

**ADMINISTRATIVE ORDER NO. 52-23-02-F**  
**of the**  
**City Manager of the City of Eugene**

**AMENDING AND REPLACING EUGENE FIRE CODE  
ADMINISTRATIVE RULE R-8.010FC ADOPTED BY ADMINISTRATIVE  
ORDER NO. 52-21-01-F.**

**The City Manager of the City of Eugene finds that:**

**A.** Section 8.010 of the Eugene Code, 1971 (EC), authorizes the City Manager to administratively adopt a fire code for the City of Eugene. Pursuant to that authority, and in accordance with the procedures set forth in EC 2.019, on July 27, 2021, I issued Administrative Order No. 52-21-01-F adopting Eugene Fire Code Administrative Rule R-8.010FC which amended the Oregon 2019 Fire Code Amendments to the 2012 International Fire Code.

**B.** On July 11, 2023, I issued Administrative Order No. 52-23-02 ordering that notice be given of the opportunity to submit written comments on a proposal to amend the Eugene Fire Code Administrative Rule R-8.010FC so that the City of Eugene's Fire Code would be consistent with the 2022 Oregon Fire Code, and to maintain a reasonable degree of fire and life safety for the community at large.

**C.** Notice of the proposed amendments to the Rule was given by providing copies to the Mayor and City Council, making copies of the Notice available to any person who had requested such notice, and by publication of the Notice in the Register-Guard newspaper on July 19, 20, 21, 23 and 24, 2023, providing interested persons an opportunity to submit comments on the proposed amendments until the end of the day on August 3, 2023. No comments concerning the proposed Rules were submitted within the time or in the manner set out in the Notice.

**D.** During the comment period, staff identified four errors in Administrative Order No. 52-23-02. Paragraph 27 of R-8.010FC-B should refer to section 401.9, rather than section 409.1. Paragraph 28 of R-8.010FC-B should refer to section 403.11.3.2 instead of section 403.11.2. Finally, paragraph 28 of R-8.010FC-B should state, "Section 606.5 of the OFC is added to provide," instead of "Section 606.5 of the OFC is amended to provide." Those errors have been corrected in this Administrative Order No. 52-23-02-F.

**On the basis of these findings, I order that:**

**1.** Administrative Order No. 52-21-01-F is superseded by this Administrative Order No. 52-23-02-F as of the effective date of this Order.

**2.** As of the effective date of this Order, the following is Eugene Fire Code Administrative Rule R-8.801OFC:

## EUGENE FIRE CODE ADMINISTRATIVE RULE R-8.010FC

### **R-8.010FC-A            ADOPTION.**

The 2021 International Fire Code (IFC) as promulgated by the International Code Council, and as adopted and amended by the State of Oregon as the 2022 Oregon Fire Code (OFC), as authorized by ORS 476.030 and OAR 837, Division 40, and effective October 1, 2022, is hereby adopted, subject to the additions, deletions, and modifications set forth in Section R-8.010FC-B of this rule, which together constitute the Eugene Fire Code (“EFC” or “this code”). This rule is in addition to, and is not exclusive of, Administrative Rule R-8.005.

### **R-8.010FC-B            AMENDMENTS.**

#### **1.        Section 101.1 of the OFC is amended to provide:**

**101.1 Title.** These regulations shall be known as the Eugene Fire Code, hereinafter referred to as "this code".

#### **2.        Section 101.2.1 of the OFC is amended to provide:**

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted. The provisions of the following appendices are adopted as part of this code: B, C, D, H, I, L, N, Q, R, S and T.

#### **3.        The following Section 102.3.1 is added to the OFC:**

**102.3.1 Change of use or occupancy - notification.** The responsible person shall forward a notification of the change in occupancy to the Eugene Springfield Fire Marshal's Office in order to update fire department records within 30 days of the change. **Exception:** This requirement does not apply to Group R and U occupancies.

#### **4.        Section 102.9 of the OFC is amended to provide:**

**102.9 Matters not provided for.** Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the fire code official. See Section 105.5.

