

CHAPTER 2

DEFINITIONS

User note:

About this chapter: Codes, by their very nature, are technical documents. Every word, term and punctuation mark can add to or change the meaning of a technical requirement. It is necessary to maintain a consensus on the specific meaning of each term contained in the code. Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code

SECTION 201

GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in ORS 476.390 and in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in other International Codes, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

SECTION 202

DEFINITIONS

ACCESSORY DWELLING UNIT (ADU). A residential structure that is used in connection with, or that is auxiliary to, a single-family dwelling in accordance with ORS 215.501. ADU's must have adequate access for firefighting equipment and be served by a fire protection service provider with professionals who have received training or certification described in ORS 181A.410. [Section 301.1.1]

[A] APPROVED. Acceptable to the *code official*. [Section 302.4.1]

BEST MANAGEMENT PRACTICES. Means defensible space requirements specific to Oregon, and not contained in the International Wildland-Urban Interface Code, in accordance with the best practices provisions of ORS 476.392. The Oregon Department of State Fire Marshal has included best management practices to establish the minimum defensible space requirements of this code. Best management practices adopted locally must be approved by the Oregon Department of State Fire Marshal in accordance with OAR 837-039-0006. Locally adopted best management practices may be related to, species-specific concerns, special hazards, management practices of recognized local, state, or national programs, or other relevant fuel modification concerns. [Section 105]

User note:

Local government may adopt requirements that address conditions that are of particular concern or interest in their area. Amongst others, these could include the following areas:

- **Species-specific.** The requirements of the Oregon Defensible Space Code may not be practical for all vegetation, including some trees or ground cover. For example, lodgepole pine trees are prone to blowing over in strong winds without the protection of being grown in clusters. In other areas of the state the intensity and rate of fire spread created by some highly volatile plant species such as rabbitbrush, juniper or sagebrush may be of local concern, while fire-resistant species such as oak and maple may be of less concern.
- **Special hazards.** In some cases, locals may want to address hazards that are particularly prevalent in their jurisdiction. An example would be areas where the heating of homes with firewood is especially common, and its storage is nearly always within the defensible space. The adoption and enforcement of local requirements to mitigate this danger would be appropriate.
- **Recognized programs.** Many established programs, at both the local, state, and national level, can provide greater requirements than the minimum state-wide code provided by the Oregon Department of State Fire Marshal. Many

communities, particularly those in regions of the state prone to *wildland-urban interface* wildfires, have successfully utilized programs such as Wildfire Ready (FEMA), Firewise USA (NFPA), Fire Adapted Oregon (OSFM), Project Wildfire (Deschutes County), and many others.

Important: Draft copies of locally proposed amendments to the ODSC must be evaluated by the OSFM and comply with the OAR 837-039-0006 process. The review will ensure that the proposed requirements are lawful, consistent with the intent of the ODSC, and will be approved by local resolution.

[A] CODE OFFICIAL. The official designated by the jurisdiction to interpret and enforce this code, or the code official's authorized representative in accordance with ORS 476.060. [Chapter 1, Section 302]

DEFENSIBLE SPACE. A natural or human-made area in which material capable of supporting the spread of fire has been treated, cleared or modified to slow the rate and intensity of advancing wildfire and allow space for fire suppression operations to occur. See also ORS 476.390.

FIRE-RESISTIVE VEGETATION. Plants with the characteristics compiled in Appendix F of this code that can be used to reduce the likelihood of fire spread. [Section 302.5/App. F]

User note:

While no vegetation can be regarded as truly "fire-proof", and while all will burn under severe fire conditions, fire resistive vegetation can lower that likelihood and severity.

There is a large variety of fire resistive vegetation that can be found commercially and assist an owner in an overall strategy to modify the fuels on their property. This may include groundcovers such as kinnikinnic and periwinkle, perennials such as iris and lupine, shrubs such as azalea and rhododendron, and trees such as maple and crabapple.

