



BUILDING CODES DIVISION

PHONE 503-742-4400

APPLICATION FOR APPROVAL OF ALTERNATIVE TO OR MODIFICATION OF THE CURRENT EDITION STATE OF OREGON RESIDENTIAL SPECIALTY CODE (ORSC)

Date: _____ Permit No. _____

Project Name: _____ Project Address: _____

Owner's Name: _____ Phone: _____

Owner's Address: _____

Applicant's Name: _____ Phone: _____

Applicant's Address: _____

Building Department Contact: Richard Carlson, Plans Examiner Supervisor, 503-742-4769

NOTE TO APPLICANT: Sections 104.11 of the *current Oregon Residential Specialty Code* grant the Building Official the ability to consider alternatives to or modifications of the Code in unusual cases. It is the policy of Clackamas County Building Codes Division that the use of these Sections of the Code be limited, and that individual cases be considered carefully within the context of the requirements of these provisions.

This application is specific to and limited to the project identified above.

A. Section 104.11: Alternate Materials, Alternate Design and Methods of Construction:

1. Pursuant to Section 104.11 of the *Oregon Residential Specialty Code*, the undersigned Applicant hereby requests approval of an alternative to Section of the Code, which requires that (cite that portion of the Code from which the Applicant is seeking relief based upon the proposed alternative):

Alternative proposal to the barrier requirements for residential swimming pools, Appendix G, Sections AG105.1-AG105.2.

2. The undersigned Applicant proposes the following alternative to Section AG105.2 of the *Oregon Residential Specialty Code* (provide a detailed description of your proposed alternative):

We are proposing a powered safety cover complying with ASTM F1346 in place of the barrier around the swimming pool required in Appendix G of the 2017 ORSC. This is allowed per the 2015 International Residential Code (IRC) in Section R326.1 which refers to the 2015 International Swimming Pool and Spa Code (ISPSC). Section 305.1 Exception #2 of the ISPSC exempts residential swimming pools from the barrier requirements with a powered safety cover that complies with ASTM F 1346.

3. For the following reasons, Applicant believes that the proposed alternative to Section AG105.2 of the **Oregon Residential Specialty Code** complies with the provisions of the Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The 2015 IRC and 2015 ISPCS are model codes for the 2017 ORSC and as the base national codes for the state specialty code, can be considered as suitable alternative paths for the intent of providing the equivalent safety protection.

B. Section 104.10: Modification (s):

1. Pursuant to Section 104.10 of the **Oregon Residential Specialty Code**, the undersigned Applicant requests approval of a modification to ____ of the Code, which requires that (cite that portion of the Code from which the Applicant is seeking relief based on the proposed modification):

2. The undersigned Applicant states the following reason(s) why strict compliance with Section ____ of the Code is impractical or presents extreme difficulty (provide a detailed, specific statement of the reason request) for your

3. For the following reasons, Applicant believes that the proposed modification to Section ____ of the **Oregon Residential Specialty Code** meets the intent of the Code, and neither lessens any fire protection requirements of the Code nor compromises the structural integrity of the structure.

Applicant or Owner's Signature (please check one)

Date:

APPLICATION DETERMINATION

Upon reasonable consideration the Clackamas County Building Codes Division determines that the above application is:

Denied.

Approved Without Conditions.

Approved, Subject to the Following Conditions:

As an alternate to the required barrier for swimming pools, the owner is responsible for the maintenance of the powered safety cover to be in working condition per the manufacturer’s instructions.

Date _____ Code Official or Deputy Building Official or Building Official: _____

APPLICANT’S AGREEMENT TO ABIDE BY CONDITIONS

The undersigned expressly acknowledges and agrees that acceptance of this application and any subsequent issuance of a permit(s) based upon the proposed alternative(s) or modification(s), has been made subject to certain conditions which the Clackamas County Building Codes Division, in its sole discretion, deems necessary. The undersigned agrees to comply strictly with all conditions imposed by the Clackamas County Building Codes Division. With respect to all permit(s) issued based upon any alternative to or modification of the *Oregon Residential Specialty Code*, the undersigned’s failure to comply strictly with all conditions imposed by the Building Department in granting any permit(s) pursuant to this application will render any right to proceed with construction, occupancy or use of any property or premises pursuant to said permit VOID, and will subject the undersigned to immediate revocation of any permit(s) issued in connection with this application. The undersigned and all subsequent owners, occupants or users of these premises claiming any right of occupancy or use of the premises through the undersigned, shall be liable for all costs and expenses, including any reasonable Attorney’s Fees and Expert Witness Fees, for enforcement of any condition or term of any permit(s) issued to this application.

The undersigned acknowledges that this agreement does not in any way limit any remedy or right the County may otherwise have with respect to enforcement of any of its Codes or Ordinances.

The undersigned acknowledges that any delay by the County with respect to enforcing strict compliance with any conditions imposed on any permit(s) issued based upon the proposed alternative(s) or modification(s) shall not be deemed to be a waiver and shall not stop or bar the County from enforcing compliance with any conditions, including the County’s right to issue, cease and desist orders and/or to seek immediate relief, as appropriate.

AGREED AND ACCEPTED:

Owner’s Signature: _____ Date: _____

(Owner’s signature is required)