#### **5.        Section 105.1.3 of the OFC is amended to provide:**

**105.1.3 Multiple permits for the same location.** Where three operational permits are required for the same location, the applicant will not be charged for each individual permit but instead will pay the highest single fee among the three operational permits according to the adopted fee schedule. Any additional operational permits required beyond the first three

will be obtained by the applicant and individually charged according to the established fee schedule. Should a location require six or more operational permits, each set of three operational permits (six, nine, twelve, etc) will be charged according to the highest single fee amount among the three operational permits. Operational permits beyond those groups of three will be charged individually. This system is intended to ensure that businesses do not face excessive fees for multiple permits required for the same location.

**6. Section 105.5 of the OFC is amended to provide:**

**105.5 Required operational permits.** In addition to any permits required by law or administrative regulation from the State of Oregon Fire Marshal, permits shall be obtained from the Eugene Springfield Fire Marshal's Office prior to engaging in the following activities and operations as set forth in Sections 105.5 through 105.5.56.

**7. Section 105.5A (Fireworks Animal Control) of the OFC is deleted.**

**8. Section 105.5B of the OFC is amended to provide:**

**105.5B Fireworks, public display of.** An operational permit for the public display of fireworks is required under ORS 480.130 to conduct a public display of fireworks. Applicants should refer to subsections 105.5B.1 through 105.5B.3 of the Eugene Fire Code to determine the type of operational permit necessary. Applicants seeking an operational permit to conduct a "general" display of fireworks, as defined in section 105.5B.3, outside of the date period of July third (3) through July fifth (5), must obtain prior approval from the Eugene City Manager's Office through the Eugene Springfield Fire Marshal's Office. Along with the operational permit application, a site plan, documentation of City Manager's approval, and any additional information required by Chapter 56 of the Eugene Fire Code and the 2018 edition of NFPA 1123 Code for Firework Displays must be submitted. Applications must be reviewed and approved by the Eugene Springfield Fire Marshal's Office 60 days in advance of any "general" display of fireworks.

**105.5B.1 Fireworks, special effects display.** An operational permit is required for special effects firework displays as defined in ORS 480.111 that include articles containing pyrotechnic composition that are manufactured, assembled, designed, or discharged in connection with television, theater or motion picture productions, concerts, or conference centers; or used for commercial, industrial, educational, recreational or entertainment purposes.

**105.5B.2 Fireworks, limited display.** An operational permit is required for limited firework displays as defined in OAR 837-012-0720 that include displays held outdoors limited to 1.4G fireworks labeled UN0336. Fireworks authorized by the limited permit are subject to limitation by the local fire authority and the Office of State Fire Marshal.

**105.5B.3 Fireworks, general display.** An operational permit is required for general fireworks displays as defined in OAR 837-012-0720 that includes displays held outdoors, utilizing 1.3g fireworks and may include 1.4g fireworks and special effects fireworks and may only be conducted by a general display operator.

**9. Sections 105.5C (Fireworks Retail Sales) and 105.5D (Fireworks Wholesale) of the OFC are deleted.**

**10. Section 105.5.3 of the OFC is amended to provide:**

**105.5.3 Amusement buildings.** An operational permit is required to operate special amusement buildings, such as haunted houses and similar temporary installations. See Appendix Q.

**11. Sections 105.5.17 (Fire hydrants and valves) and 105.5.19 (Floor finishing) of the OFC are deleted.**

**12. Section 105.5.22 (Hazardous materials) is amended to provide:**

**105.5.22 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use, or handle hazardous materials in excess of the amounts listed in Table 105.5.22. Refer to sub-sections 105.5.22.1 through 105.5.22.6 to determine which permit type is applicable, based on the applicant's number of materials reported.

**105.5.22.1 Hazardous materials, 1 to 4 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle one (1) to four (4) hazardous materials in excess of the amounts listed in Table 105.5.22.