Details are available at the Oregon Department of State Fire Marshal homepage. Additional resources are widely available online, including:

- “*Safer from the start: A Guide to Firewise-Friendly Developments*” published by the National Fire Protection Association (NFPA).
- “*Firewise Toolkit*” published by the National Fire Protection Association (NFPA).
- “*Fire-Resistant Plants for Oregon Home Landscapes*” published by the OSU extension service and the USDA.
- “*Choosing the Right Plants for Northern Nevada’s High Fire Hazard Areas*” published by the University of Nevada Reno Extension
- “*Firewise Landscaping for Southern Idaho*” brochure published by the Bureau of Land Management.

FIRE-RESISTIVE VEGETATION, NON. Flammable plants, including *vegetative fuels*, that ignite readily, can add to the intensity of a wildfire and may increase its spread. Generally, these fuels have fine dry material such as twigs, leaves and needles, or have high oil and resin content. [302.3, 402.2, 402.3]

FUEL MODIFICATION. A method of modifying fuel load by reducing the amount of *nonfire-resistive vegetation* or altering the type of vegetation to reduce the fuel load. [Section 302]

HAZARD RATING. A numerical value describing the likelihood and intensity of a fire, based on specific factors or conditions including weather, climate, topography, and vegetation. [Chapter 3 Scope]

LADDER FUEL. Branches, leaves, needles, and other combustible vegetation that may allow a wildfire to spread from lower growing vegetation to higher growing vegetation. [Section 302.4]

MAP. The comprehensive statewide map that displays the five wildfire risk classes and populates Oregon Wildfire Risk Explorer, the official wildfire planning and risk classification mapping tool for the State of Oregon, coordinated by the Oregon Department of Forestry. See ORS 477.027. [Chapter 1, Section 301 and 401.]

OTHER HUMAN DEVELOPMENT. Means essential facilities, special occupancy structures, or hazardous facilities as defined in ORS 455.447 that support community functions, public communication, energy, or transportation. See OAR 629-044-1005. [Throughout]

STRUCTURE. Means:

- A residential building that requires a Certificate of Occupancy.
- A commercial building that requires a Certificate of Occupancy.
- A manufactured dwelling that has received a Housing and Urban Development certification label (Insignia of Compliance).
- A structure that has received a temporary Certificate of Occupancy under the state building code; or
- A structure constructed prior to adoption of the state building code, that would have required a Certificate of Occupancy or Insignia of Compliance under the state building code, if one was not obtained. [Throughout]

TREE CROWN. The primary and secondary branches growing out from the main stem, together with twigs and foliage. [Sections 302.4]

VEGETATIVE FUELS. Means both live and dead plant material that constitute a wildfire hazard, including *ladder fuels*. [Section 302.5. See also OAR 629-044-1005]

WILDFIRE. An uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures. [other definitions]

WILDFIRE RISK. Means the wildfire impacts to values based on scientifically modeled wildfire frequency and wildfire intensity. [Section 101, Section 302.2. See 629-044-1005]

WILDLAND. An area in which development is essentially nonexistent, except for roads, railroads, power lines and similar facilities. [Sections 101, 301]

WILDLAND FUELS. Means natural vegetation that occurs in an area where development is essentially non-existent, including grasslands, brushlands, rangelands, woodlands, timberlands, or wilderness. Wildland fuels are a type of *vegetative fuels*. [Sections 101, 301]

WILDLAND-URBAN INTERFACE. Means a geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels. [Throughout]

CHAPTER 3

DEFENSIBLE SPACE

User note:

About this chapter: Chapter 3 establishes minimum fire protection requirements to mitigate the hazards to life and property from fire in the wildland-urban interface. The chapter includes strategies to reduce the hazards of fire originating within a structure spreading to wildland and fire originating in wildland spreading to structures and other human development. These requirements, and those in Chapter 4, are the result of a law made effective by the Oregon Legislature July 19, 2021 and resulted in the creation of ORS 476.390 through 476.398.

SECTION 301

GENERAL

301.1 Scope. The provisions of this chapter establish general requirements statewide for all *structures* and *other human development* on lands in the *wildland-urban interface* that are designated with a *hazard rating* of extreme or high risk, as identified on the comprehensive statewide map facilitated by the Oregon Department of Forestry, and in accordance with ORS 476.392.

