



## LANE COUNTY PUBLIC WORKS

# Residential Work Exempt from Building Permits

LAND MANAGEMENT DIVISION 3050 N DELTA HYW, EUGENE OR 97408

The following building permit exemptions apply to residential projects only. Per the 2017 Oregon Residential Specialty Code section R105.2. For exemptions related to commercial projects or for clarifications to this handout, please contact the Building Program.

Exemption from building permit requirements shall not be considered authorization for any work to be done in manner in violation of the provisions of the applicable specialty code or any statute, regulation or ordinance of the County or State. Further, exemption from building permit does not eliminate the owner's obligation to obtain any and all applicable zoning / land use or sanitation approvals prior to beginning work.

**BUILDING PERMITS** – The following work scopes are exempt from building permits although separate plumbing, electrical, and mechanical permits may be required for portions of the work:

1. Non-habitable one-story detached accessory structures\* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet and a height of 10 feet measured from the finished floor level to the top of the top plate.  
**Exception:** Where the structure is located on a parcel of 2.0 acres or greater in area, and the structure is located a minimum of 20 feet from all property lines, floor area may be increased to 400 square feet.
2. Except for barriers around swimming pools as required in Appendix G, fences not over 7 feet high and typical field fencing not over 8 feet high where constructed of woven wire or chain link.
3. Retaining walls that do not support a regulated building and do not retain material which, if not restrained, could impact a regulated building.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Concrete sidewalks, slabs, platforms and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, interior wall, floor or ceiling covering and similar finish work.
7. Prefabricated swimming pools accessory to a Group R-3 Occupancy where the pool walls are entirely above the adjacent grade. Barrier requirements found in Appendix G are not exempt.
8. Swings and other playground equipment.
9. Patio and porch covers not over 200 square feet and supported by an exterior building wall.
10. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
11. Nonbearing partitions, except when such partitions create habitable rooms.
12. Replacement or repair of siding not required to be fire resistive.
13. Retrofitted insulation.
14. Masonry repair.
15. Porches and decks, where the floor or deck is not more than 30 inches above adjacent grade measured at any point within 3 feet horizontally of the floor or deck, and where in the case of a covered porch, the covered portion of the porch does not come closer than 3 feet to property lines.
16. Gutters and downspouts.
17. Door and window replacements (where no structural member is changed).
18. Reroofing, where replacement or repair of roofing does not exceed 30 percent of the required live load design capacity and the roof is not required to be fire resistive. Exceptions to this exemption are multi-family housing and homes located in wildfire hazard zones.
19. Plastic glazed storm windows.
20. Framed-covered non-habitable accessory buildings not more than 500 square feet in area, one story in height and not closer than 3 feet to a property line where the structure is composed of a rigid framework that supports a fabric membrane.
21. Ground mounted flagpoles, antennae, and similar items that do not exceed 25 feet in height.

**ELECTRICAL PERMITS** – The following electrical work activities are exempt from electrical permits (electrical permits are issued separate from building permits):

- Repairs and maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**MECHANICAL PERMITS** – Set-up or replacement of the following mechanical items are exempt from building permits although the utilities (water, electric, gas, etc.) that connect to these items shall be permitted and approved:

- Portable cooking or clothes drying appliances.
- Portable heating appliance.
- Portable ventilation appliances.
- Portable cooling units.
- Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Portable evaporative cooler.
- Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
- Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
- Other portable appliances such as freezers, washing machines, refrigerators, portable barbeque grills, etc....

**PLUMBING PERMITS** – The following plumbing work activities are exempt from building permits:

- The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made.
- The clearing of stoppages or the repairing of leaks in pipes, valves and fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

\* Per Oregon Building Codes Division Statewide Interpretation No. R105.2, for the purposes of exemption from structural permit, a “detached accessory structure” is a structure which is incidental to that of the main dwelling unit and which does not have a living room, or a dining room, or a kitchen, or a bedroom or any combination of these types of rooms. A structure meeting this description and the size limitations for exemption from structural permit may be exempt from structural permit whether or not it is conditioned / heated.

For the complete text of the Residential Specialty Code, including the section on Work Exempt from Permit (R105.2), go to:

<https://codes.iccsafe.org/public/document/details/toc/1018>