

Senate Committee on Energy & Environment  
900 Court Street NE  
Salem, Oregon 97301

May 11, 2021

**RE: Opposition to House Bill 2611A**



Dear Chair Beyer and Members of the Committee,

Thank you for the opportunity to provide comments in opposition to HB 2611A. The Oregon Building Officials Association (OBOA) represents more than 1,000 building officials and personnel throughout the state. Its members include a wide range of building officials, both in large, metropolitan cities and counties, as well as small, rural jurisdictions and includes third-party building inspectors.

As you know, Oregon has a statewide building code, adopted by the State Building Codes Division, which establishes uniform safety and energy standards for all residential and commercial buildings throughout the state. In most jurisdictions, the statewide code is administered and enforced by local city or county building departments. In jurisdictions where neither a city, nor a county assume these responsibilities, the State Building Codes Division must do so.

HB 2611A would expand the allowable use of agriculture buildings that are currently exempt from the Oregon State Building Code to allow for personal non-agricultural use. By way of background, there were two amendments that added important specificity to the bill offered in the House Agricultural & Natural Resources Committee that were nearly identical, with the one difference being the addition of the term “temporary” in the -3. Ultimately, the committee made the policy decision to adopt the -4 amendments without the term “temporary.” Although the amendments improved the legislation to provide helpful guidance, we continue to have concerns.

The addition of the term “temporary” would provide an important factor to consider for enforcement and help ensure these buildings are not being used in ways that are considered hazardous having not had to comply with certain safety standards in the building code. If an agricultural building is being used for a non-agriculture use that is not a temporary use, it’s reasonable to argue that it might no longer qualify as ag-exempt. The majority of the examples we’ve heard are not concerning to our code officials and appear to be primarily temporary, personal in nature, and do not increase the hazard in these buildings. To provide the proponents certainty, OBOA would be neutral on the bill if the term “temporary” was amended into the bill.

Lastly, HB 2611A has resulted in a broad discussion within our membership around ag-exempt buildings and the consistent difficulty our membership faces with use and enforcement. Regardless of the legislature’s policy decision around HB 2611A during the 2021 legislative session, we are hopeful that stakeholders would be willing to have a broader discussion in the interim to help find solutions for the current and ongoing issues our inspectors face throughout the state related to these structures.

Thank you again for this opportunity to provide testimony in opposition to HB 2611A and we would urge you to amend the bill to make these non-agriculture uses temporary.

Sincerely,

Matt Rozzell  
Oregon Building Officials Association  
[MRozzell@Clackamas.us](mailto:MRozzell@Clackamas.us)