Exceptions:

1. Vineyards, crops, and other cultivated vegetation that are irrigated and maintained, or non-irrigated but maintained, throughout the year.
2. *Structures and other human development* exempted under ORS 455.315.

ORS 455.315 is not a part of this code but is reprinted or paraphrased here for the reader's convenience:

ORS 455.315 provides for the exemption of the application of a state structural specialty code to agricultural buildings such as structures used for storage of farm machinery, crops, forest products, or used as equine facilities.

301.1.1 Accessory dwelling units. *Accessory dwelling units* on lands in the *wildland-urban interface* that are designated with a *hazard rating* of extreme or high risk shall be in conformance with this section. *Accessory dwelling units* not identified on the comprehensive statewide map must comply with any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392.

301.2 Intent. The intent of this chapter is to establish minimum requirements to mitigate the risk to life and property from *wildland* fire exposures, exposures from adjacent *structures* and *other human development*, and to prevent *structure* fires from spreading to *wildland fuels*.

SECTION 302

DEFENSIBLE SPACE REQUIREMENTS

302.1 Objective. Provisions of this section are intended to modify the fuel load in areas adjacent to *structures* and *other human development* to create a *defensible space*.

302.2 Fuel modification. *Structures and other human development* located in areas designated as high risk or extreme risk in accordance with OAR 629-044-1020 shall comply with the *fuel modification* distances contained in Table 302.2. Distances specified in Table 302.2 shall be measured on a horizontal plane from the perimeter or projection of the *structure* and *other human development* as shown in Figure 302.2.

OAR 629-044-1020 is not a part of this code but is reprinted or paraphrased here for the reader's convenience:

OAR 629-044-1020 defines *wildfire risk* classifications by a range of wildfire hazard values that illustrate likely wildfire behavior.

302.3 Responsible party. Persons owning, leasing, controlling, operating or maintaining *structures* and *other human development* requiring defensible space are responsible for modifying or removing *nonfire-resistive vegetation* on the property owned, leased or controlled by said person.

302.4 Trees. Trees are allowed within the defensible space provided they are in accordance with Sections 302.4.1 and 302.4.2

302.4.1 Tree spacing. Single trees, or *approved* groups of trees considered as a single crown, shall comply with at least one of the following:

1. Trees with *ladder fuels* removed in accordance with Section 302.4.2 shall have the horizontal distance between crowns of adjacent trees, structures and other human development, outlets of chimneys, and overhead electrical facilities be not less than 10 feet (3048 mm). See Fig. 302.4.1(1)
2. Trees pruned to remove *ladder fuels* a minimum of 15 feet (4572 mm) above the ground shall be maintained a minimum of 10 feet (3048 mm) above the surface of a roof and 10 feet from overhead electrical facilities and outlets of chimneys. See Fig. 302.4.1(2).

302.4.2 Ladder fuel. Trees 18 feet or taller, the *tree crowns* within the *defensible space* shall be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface adjacent to the trees. Trees less than 18 feet shall be pruned to remove limbs equal to no more than 1/3 the trees height. To protect tree health, no more than 1/2 of the live crown shall be required to be removed at one time.

302.4.2.1 Deadwood. Deadwood and litter shall be regularly removed from within trees and on the ground around trees.

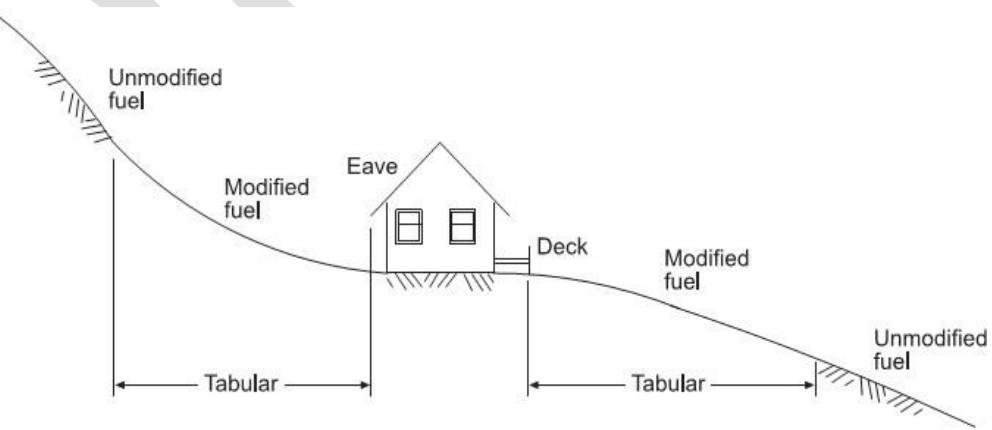
302.5 Ground cover. Where *vegetative fuels*, *fire-resistant vegetation*, or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated *defensible space*, provided that they do not form a means of transmitting fire from the native growth to any *structure* or *other human development*.

