

A-Engrossed
House Bill 2737

Ordered by the House April 21
Including House Amendments dated April 21

Sponsored by Representatives BARNHART, BYNUM; Representatives KENY-GUYER, NATHANSON (at the request of Tom Bowerman, Oregon Housing Alliance)

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.

Requires Director of Department of Consumer and Business Services to **adopt amendments to state building code to establish specified** [*special construction*] standards for homes that have floor area of not more than [250] **400** square feet. Identifies certain provisions for inclusion in standards. **Requires director to report to interim committee of Legislative Assembly no later than September 15, 2022, with recommendations regarding use of standards established by state building code amendments.**

Sunsets requirement for special standards January 2, 2024.

A BILL FOR AN ACT

1
2 Relating to construction standards for small homes; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 455.**

5 **SECTION 2. (1) As used in this section, "IRC" means the International Residential Code,**
6 **2018 Edition.**

7 **(2) The Director of the Department of Consumer and Business Services shall adopt**
8 **amendments to the specialty codes to establish standards as described in this section for**
9 **prefabricated and site-built homes that are not more than 400 square feet in size.**

10 **(3) Except as provided in subsection (4) of this section, habitable spaces and hallways**
11 **shall have a ceiling height that is not less than 80 inches.**

12 **(4) Bathrooms, toilet rooms and kitchens shall have a ceiling height that is not less than**
13 **76 inches.**

14 **(5) Ceiling height may not be reduced below the minimum heights required under sub-**
15 **sections (3) and (4) of this section by beams, girders, ducts, lighting or other obstructions.**

16 **(6) The minimum height requirement in subsections (3) and (4) of this section do not**
17 **apply to a loft area.**

18 **(7) Loft areas used as sleeping or living space:**

19 **(a) Must have a floor area of not less than 35 square feet; and**

20 **(b) Must not be less than five feet in length in any direction.**

21 **(8) If a loft described in subsection (7) of this section has a sloping ceiling:**

22 **(a) Except as provided in paragraph (b) of this subsection, any part of the loft that is less**
23 **than three feet in height between the finished floor and the finished ceiling is excluded from**
24 **the measurement of square footage for the loft.**

25 **(b) For any part of the loft that is below a 6:12 slope or steeper gable roof, any part of**

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 the loft that is less than 16 inches in height between the finished floor and the finished
2 ceiling is excluded from the measurement of square footage for the loft.

3 (9) The access and primary egress for a loft must be by stairway, ladder, alternating
4 tread devices or ship's ladder.

5 (10) If a stairway is the access and primary egress for a loft area:

6 (a) The stairway may not have less than 17 inches of clear width at all points that are
7 at or above the handrail and may not have less than 20 inches of width below the handrail;

8 (b) Except as provided in paragraph (c) of this subsection, the headroom above the
9 stairway may not be less than 74 inches, measured vertically from the sloped line formed by
10 the tread nosings and landing platform nosings at the middle of the nosing widths;

11 (c) The headroom above a landing platform may not be less than 54 inches;

12 (d) The risers shall:

13 (A) Have a height of not less than seven inches and not more than 12 inches; and

14 (B) Be the sum of 15 inches minus three-fourths of the tread height measured in inches;

15 (e) The tread depth shall be the sum of 20 inches minus $\frac{4}{3}$ of the riser height measured
16 in inches; and

17 (f) If the ceiling height is less than 74 inches at the point where the stairway meets the
18 loft, the top riser and tread must be constructed as a landing platform that:

19 (A) Is not less than 18 inches and not more than 22 inches in depth, measured from the
20 tread nosing of the landing platform to the edge of the loft; and

21 (B) Is not less than 16 inches and not more than 18 inches in height, measured from the
22 landing platform to the loft floor.

23 (11) Handrails for a stairway must be constructed in compliance with IRC section
24 R311.7.8.

25 (12) Guards at open sides of a stairway must be in compliance with IRC section R312.1.

26 (13) If a ladder is the access and primary egress for a loft area:

27 (a) The rungs shall have a width of not less than 12 inches;

28 (b) The space between the rungs may be not less than 10 inches and not more than 14
29 inches;

30 (c) The space between rungs must be uniform to within three-eighths of an inch;

31 (d) The ladder must be capable of supporting a 200-pound load on any rung; and

32 (e) The slope of the ladder may not be less than 70 degrees or more than 80 degrees from
33 horizontal.

34 (14) If the access or primary egress for a loft area is by alternating tread devices, the
35 devices must be constructed in compliance with IRC sections R311.7.11.1 and R311.7.11.2.

36 (15) If the access or primary egress for a loft area is a ship's ladder, the clear width at
37 and below the handrail may not be less than 20 inches. The ship's ladder shall be constructed
38 in compliance with IRC sections R311.7.12.1 and R311.7.12.2.

39 (16) The open sides of a loft shall be equipped with loft guards that are not less than 36
40 inches in height, or one-half of the clear height to the ceiling, whichever is less.

41 (17) The home shall have emergency escape and rescue openings in compliance with IRC
42 section R310. For purposes of this subsection, an egress roof window in a loft used as a
43 sleeping area is in compliance with IRC section R310 if the bottom of the window opening is
44 not more than 44 inches above the loft floor and the window is in compliance with the min-
45 imum opening requirements of IRC section R310.2.1.

1 **SECTION 3.** The Director of the Department of Consumer and Business Services shall
2 complete the adoption of specialty code amendments under section 2 of this 2017 Act in time
3 for the amendments to become effective on January 1, 2018.

4 **SECTION 4.** The Director of the Department of Consumer and Business Services shall
5 report to an interim committee of the Legislative Assembly relating to construction in the
6 manner provided by ORS 192.245 no later than September 15, 2022, regarding the use of the
7 specialty code amendments adopted under section 2 of this 2017 Act in home construction.
8 The report may include, but need not be limited to, any recommendations regarding changes
9 to, or continuation or termination of, the construction of homes under the specialty code
10 amendments adopted by the director under section 2 of this 2017 Act.

11 **SECTION 5.** (1) Section 2 of this 2017 Act is repealed January 2, 2024.

12 (2) No earlier than 90 days prior to the date specified in subsection (1) of this section, the
13 Director of the Department of Consumer and Business Services shall provide for the repeal
14 of the specialty code amendments adopted under section 2 of this 2017 Act to become effec-
15 tive on the date specified in subsection (1) of this section.

16 **SECTION 6.** This 2017 Act takes effect on the 91st day after the date on which the 2017
17 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.
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