**105.5.22.2 Hazardous materials, 5 to 10 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle five (5) to ten (10) hazardous materials in excess of the amounts listed in Table 105.5.22.

**105.5.22.3 Hazardous materials, 11 to 20 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle eleven (11) to twenty (20) hazardous materials in excess of the amounts listed in Table 105.5.22.

**105.5.22.4 Hazardous materials, 21 to 30 materials reported.** An operational permit is required to store, transport on site, dispense, use or handle twenty-one (21) to thirty (30) hazardous materials in excess of the amounts listed in Table 105.5.22.

**105.5.22.5 Hazardous materials, 31 to 50 materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle thirty-one (31) to fifty (50) hazardous materials in excess of the amounts listed in Table 105.5.22.

**105.5.22.6 Hazardous materials, 50 or more materials reported.** An operational permit is required to store, transport on site, dispense, use, or handle fifty (50) or more hazardous materials in excess of the amounts listed in Table 105.5.22.

**13. Sections 105.5.33 (Motor fuel dispensing facilities), 105.5.41 (Private fire hydrants), 105.5.44 (Refrigeration equipment), 105.5.51 (Waste handling), and 105.5.52 (Wood products) of the OFC are deleted.**

**14. The following sections 105.5.53, 105.5.54, 105.5.55 and 105.5.56 are added to the OFC:**

**105.5.53 Unique conditions.** An operational permit is required for an existing or proposed activity, building or structure, or for the safety of the occupants thereof which is not specifically provided for by this code as determined by the fire code official as referenced in Section 102.9.

**105.5.54 Fire Art Performances.** An operational permit is required to conduct a fire art performance in a public or private location.

**105.5.55 Vacant or Abandoned Premises, Building, or Structure Survey.** An operational permit is required for the Fire Marshal's Office to conduct a survey of vacant or abandoned premises, buildings, or structures to determine if the property poses a clear and inimical threat to human life, safety or health.

**105.5.56 Places of temporary assembly.** An operational permit is required to allow temporary assembly occupancy in a space not normally utilized as an assembly occupancy. This permit is required when the space to be utilized has not been previously classified as or approved for Assembly use by the Building Official. This permit is not intended to substitute for compliance with code requirements for an Assembly occupancy. The issuance of a places of temporary assembly operational permit is at the sole discretion of the Fire Code Official and may include additional safeguards.

**15. Section 107.2 of the OFC is amended to provide:**

**107.2 Schedule of permit fees.** Except as provided in section 105.1.3, a fee for each permit shall be paid as required, in accordance with the applicable fee schedule established by the City Manager pursuant to Section 2.020 of the Eugene Code, 1971.

**16. The following section 109.1.1 is added to the OFC:**

**109.1.1 Access to safeguards.** Any device, equipment, system, condition, arrangement, level of protection, or any other feature required for compliance with the provisions of this code, or otherwise installed, shall be accessible and unobstructed.

**17. Section 111.1 of the OFC is amended to provide:**

**111.1. Appeals.** Any person aggrieved by an action taken pursuant to this code may appeal the action within the time and in the manner provided in section 2.021 of the Eugene Code, 1971.

**18. Sections 111.2 (Limitations on authority), 111.3 (Qualifications), and 111.4 (Administration) of the OFC are deleted.**

**19. Section 202 of the OFC is amended by adding the following definitions in alphabetical order:**

**ABANDONED PROPERTY:** Premises, buildings, or structures where there is no visible or definitive owner/landlord, or one that cannot clearly be identified or contacted.

**CARNIVAL.** A mobile enterprise principally devoted to offering amusement or entertainment to the public in, upon or by means of portable amusement rides or devices or temporary structures in any number or combination, whether or not associated with other structures or forms of public attraction.

**EUGENE CODE (EC).** The Eugene Code, 1971.

**FIRE ART PERFORMANCE.** Any act of fire juggling, fire eating, flame effects, etc. that utilizes fire for entertainment purposes, conducted in an outdoor public or private place (*other than inside a private residence*) outside of a protective housing or in ways in which it travels through the air by one person or between multiple persons.