TABLE 302.2
REQUIRED DEFENSIBLE SPACE

WILDLAND-URBAN INTERFACE AREA	FUEL MODIFICATION DISTANCE (feet)
High risk	50
Extreme risk	100

For SI: 1 foot = 304.8 mm.

FIGURE 302.2
MEASUREMENTS OF FUEL MODIFICATION DISTANCE



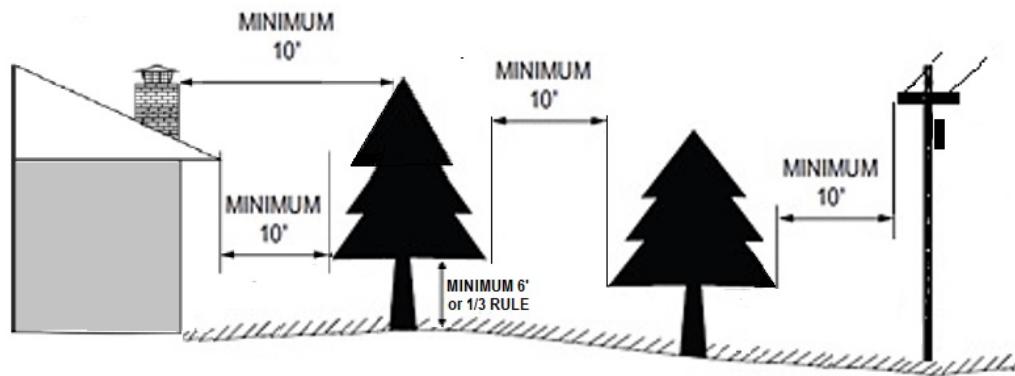


FIGURE 302.4.1 (1)
6-FOOT or 1/3 TRIMMED TREES

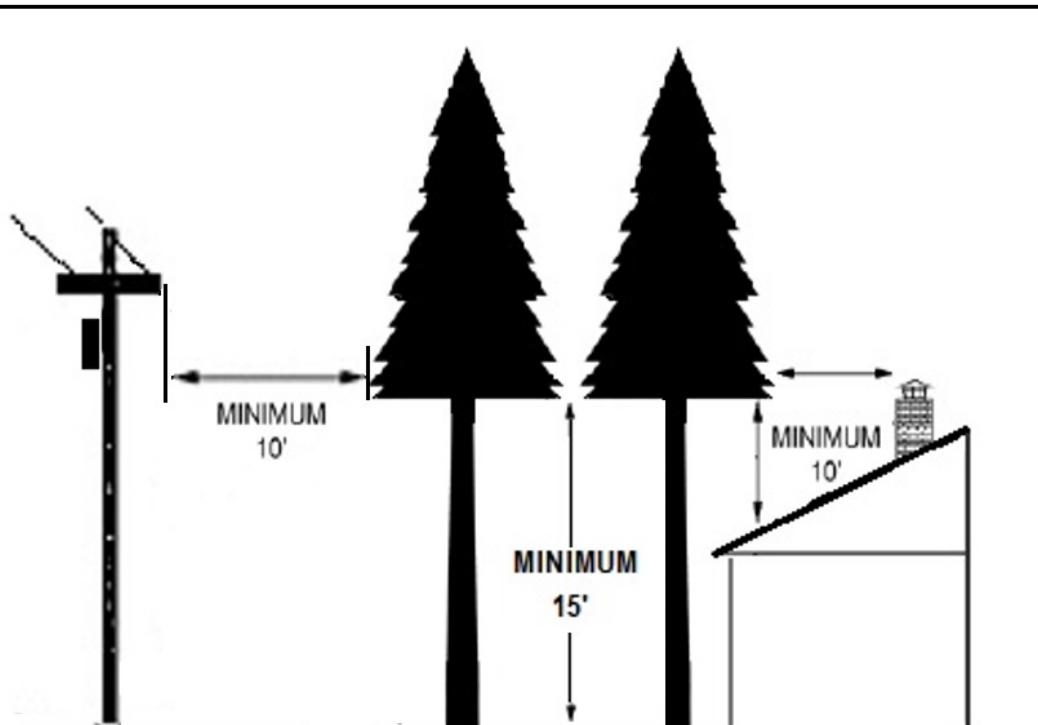


FIGURE 302.4.1 (2)
15-FOOT TRIMMED TREES

CHAPTER 4

MAINTENANCE OF DEFENSIBLE SPACE

User note:

About this chapter: Chapter 4 provides the maintenance provisions of the Defensible Space requirements in Chapter 3 and may be cited for enforcement purposes.

SECTION 401 **GENERAL**

401.1 Scope. The provisions of this chapter establish the general requirements statewide for maintenance of defensible space on all lands in the *wildland-urban interface* that are designated as extreme or high risk, as identified on the comprehensive statewide map facilitated by the Oregon Department of Forestry.

401.2 Intent. The intent of this chapter is to establish the minimum maintenance requirements required in Chapter 3.

SECTION 402 **MAINTENANCE REQUIREMENTS**

402.1 General. Defensible space required by Chapter 3 shall be maintained in accordance with this chapter. In addition to citing a code specified herein, compliance notices shall also include a plain statement of the facts in consideration of Chapter 3 and in accordance with Section 104.3.

402.2 Modified area. Nonfire-resistive vegetation or growth shall be kept clear of *structures* and *other human development* in accordance with Chapter 3, in such a manner as to provide a clear area for fire suppression operations.

402.3 Responsibility. Persons owning, leasing, controlling, operating or maintaining *structures* and *other human development* are responsible for maintenance of *defensible spaces*. Maintenance of the *defensible space* shall include modifying or removing nonfire-resistive vegetation and keeping leaves, needles and other dead vegetative material regularly removed from roofs of *structures* and *other human development*.

