

## **HB 2605 A STAFF MEASURE SUMMARY**

### **Senate Committee On Housing and Development**

---

**Prepared By:** Devin Edwards, LPRO Analyst

**Meeting Dates:** 5/11

---

#### **WHAT THE MEASURE DOES:**

Requires Risk Category III and IV buildings and structures to meet minimum tsunami design criteria based on American Society of Civil Engineers Minimum Design Loads and Associated Criteria for Buildings and Other Structures (ASCE 7) standards. Clarifies exemption from ASCE 7 standards for refuge structures for vertical evacuation, but allows local governments to voluntarily apply standards for buildings and structures within jurisdiction. Allows Department of Consumer and Business Services to require new building sites for major structures, or Risk Category III or IV structures, to be evaluated for seismic vulnerability. Requires developers of Risk Category III or IV structures to consult with State Department of Geology and Mineral Industries (DOGAMI) on impacts of possible tsunamis before submitting design plans. Requires DOGAMI to notify developers and official responsible for approving development no later than 45 days after receiving development request, including likely impacts and recommended design or other changes to mitigate tsunami impacts. Requires DOGAMI to report to Legislative Assembly by September 15 each year. Applies new requirements to buildings with permits initially issued on or after January 1, 2022.

#### **ISSUES DISCUSSED:**

- Removal of the moratorium on new essential building construction (House Bill 3309 (2019))
- Oregon Seismic Safety Policy Advisory Commission composition and membership
- Building code references in statute requiring statutory amendments when they change
- Department of Geology and Mineral Industries existing authority and consultation role in measure
- Amendments addressing the concerns of the American Society of Civil Engineers (House Bill 4119 (2020))

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

The American Society of Civil Engineers Minimum Design Loads and Associated Criteria for Buildings and Other Structures (ASCE/SEI 7-16) describes minimum tsunami and earthquake design standards for certain buildings and structures.

Under the Oregon Structural Specialty Code, Table 1604.5, Risk Category III buildings include buildings that would pose a substantial hazard to human life in the event of failure, such as public assembly buildings, educational institutions, residential care facilities, power-generating stations, water and wastewater treatment facilities, certain public utility facilities, and any building with more than 5,000 people. Risk Category IV buildings are essential facilities such as surgery or emergency treatment facilities; fire, rescue, ambulance, and police stations; designated emergency preparedness and response facilities; power-generating stations or other utility facilities required as emergency backup facilities; structures containing quantities of highly toxic materials; aviation control towers, air traffic control centers, and emergency aircraft hangars; buildings with critical national defense functions; and water storage facilities and pump structures for fire suppression.

In 1995, the Legislative Assembly established a moratorium on constructing new essential buildings, like schools and hospitals, in the tsunami inundation zone. In 2019, the Legislative Assembly enacted House Bill 3309, lifting the moratorium on January 1, 2020. The State Building Code does not currently include tsunami resilient design

## HB 2605 A STAFF MEASURE SUMMARY

provisions for new facilities that may be built in the tsunami inundation zone.

House Bill 2605 A requires Risk Category III and IV buildings and structures to meet minimum tsunami design criteria based on standards from ASCE 7. Refuge structures for vertical evacuation are exempt from ASCE 7 standards, but local governments will be allowed to voluntarily apply the refuge structures for vertical evacuation standards to buildings and structures within their jurisdiction. The Department of Consumer and Business Services will require new building sites for major structures, or Risk Category III or IV structures, to be evaluated for seismic vulnerability. Developers of Risk Category III or IV structures must consult with the State Department of Geology and Mineral Industries (DOGAMI) on the impacts of possible tsunamis before submitting design plans. DOGAMI must notify developers and the official responsible for approving proposed developments no later than 45 days after receiving the development request, including likely impacts and any recommended design or other changes to mitigate tsunami impacts. DOGAMI must report to the Legislative Assembly by September 15 each year on the department's assessments. The new requirements will be applied to buildings with permits initially issued on or after January 1, 2022.