**KEYHOLDER:** A person or agency who has been designated as the responsible party and after hours point of contact to provide access to all areas of a property, building, or structure. Keyholders must possess the keys, key cards, door codes, alarm codes, and the requisite knowledge necessary to provide first responders the access and ability to mitigate any emergency.

**PRE-INCIDENT PLAN.** A document developed by gathering general and detailed data to be used by responding personnel in effectively managing emergencies for the protection of occupants, participants, responding personnel, property, and the environment.

**RED FLAG CRITERIA:** Red Flag Criteria occurs whenever a geographical area has been in a dry spell for one to two weeks, or for a shorter period, if before spring green-up or after fall color, and the National Fire Danger Rating System (NFDRS) is high to extreme and the following forecast weather parameters are forecasted to be met:

- 1) a sustained wind average 15 mph or greater
- 2) relative humidity less than or equal to 25 percent and
- 3) a temperature of greater than 75 degrees F. In some states, dry lightning and unstable air are criteria. A Fire Weather Watch may be issued prior to the Red Flag Warning.

**RED FLAG WARNING.** A term used by fire-weather forecasters to call attention to limited weather conditions of particular importance that may result in extreme burning conditions. Red flag warnings are issued for ongoing events, or when the fire weather forecaster has a high degree of confidence that Red Flag criteria will occur within 24 hours of issuance.

**TRANSITIONAL PROPERTY:** Premises, buildings, or structures that are uninhabited while in the process of a change in ownership; for example, the sale and transfer of ownership of a single-family residential dwelling.

**VACANT PROPERTY:** Premises, buildings or structures that may be empty or unoccupied, but there exists an owner with an expressed interest in the property.

**20. The definitions of the terms “Fire Code Official,” “Open Burning,” and “Recreational Fire” in Section 202 of the OFC are amended as follows:**

**FIRE CODE OFFICIAL.** The Eugene Springfield Fire Marshal, or duly authorized representative, is designated as the approved authority for exercising functions relating to fire prevention, fire safety measures and the administration and enforcement of this code.

**OPEN BURNING.** The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber or as regulated by Lane Regional Pollution Authority and Section 6.200 of Eugene Code, 1971. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

**RECREATIONAL FIRE.** A small fire with a total fuel area no larger than 3 feet in diameter and 2 feet in height, limited to cooking fires, campfires, and fires lit in Chimineas, patio fireplaces, fire pits, or other similar appliances using charcoal, natural gas, propane, manufactured fire logs, or clean dry natural firewood as fuel, and which occurs in designated areas on public lands or on private property, and not used as a means of disposal for waste materials, including woody yard trimmings, leaves, and grass clippings.

**21. Section 302.1 is amended to add the following to the list of terms in that section:**

**FIRE ART PERFORMANCE  
RED FLAG CRITERIA  
RED FLAG WARNING**

**22. The following section 305.4.1 is added to the OFC:**

**305.4.1 Extreme burning conditions.** Use of open flames or other sources of ignition that could ignite vegetation or combustible material during a Red Flag Warning is prohibited and is considered an emergency requiring immediate abatement.

**23. Section 308.2 of the OFC is amended to provide:**

**308.2 Permits required.** Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines or processes liable to start or cause fire in or on wildfire risk areas.
4. Fire art performances.

**24. Section 311.5 of the OFC is amended to provide:**

**311.5 Placards.** Any vacant or abandoned premises, buildings, or structures determined to be unsafe pursuant to section 114 of this code relating to structural or interior hazards shall be placarded as required by Sections 311.5.1 through 311.5.5 of this code and any applicable policies, ordinances, or administrative orders of the City of Eugene.