402.4 Trees. Trees shall be maintained in accordance with Section 302.4.

402.5 Ground cover. Ground cover shall be maintained in accordance with Section 302.5.

APPENDIX F

CHARACTERISTICS OF FIRE-RESISTIVE VEGETATION

This appendix is for information purposes and is not intended for adoption.

User note:

About this appendix: Appendix F is an informational appendix provided for the convenience of the code user. It is simply a compilation of the eight characteristics of fire-resistant vegetation that can be used effectively within wildland-urban interface areas to reduce the likelihood of fire spread through vegetation.

SECTION F101 GENERAL

F101.1 Characteristics of fire-resistant vegetation. All plants will burn under extreme fire weather conditions such as drought. However, plants burn at different intensities and rates of consumption. Fire-resistant plants burn at a relatively low intensity, slow rates of spread and with short flame lengths. The following are characteristics of fire-resistant vegetation:

1. Growth with little or no accumulation of dead vegetation (either on the ground or standing upright).
2. Nonresinous plants (willow, poplar or tulip trees).
3. Low volume of total vegetation (for example, a grass area as opposed to a forest or shrub-covered land).
4. Plants with high live fuel moisture (plants that contain a large amount of water in comparison to their dry weight).
5. Drought-tolerant plants (deeply rooted plants with thick, heavy leaves).
6. Stands without ladder fuels (plants without small, fine branches and limbs between the ground and the canopy of overtopping shrubs and trees).
7. Plants requiring little maintenance (slow-growing plants that, when maintained, require little care).
8. Plants with woody stems and branches that require prolonged heating to ignite.