



OKLAHOMA

**Title 748 - Uniform Building Code Commission
Administrative Rules
748:1-1-1 through 748:17-1-4**

NOTICE:

- The rules of the Oklahoma Uniform Building Code found on this website are **unofficial**.
- The official rules are published in The Oklahoma Administrative Code and the *Oklahoma Register*, as required by 75 O.S. § 250 et seq.
- To order an official copy of these rules, contact the Office of Administrative Rules at: (405) 521-4911.

CHAPTER 1. ADMINISTRATIVE OPERATIONS

[Authority: 59 O.S. §§ 1000.22, 1000.24, and 1000.26]

[Source: Codified 7-11-10]

748:1-1-1. Organization [REVOKED]

[Source: Added at 27 Ok Reg 461, eff 12-3-09 (emergency); Added at 27 Ok Reg 2363, eff 7-11-10; Amended at 31 Ok Reg 2464, eff 9-12-14; Revoked at 38 Ok Reg 2570, eff 9-14-21]

748:1-1-2. Address

The principal office of the Oklahoma Uniform Building Code Commission shall be located in Oklahoma City, Oklahoma.

[Source: Added at 27 Ok Reg 461, eff 12-3-09 (emergency); Added at 27 Ok Reg 2363, eff 7-11-10; Amended at 29 Ok Reg 1644, eff 11-1-12]

748:1-1-3. Commissioners [REVOKED]

[Source: Added at 27 Ok Reg 461, eff 12-3-09 (emergency); Added at 27 Ok Reg 2363, eff 7-11-10; Revoked at 38 Ok Reg 2750, eff 9-14-21]

748:1-1-4. Meetings

The Commission shall hold such meetings, as it deems necessary, with a regular meeting once during each quarter of the calendar year. Special meetings may be called by the Chairman in his or her discretion, and shall be called when four (4) members of the Commission request of the Chairman, in writing, that such a meeting be called.

[Source: Added at 27 Ok Reg 461, eff 12-3-09 (emergency); Added at 27 Ok Reg 2363, eff 7-11-10; Amended at 29 Ok Reg 1644, eff 11-1-12; Amended at 38 Ok Reg 2570, eff 9-14-21]

CHAPTER 3. GENERAL PROVISIONS

[Authority: 59 O.S. §§ 1000.22, 1000.23, 1000.24, and 1000.25]

[Source: Codified 7-11-10]

748:3-1-1. Context and Interpretation

(a) Unless the context otherwise requires, singular words shall be deemed to include the plural, and masculine words to include the feminine, and vice versa.

(b) These rules and the codes adopted herein are not intended to displace, inhibit or restrict the authority of permitting agencies or code enforcement jurisdictions from their administrative responsibilities to consider and interpret the spirit and intent of any adopted codes, including administrative sections of the adopted codes which address the duties and powers of building officials and administrative authorities. With respect to code provisions which are ministerial as opposed to those containing building or construction standards or requirements, the Commission adopts such provisions only to the extent that the Commission is authorized to do so and to the extent that any such provision is not contrary to any valid law of the State of Oklahoma or local ordinance.

[Source: Added at 27 Ok Reg 665, eff 1-12-10 (emergency); Added at 27 Ok Reg 2364, eff 7-11-10]

748:3-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Authority Having Jurisdiction" means an organization, office, or individual responsible for enforcing the requirements of the State Adopted Building Codes, including the prior authorization or approval of any equipment, materials, installations or procedures used in all or part of the construction of a new, or the alteration or renovation of an existing, building or structure, including integral finishes, fixtures and building systems therein.

"Building Code" means a collection of required standards and practices intended to apply to all or part of the construction of new, or the alteration or renovation of existing, buildings or structures, including integral finishes, fixtures and building systems therein.

"Building Permit" means any written authorization or approval, issued by an authority having jurisdiction, which allows the holder or other persons to commence the construction, alteration or renovation of all or part of a residential or commercial building or structure subject to the requirements of the State Adopted Building Codes. For purposes of this Title, the term building permit includes any process wherein authorization, approval or registration is required prior to construction even though: 1) a permitting or registration document is not issued at that time; 2) the authority having jurisdiction refers to the authorization, approval or registration as something other than a "permit"; or 3) the only activities performed by the authority having jurisdiction are fee-based inspections of the work performed. For

purposes of this Title, each segment of a multi-segment permit shall be considered a separate building permit if the segment meets each of the following conditions: 1) the authority having jurisdiction requires a separate, stand-alone building permit for the segment work when said work is not performed as part of a multi-segment construction project; 2) the authority having jurisdiction charges a stand-alone building permit fee for the segment work when said work is not performed as part of a multi-segment construction project; and 3) the segment work is subject to the requirements of the State Adopted Building Codes.

