Bureau of Development Services FROM CONCEPT TO CONSTRUCTION

PROGRAM GUIDE

Minor Mechanical Labels

Category: Commercial Construction and Residential Construction

Revised: July 15, 2015 ***[Paul L. Scarlett]***, Director

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BACKGROUND

Oregon Revised Statutes Chapter 455.046 establishes special alternative inspection programs for commercial and industrial and one and two family dwelling installations for other than new construction. One of these programs is the Minor Label Program. Implementation rules for commercial and industrial and one and two family dwelling minor labels, adopted by the Building Codes Division, are contained in Oregon Administrative Rules (OAR) 918-100-000 through 918-100-060. The rules implement the statute for the Oregon Structural Specialty Code, the Mechanical Specialty Code, the Oregon Residential Specialty Code, and the Plumbing Specialty Code. The term "commercial and industrial" includes all occupancies, other than residential uses.

Minor mechanical labels may be used in lieu of regular mechanical permits for certain types of installations. Minor labels cost less than equivalent permits. Random inspections are made to ensure installations comply with the Oregon Mechanical Specialty Code and the Oregon residential Specialty code. The lower price of minor labels is a reflection of the lower costs involved in making the random inspections.

Contractors having verifiable Construction Contractors Board registrations, commercial and industrial building owners and their agents are eligible to purchase and use minor labels. Minor Labels may only be used by the original purchaser. Multi-unit residential building owners and one and two family dwelling owners are not eligible to purchase minor labels. A minor label is only required when the installation otherwise requires a mechanical permit. Nothing prohibits purchase of a regular mechanical permit for installations covered by the minor mechanical label program.

A. Definitions

Accessible: Installations that can be easily inspected because the work is in the open or because there is a designed permanent physical access such as an access panel, door or similar entry.

Commercial and Industrial: Any occupancy other than residential use. (Residential use includes one and two family dwellings and buildings containing three or more dwelling units or sleeping units.)

Dwelling: Any building that contains one or two dwelling units that are occupied or intended for living purposes.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation.

Minor Label: Adhesive sticker sold by a jurisdiction which identifies the jurisdiction issuing the label; label number; installation date; job address; work description; building owner's/owner's agent's/contractor's name, address and phone number; and name of the person doing the work.

Minor Label Log: A record of installations made under a minor label.

Sleeping Unit: A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both.

New Construction:

1. Creation of a new building shell, commercial/industrial structural retrofit, installation or alteration of load bearing walls, foundations or exit passageways;
2. Installation of mechanical and plumbing products as part of the work described in 1. above;
3. Any structural, mechanical or plumbing work performed in connection with changing the use or occupancy classification of the building;
4. Any addition which increases the square footage of the building or structure; or
5. Remodeling within an occupied existing shell which results in:
    a. Vacation of more than 25 percent of commercial/industrial occupants within a floor or building resulting from remodel;
    b. Termination of a commercial/industrial tenant's usual activities for more than five working days; or
    c. Construction which involves more than 25 percent of the area on any floor in a commercial/industrial building.

Occupancy Classification: The designation of a building according to its use or the character of its occupancy into one or more of the occupancy groups as provided in the Oregon Structural Specialty Code.

Project: Not more than one minor label used per calendar month for each address, suite or tenant space.

Repair and Maintenance: Restoring accessible or existing appliances, appurtenances, fixtures, wastes, vents or distribution pipes in buildings or structures to a safe and sanitary condition.

Replacement: Exchanging an existing structural component or mechanical or plumbing product for a similar item which:

1. Does not change the source or location of power;
2. Does not exceed the design capacity of the existing system; and
3. Meets current accessibility and earthquake requirements.