**25. Section 311.5.2 of the OFC is amended to provide:**

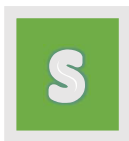
**311.5.2 Placard size and color.** The size and color of placards used to identify the status of premises, buildings, or structures in the City of Eugene shall be as follows:

1. UNSAFE or “U” placards shall be 24” x 24” square, red background with 2” wide white reflective border. White reflective letter “U” 18” x 18”, with a 2” minimum stroke width. The letter shall be arial font or similar.
2. CAUTION or “C” placards shall be 24” x 24” square, orange background with 2” wide white reflective border. White reflective letter “C” 18” x 18”, with a 2” minimum stroke width. The letter shall be arial font or similar.
3. SAFE or “S” placards shall be 24” x 24” square, green background with 2” wide white reflective border. White reflective letter “S” 18” x 18”, with 2” minimum stroke width. The letter shall be arial font or similar.

**26. Section 311.5.4 of the OFC is amended to provide:**

**311.5.4 Placard Symbols.** The design of placards shall use the following symbols:

1. This symbol shall mean that the structure had normal structural conditions at the time of marking.





2. This symbol shall mean that structural or interior hazards exist, and interior firefighting or rescue operations should be conducted with extreme caution.



3. This symbol shall mean that structural or interior hazards exist to a degree that consideration should be given to limit firefighting to exterior operations only, with entry only occurring for known life hazards.



**27. The following section 401.9 is added to the OFC:**

**401.9 Evacuation Required.** In the event of an activation of a fire alarm, emergency alarm, or at the direction the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety, evacuation, or emergency operations plan.

Exceptions:

1. Where an occupant's disability makes the occupant unable to evacuate without assistance and no assistance is immediately available; or
2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction in the occupant's means of egress makes evacuation unsafe.

**28. Section 403.11.3.2 of the OFC is amended to provide:**

**403.11.3.2 Training.** Training for crowd managers shall be approved and verified by the fire code official.

**29. The following sections 403.11.4 and 403.11.5 are added to the OFC:**

**403.11.4 Buildings containing active or passive smoke control.** An approved fire safety and evacuation plan in accordance with Section 404 shall be approved by the fire code official for any building containing an active or passive smoke control system. Fire safety and evacuation plans for buildings containing an active or passive smoke control system shall be reviewed annually and maintained current.

**403.11.5 Structures with explosion venting or prevention systems.** An approved fire safety and evacuation plan in accordance with Section 404 shall be approved by the fire code official for any structure required to have explosion (deflagration) venting or explosion (deflagration)

prevention systems. Fire safety and evacuation plans for structures required to have explosion (deflagration) venting or explosion (deflagration) prevention systems shall be reviewed annually and maintained current.

**30. Section 406.3 of the OFC is amended to provide:**

**406.3 Employee training program.** Employees shall be trained in fire prevention, evacuation, defend-in-place, emergency lockdown training, and fire safety in accordance with Sections 406.3.1 through 406.3.5.

**31. The following section 406.3.5 is added to the OFC:**

**406.3.5 Emergency defend-in-place training.** Where a facility has a defend-in-place plan, the Facility's employees shall be trained on the alert and recall signals, communication system, location of emergency supplies, the use of the incident notification and alarm system, and their assigned duties and procedures in the event of an alarm or emergency.

**32. The following Section 408 is added to the OFC:**

**408.1 General.** Where required by the fire code official, a pre-incident plan shall be submitted in accordance with Section 408.2 through Section 408.2.8

**408.2 Fire Department Pre-Incident Plans:** Where required by the fire code official an electronic file of the occupancy, structure, development or facility shall be submitted to the fire department for pre-incident planning purposes. The electronic file must conform to the specifications as described by the fire department. The electronic submittal must be received and approved by the fire code official as a condition of the fire department's recommendation that the Building Official approve occupancy.

**408.2.1 Building information card.** Building Information Cards (BIC's) shall be provided in the following occupancies and facilities:

- a) Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.
- b) Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- c) Group E.
- d) Group F buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- e) Group H.
- f) Group I.
- g) Group R-1
- h) Group R-2 college and university buildings.
- i) Group R-4.
- j) Group SR.
- k) Group R occupancies subject to licensure by the state.