"Commercial Construction" means any building related construction or appurtenances for commercial, retail or industrial purposes and residential construction other than one- and two-family dwellings and townhouses.

"Construction Code" and "Construction Permit" shall have the same meaning as, and be respectively interchangeable and synonymous with, the terms "Building Code" and "Building Permit" as defined herein, respectively.

"Multi-Segment Permitting" is the administrative process of consolidating multiple building permit work authorizations, approvals and/or registrations and the payment of required permit fees for a multi-segment construction project into a single administrative process.

"Residential Construction" means any building related construction or appurtenances for residential one- and two-family dwellings and townhomes.

"State Adopted Building Codes" means any legally applicable building code currently in force and effect within the State or a governing jurisdiction until superseded by a code adopted by the Commission and all building codes adopted by the Oklahoma Uniform Building Code Commission.

[**Source:** Added at 27 Ok Reg 665, eff 1-12-10 (emergency); Added at 27 Ok Reg 2364, eff 7-11-10; Amended at 29 Ok Reg 1645, eff 11-1-12; Amended at 30 Ok Reg 106, eff 11-1-12 through 5-24-13 (emergency)¹; Amended at 31 Ok Reg 2465, eff 9-12-14]

EDITOR'S NOTE: *Upon sine die adjournment of the Legislature on 5-24-13, these emergency amendments were terminated due to the Legislature's failure to approve the proposed permanent amendments that were intended to supersede the emergency amendments, as set forth in 75 O.S. 2011, §308(F) for proposed rules authorized by Title 59 of the Oklahoma Statutes. Upon disapproval of a proposed permanent rule intended to supersede an emergency action, the emergency action is considered terminated [75 O.S. 2011, §253(H)(2)(c)], and upon termination of an emergency amendatory action, the last effective permanent text is reinstated. Therefore, on 5-24-13 (after sine die adjournment of the Legislature), the text of 748:3-1-2 reverted back to the permanent text that became effective 11-1-12, as was last published in the 2012 OAC Supplement, and remained as such until amended by permanent action on 9-12-14.*

CHAPTER 5. FEES AND COLLECTION OF FEES

[Authority: 59 O.S. §§ 1000.22, 1000.23, 1000.24, 1000.25, and 1000.26]

[Source: Codified 7-11-10]

SUBCHAPTER 1. FEES [REVOKED]

748:5-1-1. Fee for initial permit and permit renewal [REVOKED]

[Source: Added at 27 Ok Reg 666, eff 1-12-10 (emergency); Added at 27 Ok Reg 2365, eff 7-11-10; Amended at 31 Ok Reg 2466, eff 9-12-14; Revoked at 38 Ok Reg 2571, eff 9-14-21]

SUBCHAPTER 3. COLLECTION AND LATE FEE ASSESSMENT [REVOKED]

748:5-3-1. Late Fee Assessment [REVOKED]

[Source: Added at 27 Ok Reg 666, eff 1-12-10 (emergency); Added at 27 Ok Reg 2365, eff 7-11-10; Amended at 30 Ok Reg 107, eff 11-1-12 through 5-24-13 (emergency)¹; Amended at 31 Ok Reg 2466, eff 9-12-14; Revoked at 38 Ok Reg 2571, eff 9-14-21]

EDITOR'S NOTE: ¹Upon sine die adjournment of the Legislature on 5-24-13, these emergency amendments were terminated due to the Legislature's failure to approve the proposed permanent amendments that were intended to supersede the emergency amendments, as set forth in 75 O.S. 2011, §308(F) for proposed rules authorized by Title 59 of the Oklahoma Statutes. Upon disapproval of a proposed permanent rule intended to supersede an emergency action, the emergency action is considered terminated [75 O.S. 2011, §253(H)(2)(c)], and upon termination of an emergency amendatory action, the last effective permanent text is reinstated. Therefore, on 5-24-13 (after sine die adjournment of the Legislature), the text of 748:5-3-1 reverted back to the permanent text that became effective 7-11-10, as was last published in the 2011 Edition of the OAC, and remained as such until amended by permanent action on 9-12-14.