B. Installations Allowed

1. The following work may be done under a Minor Mechanical Label:
   a. Moving or replacing duct work not involving fire dampers or penetrations of fire walls, fire assemblies or floors;
   b. Moving or replacing grills in duct work;
   c. Replacing existing same fuel heating, cooling and ventilation equipment of equal or less weight (minor alteration of gas piping involving not more than 6 feet of gas piping, and minor alterations to existing venting systems permitted to allow for unit configuration);
   d. Installation of automatic emergency fuel gas shut off valves;
   e. Addition of central air conditioning system to existing heating system accessory to one and two family dwellings;
   f. Replacement of existing electric furnace with or addition of heat pump system accessory to one and to family dwellings;
   g. Mechanical exhaust for radon mitigation systems in one and two family dwellings;
   h. Mini-split-system heat pumps.

2. The following work may *not* be done under a Minor Mechanical Label:
   a. New construction; or
   b. Work on smoke evacuation systems; or
   c. New smoke control systems; or
   d. Replacement of fuel burning equipment which requires replacement of existing venting system;
   e. Commercial replacement of systems involving more than 2,000 cfm of air movement capability, equipment weighing more than 400 lbs, 5-ton cooling capacity.

3. Restrictions:
   a. A minor label is only required when the work otherwise requires a permit.

b. Work must meet the requirements of the Oregon Mechanical Specialty Code or the Oregon Residential Specialty Code.
c. No more than one minor mechanical label may be used on any single project.
d. City of Portland minor labels may only be used for work within the City of Portland Bureau of Development Services' (BDS) jurisdiction.

C. Who is Eligible to Purchase

In order to purchase and use minor mechanical labels, the applicant must be a:

1. Commercial and Industrial building owner; or
2. Commercial and Industrial building owner's agent; or
3. Contractor having a verifiable Construction Contractors Board registration.

[Note: minor label installations in or appurtenant to any residential use shall be performed only by contractors per item C 3.]

D. How to Purchase

Labels are available for purchase in multiples of ten from the BDS Development Services Center (1900 SW Fourth Avenue, Portland, Oregon). Labels may be purchased in person or by mailing a minor label application form along with a check. The minor label application form can be found on the Web site (http://www.portlandonline.com/bds/index.cfm?c=45054&a=229724) or in the Development Services Center. The applicant may need to provide proof of meeting the requirements in Section C above.

NOTE*: Minor mechanical labels expire within 6 months from date of purchase, with possible extension for an additional 6 months. They are not refundable and are not transferable.*

E. USING MINOR LABELS

The minor label user:

1. Verifies the installation is allowed under the minor mechanical label program and that the job address is within the City of Portland Bureau of Development Services' jurisdiction (see Section B above).

2. Is responsible for ensuring compliance with the Portland Zoning Code relative to setback, design, and other location requirements. For additional zoning information, please visit www.portlandoregon.gov/bds, and click on the Zoning/Land Use tab or call the Zoning Information Line at 503-823-7526.

3. Records the installation on the minor label log. (Please use a ballpoint pen and check that the information on page two of the form is legible.)

4. Completes all information on the label and affixes the label on or near the installation when is started.

5. Returns the minor label log to the BDS Permitting Services Section after the ten minor labels are used and before the next set of labels is purchased, or one year from the date of purchase, whichever occurs first. The contractor retains the contractor copy for their records.

NOTE: Misuse of labels will result in penalties as prescribed by law.

F. Inspections

The Bureau's Structural/Mechanical Section may inspect one or more of the installations on the minor label log. The minor label user is responsible for arranging necessary access to installations for inspections. If the inspected installation is in violation of the Oregon Mechanical Specialty Code or Oregon Residential Specialty Code, corrections and/or reinspections may be required. Charges may be imposed for reinspections and new inspections per the current fee schedule at http://www.portlandonline.com/bds/index.cfm?c=34184.

- If violations are cited on the first inspection, a second inspection from the same lot of labels will be required.

- If violations are cited on the second inspection, a third inspection from the same lot of labels will be required.

- If a third inspection fails, the remaining work performed under all labels in that lot shall be permitted and inspected individually.

- If two or more lots of labels are failed within a three-year period the City will not issue further labels to the contractor for a period of one year.

The Inspections Section notifies the minor label user of corrections, additional inspections, and fees required.

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