- l) R occupancies where multiple buildings are located on a common podium.
- m) High-rise buildings (buildings with an occupied floor/roof more than 75 feet above grade).
- n) Group M buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- o) Covered malls exceeding 50,000 square feet in aggregate floor area.
- p) Underground buildings (buildings with an occupied floor more than 30 feet below grade).
- q) Group A, E, or M occupancies with an atrium.
- r) Any building where the size, height, nature of the use, or other specific character creates unique hazards as determined by the fire code official.

Building Information Cards shall be located in each fire command center when provided. If no fire command center exists, the Building Information Card shall be in a location approved by the fire code official near the Fire Alarm Control Panel. The Building Information Card shall include, but is not limited to, the information specified in Sections 408.2.2 through 408.2.8 of this code.

**408.2.2 General building information.** General building information shall include: property name, address, the number of floors in the building above and below grade, use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor) and the estimated building population during the day, night, and weekends.

**408.2.3 Building emergency contact information.** Building emergency contact information shall include: a list of the building's emergency contacts and their work phone numbers, cell phone numbers and email addresses, including but not limited to the building manager and building engineer.

**408.2.4 Building construction information.** Building construction information shall include the type of building construction including but not limited to floors, walls, columns and roof assemblies.

**408.2.5 Exit stairway information.** Exit access stairways, exit stairway, and elevator information shall include; the number of exit access stairways and exit stairways in the building; each exit access stairway and exit stairway designation and floors served; location where each exit access stairway and exit stairway discharges, interior exit stairways that are pressurized; exit stairways provided with emergency lighting; each exit stairway that allows reentry; exit stairways providing roof access; number of elevator banks; elevator bank designation; elevator car numbers and respective floors that they serve; location of elevator machine rooms; control rooms and control spaces; location of sky lobby; and the location of freight elevator banks.

**408.2.6 Building services and system information.** Building services and system information shall include: the location of mechanical rooms; location of building management system; location and capacity of all fuel oil tanks; location of emergency generator; and location of natural gas service.

**408.2.7 Fire protection system information.** Fire protection system information shall include: the location of standpipes; location of fire pump rooms; location of fire department connections; floors protected by automatic sprinklers; and location of different types of automatic sprinkler systems installed, including but not limited to dry, wet and pre-action.

**408.2.8 Hazardous material information.** Hazardous material information shall include: the location and quantity of hazardous materials.

**33. Section 503.2.7 of the OFC is amended to provide:**

**503.2.7 Grade.** The grade of the fire apparatus access road shall be in accordance with the Eugene City Code. Access roads, including public and private roads and driveways shall comply with the following:

1. The grade of access for non-sprinklered properties shall not exceed 10%.
2. The grade of access for sprinklered properties shall not exceed 12%.
3. All grades of access exceeding 12% require approval by the fire code official.

**34. Section 503.6 of the OFC is amended to provide:**

**503.6 Security gates, bollards or other obstructions.** The installation of security gates, bollards or other obstructions across a fire apparatus access road shall be reviewed and approved by the fire code official. The use of directional-limiting devices (tire spikes) is prohibited. Where security gates, bollards or other obstructions are installed, they shall have an approved means of emergency operation. The emergency operation of security gates, bollards, or other obstructions shall be maintained at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200 and must be equipped with Click 2 Enter technology or other authorized equipment that allows for operation of the gate by fire personnel from their apparatus.

**Exceptions:**

1. Gates shall be at least as wide as the required access road width.
2. Gates, bollards or other obstructions on commercial properties must be set back 30 ft. from roadway edge of pavement.
3. Where a fence is provided on each side of a gate for a commercial property, a man door shall be provided at an approved location with a key box for access to the man door.
4. Automated gates equipped with Click 2 Enter technology or other authorized equipment that allows for operation of the gate by Fire personnel from their apparatus are not required to be set back 30 ft. from the roadway edge of pavement provided the roadway is not an arterial, residential collector street or a street with lane markers.