CHAPTER 7. COMMISSION COMMITTEES

[Authority: 59 O.S. §§ 1024(A)(1) and 1024(B)(5)]

[Source: Codified 7-11-10]

SUBCHAPTER 1. GENERAL

748:7-1-1. General composition and assignments

General composition and task assignments of Commission Committees shall be as directed by Commission. With the exception of technical committees, typically the membership of a committee shall be at least two (2) but not more than five (5) Commission members. Committee members shall be as nominated by the Commission chairman or other Commission member(s) and approved by vote of the Commission. As needed, the Commission chairman may call and task a committee between Commission meetings without specific Commission approval. At the next Commission meeting, the called committee and task assignment shall be ratified or modified by vote of the Commission or a directive to cease activities would be given the committee.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

748:7-1-2. Scope

Task assignments shall be researched and reviewed by the respective committee and a recommendation shall be presented to the Commission for approval, disapproval, modification, re-study, or end of task assignments.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

748:7-1-3. Reports

Committees shall report to the Commission quarterly or otherwise as often as applicable to their task assignment(s). Reports to the Commission will include a written summary of a committee's study and recommendations, including action minutes of committee meetings.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

748:7-1-4. Open Meeting rules

Committees are advisory only and the Open Meeting Act does not apply to committee meetings. A quorum of Commission members shall not be appointed to any committee.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

748:7-1-5. Participation of the public

Committees may allow or request individuals from the public to attend and provide expertise related to committee task assignments as requested by members of the committee with the approval of the committee chair.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

748:7-1-6. Advisory only [REVOKED]

[Source: Added at 27 Ok Reg 2366, eff 7-11-10; Revoked at 38, Ok Reg 2572, eff 9-14-21]

748:7-1-7. Prerogative and direction [REVOKED]

[Source: Added at 27 Ok Reg 2366, eff 7-11-10, Revoked at 38, Ok Reg 2572, eff 9-14-21]

748:7-1-8. Committee forms [REVOKED]

[Source: Added at 27 Ok Reg 2366, eff 7-11-10, Revoked at 38, Ok Reg 2572, eff 9-14-21]

SUBCHAPTER 3. AD HOC COMMITTEES

748:7-3-1. Ad Hoc Committees

Ad hoc committees shall be created by the Commission for a specific purpose of limited scope, typically having a set time frame for completion.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

SUBCHAPTER 5 - STANDING COMMITTEES

748:7-5-1. Standing Committees

Standing Committees shall be formed and charged with ongoing task assignments and shall have no set schedule to end its task(s) except as directed by the Commission. Standing Committee appointments should be reviewed by the Chairman of the Commission on an annual basis at a minimum to address necessary changes to appointments or reappointments.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10; Amended at 31 Ok Reg 2467, eff 9-12-14]

SUBCHAPTER 7 - TECHNICAL COMMITTEES

748:7-7-1. Specific purpose

Technical committees shall be tasked to review and recommend amendments, modifications or improvements to and for or against adoption of a specific potential construction code or elements contained within such code(s).

[Source: Added at 27 Ok Reg 2366, eff 7-11-10; Amended at 31 Ok Reg 2467, eff 9-12-14]

748:7-7-2. Task assignments

Technical committee task assignments directed by the Commission can be any code related regulatory item(s) as may provide for the health, safety, and welfare of the public. Typically, technical committees will review potential code(s) for adoption, but shall not be limited to that function or method in completing the directives of the Commission.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10]

748:7-7-3. Technical Committee composition

Technical committees shall be comprised of at least one Commission member who will perform the duties of a Commission liaison to the technical committee and shall be ex officio member with a vote. Typically, the other members of a technical committee will be from the public providing in general for a cross-section of expertise and representatives of the field of construction related to the task assignment given the committee by the Commission. Nominated and elected within the committee, the technical

committee chairman and vice chairman will be one of the public members of the committee unless the Commission or Commission chairman directs otherwise. To the extent possible, staff will provide secretarial duties to include preparation of agendas, creation of minutes and help with creating final presentations to the Commission.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10; Amended at 31 Ok Reg 2467, eff 9-12-14]

748:7-7-4. Member selection

(a) Public members of technical committees shall be selected from individual volunteers, or persons recommended by members of the Commission, or by a permitting jurisdiction, or by a construction industry organization, or by a construction firm or design firm, or from any other construction related source. Candidates shall submit resumes' and any other of their background data as requested by the Commission, and a statement of interest as to why they would provide the needed expertise and code experience for service based on the task of a specific technical committee. The Commission Vice Chairman, or his designee, will serve as the contact person to receive all such public requests for consideration by a public nominator. The Vice Chairman, or his designee, shall present a recommendation to the Commission for approval of a slate of technical committee members for a specific committee, plus one alternate nominee in each sub-element of the technical committee, such as but not limited to, industry contractors, code regulators, and design team members. The Commission will elect the persons of their choice after considering the recommended slate of the Vice Chairman, or his designee. The membership size of a technical committee shall be set by the Commission and can vary based upon the task assignment.

