"Dwelling" means a structure designed for nontransient single-family or two-family**
7 **residential occupancy.**

8 (c) **"Multipurpose fire sprinkler system" means a flow-through system that uses the**
9 **same water meter, water service and household plumbing system to supply fire sprinklers**
10 **in a dwelling and the other domestic uses of water in the dwelling.**

11 (2) **If the state building code requires that a dwelling equipped with a multipurpose fire**
12 **sprinkler system have a water meter of larger capacity than the water meter that would be**
13 **required for the same dwelling if not equipped with a multipurpose fire sprinkler system,**
14 **except as provided in subsections (3) and (4) of this section a municipal entity supplying wa-**
15 **ter to the dwelling may not assess the dwelling more than 30 percent of the additional or**
16 **higher system development charge that results from the water meter having a larger ca-**
17 **capacity than the water meter that would be required for the same dwelling if not equipped**
18 **with a multipurpose fire sprinkler system. This subsection does not prevent a municipal en-**
19 **tity from assessing the full amount of costs that are specific to the dwelling and related to**
20 **water meter and water service line installation for the dwelling.**

21 (3) **If the assessment of an additional or higher system development charge is limited**
22 **under subsection (2) of this section, and subsequent to that assessment the water demand**
23 **of the dwelling increases beyond normal fluctuations in use for reasons unrelated to the**
24 **multipurpose fire sprinkler system, the municipal entity may assess the dwelling that portion**
25 **of the additional or higher system development charge in effect on the assessment date that**
26 **the municipal entity was prevented from assessing by the limitation in subsection (2) of this**
27 **section.**

28 (4) **The limitation in subsection (2) of this section does not apply to a water authority**
29 **organized under ORS 450.660 if, prior to March 31, 2011, the water authority:**

30 (a) **Incurs debt for the purpose of installing infrastructure; and**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) Has applied toward repayment of that debt moneys obtained from the assessment of**
2 **additional or higher system development charges to dwellings having water meters of larger**
3 **capacity due to a multipurpose fire sprinkler system.**

4 **(5) If a building official receives an application to increase the number of water fixtures**
5 **in a dwelling, install an irrigation system or swimming pool or make other changes that may**
6 **affect the water demand of a dwelling, the building official shall give notice of the application**
7 **to the municipal entity supplying water to the dwelling, if any. The building official may**
8 **charge the municipal entity a fee for giving the notice, not to exceed \$25.**

9 **SECTION 2. (1) As used in this section, “dwelling” and “multipurpose fire sprinkler sys-**
10 **tem” have the meaning given those terms in section 1 of this 2011 Act.**

11 **(2) A municipal entity is not civilly liable for any damages to a dwelling with a multi-**
12 **purpose fire sprinkler system caused in whole or in part by the shutting off of water service**
13 **to the dwelling:**

14 **(a) For routine maintenance;**

15 **(b) Due to nonpayment of amounts owed to the municipal entity; or**

16 **(c) Due to an emergency affecting the water system.**

17 **SECTION 3. Section 1 of this 2011 Act applies to water meters installed on or after the**
18 **effective date of this 2011 Act.**

19 **SECTION 4. Section 2 of this 2011 Act applies to damages incurred on or after the ef-**
20 **fective date of this 2011 Act.**

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