**35. Section 507.5.5 of the OFC is amended to provide:**

**507.5.5**

**Clear space around hydrants.** A 4.5 ft. (54 inches or 1.376 m) clear space, measured from the center of the hydrant nut, shall be maintained around the circumference of fire hydrants. A

vertical clearance of not less than 6.8 ft. (2.074 m) shall also be maintained, except as otherwise required or approved.

**36. Section 510.1 of the OFC is amended to provide:**

**510.1 Emergency responder radio coverage in new buildings.** All new buildings, as described in Section 510.1.1, shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communications systems. Approval of a wired communication system must be documented on OSSC Form 918 in accordance with Section 918 OSSC.

Exceptions:

1. Where permitted by the fire code official and approved by the building official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.
4. Where the facility is approved by the fire code official for participation in the City's mobile emergency responder radio coverage (MERRC) program

**37. Section 606.5 of the OFC is added to provide:**

**606.5 Commercial cooking systems.** The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Signage shall be provided on the exhaust hood or system cabinet, indicating the type and arrangement of cooking appliances protected by the automatic fire-extinguishing system. Signage shall indicate appliances from left to right, be durable, and the size, color, and lettering shall be approved by the fire code official. Pre-engineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, NFPA 96, its listing and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.
2. Automatic sprinkler systems, NFPA 13.
3. Automatic water mist systems, NFPA 750.
4. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
5. Dry-chemical extinguishing systems, NFPA 17.

6. Wet-chemical extinguishing systems, NFPA 17A.

**Exception:** Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and listed, labeled, and installed in accordance with Section 304.1 of the International Mechanical Code.

**38. Section 901.4.2 of the OFC is amended to provide:**

**901.4.2 Nonrequired fire protection and life safety systems.** Fire protection and life safe systems or portion thereof not required by this code, or the International Building Code shall be allowed to be furnished for partial or complete protection provided that such installed systems meet the applicable requirements of this code and the International Building Code. Such systems or portion of system shall be provided with signage stating “NON-REQUIRED SYSTEM.” Signage shall be durable and permanent in nature, with contrasting color and background, and with lettering of not less than one (1) inch (25.4 mm) in height. Location of such signage shall be approved by the fire code official.

**39. Section 901.6.3 of the OFC is amended to provide:**

**901.6.3 Records.** Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained. Fire protection and life safety system service providers shall submit all reports through The Compliance Engine (TCE) or as otherwise required by the fire code official.

**40. The following section 901.6.4 is added to the OFC:**

**901.6.4 Excessive false automatic fire alarm activation. Excessive fire alarm (nuisance fire alarm) activations.** Preventable activations of fire alarm and life safety systems that results in the fire departments response and arrival at the occupancy of an alarm in excess of three (3) preventable alarms in a twelve (12) month period may be cited and restitution sought under the provisions this code, applicable administrative orders, or ordinances of the City of Eugene.

**41. Section 901.8.2 of the OFC is amended to provide:**

**901.8.2 Removal of existing occupant-use hose lines.** The fire code official is authorized to permit the removal of existing occupant-use hose lines where installation is not required by this code, the International Building Code, or a previously approved alternative method, or when both of the following conditions exist:

1. The hose line would not be utilized by trained personnel or the fire department.
2. The remaining outlets are not compatible with local fire department fittings.