(b) Serving at the Commission's pleasure, the term of office for a technical committee and the effective office of its members shall remain in force until dismissed by the Commission, individually or collectively.

[Source: Added at 27 Ok Reg 2366, eff 7-11-10; Amended at 31 Ok Reg 2467, eff 9-12-14]

CHAPTER 10. CODE ADOPTION PROCEDURES

[Authority: 59 O.S. §§ 1000.23 and 1000.24(A)(1) and (B)(5), and 1000.26]

[Source: Codified 7-11-10]

SUBCHAPTER 1. GENERAL

748:10-1-1. Discretion of the Commission

The Commission has the responsibility and authority to elect the best and most appropriate method(s) to facilitate code adoption regardless of whatever typical protocol of process(s) and format(s) may currently or historically exist. The Commission may act upon its own discretion, or seek the opinions and recommendations of others. Typically the Commission will select and utilize a technical committee to research and review options for potential new codes or code revisions, and receive from that technical committee a recommended course of action for the Commission's consideration.

[Source: Added at 27 Ok Reg 2368, eff 7-11-10]

748:10-1-2. Public input to Technical Committees

Technical committees shall provide for public comment and suggestions for the task assignments directed by the Commission. This public interaction shall occur during the technical committee's deliberations and before a final report/recommendation is presented to the Commission for action. Depending upon the task assignment, the Commission or Commission staff will determine the number of public meetings that shall be called, as well as, the location and time. To facilitate the work of the Commission and enhance opportunities for increased public involvement and access to the meetings of the technical committees, all such committee meetings shall be held at the offices of the Commission, or at a location approved by the Chairman.

[Source: Added at 27 Ok Reg 2368, eff 7-11-10; Amended at 31 Ok Reg 2468, eff 9-12-14]

748:10-1-3. Technical Committees recommendations and reports

Technical committees shall provide progress reports to the Commission as directed by the Commission. Unless otherwise directed by the Commission, recommendations by a technical committee shall be presented to the Commission in writing and shall conclude with one of the following or a combination thereof, "recommend adoption without modification," or "adoption not recommended," or "recommend adoption subject to the following, amendment, deletion, or addition."

[Source: Added at 27 Ok Reg 2368, eff 7-11-10]

748:10-1-4. Final adoption by rulemaking

After all technical committee reports are made to the Commission in open session allowing for public comment, the Commission may commence APA rulemaking to adopt the appropriate code or element of a code at their discretion. Technical committee reports are advisory only and the Commission can commence APA rulemaking to adopt, table, modify as

noted, or any other appropriate action as deemed so by the Commission. Technical committee reports which are not submitted within the schedule as approved or revised by the Commission may be considered for action without receiving a technical committee recommendation, with or without an accompanying report.

[Source: Added at 27 Ok Reg 2368, eff 7-11-10]

CHAPTER 15 - CODE ADOPTED BY STATE AGENCIES AND POLITICAL SUBDIVISIONS [REVOKED]

[Authority: 59 O.S. §§ 1000.23, 1000.24, and 1000.29; Revoked at 38, Ok Reg 2572, eff 9-14-21]

[Source: Codified 7-11-10]

748:15-1-1. Codes which may be adopted [REVOKED]

[Source: Added at 27 Ok Reg 2369, eff 7-11-10; Amended at 31 Ok Reg 2468, eff 9-12-14, Revoked at 38, Ok Reg 2572, eff 9-14-21]

748:15-1-2. Procedure to adopt different code [REVOKED]

[Source: Added at 27 Ok Reg 2369, eff 7-11-10; Revoked at 38, Ok Reg 2572, eff 9-14-21]

748:15-1-3. Amendment of existing Commission codes [REVOKED]

[Source: Added at 27 Ok Reg 2369, eff 7-11-10; Revoked at 38, Ok Reg 2572, eff 9-14-21]

748:15-1-4. Procedure to amend Commission adopted codes [REVOKED]

[Source: Added at 27 Ok Reg 2369, eff 7-11-10; Revoked at 38, Ok Reg 2572, eff 9-14-21]

748:15-1-5. Effect of repeal [REVOKED]

[Source: Added at 27 Ok Reg 2369, eff 7-11-10; Revoked at 38, Ok Reg 2572, eff 9-14-21]

CHAPTER 17. EDUCATION AND TRAINING

[Authority: 59 O.S. §1000.23]

[Source: Codified 9-1-16]

SUBCHAPTER 1. REGIONAL TRAINING

748:17-1-1. Purpose

This Subchapter establishes procedures under which the Oklahoma Uniform Building Code Commission (the "OUBCC") will offer or provide Regional Training for the purpose of continuing education opportunities to Residential Building Code Inspectors, Commercial Building Code Inspectors, and state and local governmental code enforcement personnel, as authorized in 59 O.S. §1000.23(D).