**42. Section 5001.5.2 of the OFC is amended to provide:**

**5001.5.2 Hazardous materials inventory statement (HMIS).** Where required by the fire code official, an application for a permit shall include an HMIS, such as Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III, Tier II Report, or other approved statement. The HMIS shall include the following information:

1. Product name
2. Component.
3. CAS - Chemical Abstract Service Number.
4. Location where stored or used
5. Container size
6. Hazard classification
7. Amount in storage.
8. Amount in use - closed systems
9. Amount in use - open systems
10. NFPA 704 classification

**43. Section 5003.2.6 of the OFC is amended to provide:**

**5003.2.6 Maintenance.** In addition to the requirements of Section 5003.2.3, equipment, machinery and required detection and alarm systems associated with hazardous materials shall be maintained in an operable condition. All safety control systems at a facility shall be maintained in good working condition and tested not less frequently than annually. Maintenance and testing shall be performed by persons qualified to perform the maintenance and tests. Maintenance records and certifications shall comply with Sections 901.5 and 901.6.2. Defective containers, cylinders and tanks shall be removed from service, repaired, replaced, or disposed of in an approved manner. Defective equipment or machinery shall be removed from service and repaired or replaced. Required detection and alarm systems shall be replaced or repaired where defective.

**44. The following sections 5006.1 and 5006.1.1 are added to the OFC:**

**5006.1 Vehicle placards.** Vehicles that require a hazardous materials placard by Department of Transportation (DOT) regulations shall display the required placard for the regulated cargo at all times.

**5006.1.1 Unattended parking.** Vehicles requiring placards in accordance with Section 5006.1 shall comply with the requirements of 5706.6.1 through 5706.6.4

**45. Section 5601.2 of the OFC is amended to provide:**

**5601.2 Permit required.** Permits shall be required as set forth in ORS 480.127, 480.130, 480.210, 480.244, Section 105.6 and regulated in accordance with section 4.934 of the Eugene Code, 1971 and this section.

**46. Section 5704.2.14.1 of the OFC is amended to provide:**

**5704.2.14.1 Removal.** Removal of above-ground and underground tanks shall be in accordance with all of the following:

1. Flammable and combustible liquids shall be removed from the tank and connected piping.
2. Piping at tank openings that is not to be used further shall be disconnected.
3. Piping shall be removed from the ground.

Exception: Piping is allowed to be abandoned in place where the fire code official determines that removal is not practical. Abandoned piping shall be capped and safeguarded as required by the fire code official.

4. Tank openings shall be capped or plugged, leaving a 1/8-inch to 1/4-inch-diameter (3.2 mm to 6.4 mm) opening for pressure equalization.
5. Tanks shall be purged of vapor and inerted prior to removal. The inerted tank environment shall be monitored by an explosive meter during the removal of the tank.
6. All exterior above-grade fill and vent piping shall be permanently removed.

Exception: Piping associated with bulk plants, terminal facilities and refineries.

**47. The following standards are added in numerical order to the list of National Fire Protection Association (NFPA) standards included in Chapter 80 of the OFC:**

**921 – 21:** Guide for Fire and Explosion Investigations

**1031 – 14:** Standard for Professional Qualifications for Fire Inspector and Plans Examiner

**1033 – 22:** Standard for Professional Qualifications for Fire Investigator

**48. Appendix C, Footnote b to Table C102.1 of the OFC is amended to provide:**

- b. Where streets are provided with median dividers which cannot be crossed by firefighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 20,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute and 400 feet for higher fire-flow requirements.



**APPENDIX D  
FIRE APPARATUS ACCESS ROADS**

**Section D101  
General**

**49. Section D101.1 of Appendix D to the OFC is amended to provide:**

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the Eugene Fire Code. The fire code official may be guided by adopted City of Eugene street standards for grade and hillside development requirements. City streets shall conform to design standards as set forth in the adopted City of Eugene street standards.

**50. Section D102.1 of Appendix D to the OFC is amended to provide:**

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 86,000 pounds.

**51. Section D103.2 of Appendix D to the OFC is amended to provide:**

**Grade.** The grade of the fire apparatus access road shall be in accordance with the Eugene City Code. Access roads, including public and private roads and driveways shall comply with the following:

1. The grade of access for non-sprinklered properties shall not exceed 10%.
2. The grade of access for sprinklered properties shall not exceed 12%.
3. All grades of access exceeding 12% require approval by the fire code official.

**Dated and effective this 10th day of August, 2023.**



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**Sarah Medary  
City Manager**