[Source: Added at 33 Ok Reg 1114, eff 9-1-16]

748:17-1-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the Oklahoma Uniform Building Code Commission Act, 59 O.S.2011 & Supp. 2014, §1000.20-1000.29, as amended.

"**Association**" means any private organization, association or group.

"**Attendee**" means any person participating from time to time in Regional Training for Residential Building Code Inspectors, Commercial Building Code Inspectors, and state and local governmental code enforcement personnel.

"**Authority Having Jurisdiction**" means an organization, office, or individual responsible for enforcing the requirements of the State Adopted Building Codes, including the prior authorization for approval of any equipment, materials, installations or procedures used in all or part of the construction of a new, or the alteration or renovation of an existing building or structure, including integral finishes, fixtures and building systems therein.

"**Commercial Building Code Inspector**" means any person who, on behalf of an Authority Having Jurisdiction, inspects any building related construction or appurtenances for new and existing buildings, facilities and systems that are within the scope of the State Adopted Building Codes as amended and revised by the OUBCC except for the International Code Council, Inc.® (ICC), International Residential Code® (IRC®).

"**Inspections**" means the examination of plumbing, electrical, mechanical, structural, and other aspects of building and construction, for the purpose of enforcing compliance with applicable state adopted building codes or standards.

"**Regional Training**" means continuing education training in the State for Residential Building Code Inspectors, Commercial Building Code Inspectors, and state and local governmental code enforcement personnel, where the State of Oklahoma may be divided into such districts or units as the OUBCC

deems desirable for efficiency, and which districts or units may be revised by the OUBCC as it finds necessary or expedient.

"Residential Building Code Inspector" means any person who, on behalf of an Authority Having Jurisdiction, inspects any building related construction or appurtenances for residential one- and two-family dwellings and townhouses within the scope of the International Code Council Inc.®, International Residential Code® (IRC®) as amended and revised by the OUBCC.

"State Adopted Building Codes" means any legally applicable building code currently in force and effect in the State of Oklahoma or a governing jurisdiction until superseded by a code adopted by the OUBCC.

[Source: Added at 33 Ok Reg 1114, eff 9-1-16]

748:17-1-3. Regional continuing education courses

Pursuant to §1000.23(D) of the Act, the OUBCC shall offer or provide Regional Training opportunities for Attendees, on such subjects, in such quantity or number, and in such manner as the OUBCC deems necessary or expedient.

[Source: Added at 33 Ok Reg 1114, eff 9-1-16]

748:17-1-4. Regional Training held or sponsored by the OUBCC

(a) All Regional Training held either by the OUBCC itself or sponsored by the OUBCC in cooperation with an Association shall be offered at no cost to the attendee.

(b) In connection with any Regional Training held by the OUBCC itself or sponsored by the OUBCC in cooperation with an Association, there may be optional charges and the attendee can choose to pay for items that may include, but are not limited to, workbooks, light refreshments, coffee breaks, and meals. Such optional charges, if any, shall be offered and provided at the cost paid by the OUBCC or an Association to supply the item(s).

(c) All attendees in Regional Training held by the OUBCC itself or sponsored by the OUBCC in cooperation with an Association must sign in to document their attendance in the Regional Training on a form provided by the OUBCC.

(d) To the extent reasonably possible, the OUBCC shall at all times cooperate with an attendee seeking approval for qualifying of continuing education credits from the Construction Industries Board or from any other agency or entity for all Residential Building Code Inspectors, Commercial Building Code Inspectors or, upon request, for the purpose of securing any other qualifying continuing education credit from any other agency or entity.

(e) Upon an attendee's successful completion of a Regional Training, a certificate shall be issued to each attendee to certify such course completion signed by the course instructor or trainer and the OUBCC's Chief Executive Officer or his or her designee.

[Source: Added at 33 Ok Reg 1114, eff 9-1-16]