



**TOPIC:** Temporary Shelters - OSSC/34/#4

**CODE:** Oregon Structural Specialty Code: 2014 Edition

**REVISED:** September 29, 2017 [Rebecca Esau], Interim Director

**REFERENCE:** Section 3406.1 – Oregon Structural Specialty Code

**SUBJECT:** Use of Buildings as Temporary Shelters

**QUESTION:** Quite often churches, schools and other commercial buildings offer temporary shelter to people in need. Temporary shelters serve a limited number of people and often are open during limited times of the year or, in some cases, only during one or two weekends a month. Usually, people end up sleeping in areas that are not typically used for sleeping. Are there instances where an assembly or other occupancy type can be used as sleeping facilities without undergoing a change of occupancy?

**RESPONSE:** Portland Permitting & Development (PP&D) has determined that a building maybe used as a temporary shelter without undergoing a change of occupancy under the conditions noted below. When the use of a building as a temporary shelter exceeds the limits outlined below, a full change of occupancy is required.

#### **A. Permit and Inspections**

A conditional use permit is required through the Fire Marshal's Office prior to operation of the temporary shelter. Inspections are required as part of the conditional use permit process.

##### **1. Pre-Inspection**

The Fire Marshal and the Building Official, or their designees, shall conduct an inspection with the applicant present prior to commencement of work in preparation for operation of the temporary shelter. The inspection shall determine if the building or area is appropriate for the temporary shelter and identify what work needs to be completed prior to operation.

##### **2. Post- Inspection**

After work is completed, the Fire Marshal and the Building Official, or their designees, shall conduct another inspection with the applicant present. The inspection shall verify that the life safety systems are working and all requirements of this code guide have been met. Operation of the temporary shelter may not commence until successful completion of this inspection.

### **3. Annual Inspection**

If the temporary shelter is in operation for more than one year, an annual inspection shall be conducted by the Fire Marshal's Office to verify continued compliance with the requirements of this code guide. Any deficiencies identified in this inspection shall be corrected prior to operation of the temporary shelter.

## **B. Time Limit**

Occupancies other than Residential group R-1 (transient residential housing) may be used as a temporary shelter for a maximum of 180 days within a calendar year (January to January). Temporary shelters operating in excess of 180 days within a calendar year require an appeal through the building code administrative appeals process.

## **C. Maximum Number of Occupants Allowed**

The maximum number of allowable temporary shelter occupants shall be calculated using an occupant load factor of one individual for every 35 square feet of room area. For example, a room with 1,000 square feet would be allowed to provide temporary shelter for up to 28 people.

## **D. Life-Safety Requirements**

The following life-safety requirements apply to buildings and areas being used as temporary shelters:

### **1. Sprinklers**

It is not necessary for a building to have sprinklers to be used as a temporary shelter. However, buildings with sprinklers will be granted more flexibility as noted below:

- a.** When a building is fully sprinkled, temporary shelter sleeping areas may be located on any building floor level.
- b.** When a building is not fully sprinkled, temporary shelter sleeping areas may only be located on the first (ground) floor or second floor. Sleeping areas are not permitted in basement areas of an un-sprinkled building.

### **2. Smoke Detection, Smoke Alarms and Carbon Monoxide Detectors**

- a. All temporary shelter sleeping areas shall be provided with interconnected smoke alarms or a complete smoke detection system.
- b. Smoke detectors or smoke alarms may be battery operated.
- c. All other areas of the building used for shelter operation shall be equipped with smoke detectors or smoke alarms as prescribed by the Fire Marshal's Office as follows:
  - (1) Buildings housing a temporary shelter shall be equipped with a smoke detection and alarm system installed under permit through the Fire Marshal's Office.
  - (2) Each room used for sleeping shall be provided with a working smoke alarm (10 year battery with hush feature) or a smoke detector tied into an alarm system and a carbon monoxide detector.
  - (3) Hallways serving as a means of egress for sleeping rooms shall be provided with a working smoke alarm (10 year Battery with Hush feature) or a smoke detector tied into an alarm system. Coverage of the hallways shall be per NFPA 72 spacing requirements.
  - (4) In buildings that are not equipped throughout with an automatic sprinkler system installed in accordance with the fire code, the smoke alarms in guestrooms shall be connected to an emergency electrical system and shall be annunciated by guestroom at a constantly attended location from which the fire alarm system is capable of being manually activated. The constantly attended location must be served by a responsible adult that:
    - (a) Has a high degree of familiarity with the building layout and emergency egress routes in the event of an emergency.
    - (b) Has an understanding of their responsibilities to the occupants with regards to emergency evacuation of the building in the event of an emergency (see item #4, Emergency Evacuation Plan)

### 3. Means of Egress (Exits)

All floor levels with a temporary shelter area shall have a minimum of two means of egress (exits) from each floor level. Exits from sleeping rooms shall be provided as follows:

- a. **Ground floor sleeping rooms with less than 50 occupants.** Sleeping rooms located on the ground floor of the building serving 49 people or less shall have at least one exit and at least one window qualifying as an escape or rescue window as defined by the building code.
- b. **All other sleeping rooms.** Rooms used as shelter sleeping rooms that are located on floor levels other than the ground floor and that have an occupant

load of 10 or more shall have two exits from the room. The exits serving the room shall be separated by a distance equal to at least 1/3 of the longest diagonal distance of the room.

#### **4. Emergency Evacuation Plan**

All temporary shelters shall create and maintain an emergency evacuation plan addressing the evacuation of all visitors and staff in an emergency event. At a minimum, the emergency evacuation plan shall contain the following:

- a. Building Floor Plans.** Building floor plans for each floor being used as temporary shelter with the sleeping rooms clearly identified;
- b. Room Size.** The square footage of the rooms used as sleeping rooms and the use of adjacent rooms;
- c. Egress Path.** A plan to show egress from the proposed shelter spaces and from the building; and
- d. Life-Safety Systems.** Information regarding sprinkler systems, smoke detection or fire alarm systems in the building.

#### **E. Additional Fire Marshal's Office Conditional Use Permit Requirements**

1. Documentation of all fire life safety requirements, including the emergency evacuation plan, must be submitted to the Fire Marshal's Office. Copies must also be maintained on-site and be available at the request by the Fire Marshal's Office during routine inspections.
2. Tent structures used for privacy in sprinkled rooms shall have the tops open to allow proper sprinkler function.
3. Exit signs shall be fully illuminated at all times.
4. Exit paths shall be unobstructed and exit doors maintained to be readily openable.
5. Sleeping rooms that exit only to a hallway shall be provided with at least one working flashlight when occupied.
6. There shall be no smoking or open flames allowed within the building during shelter operation.
7. A portable fire extinguisher shall be located within 75' of all areas within the shelter.
8. Rooms used for shelter sleeping areas shall limit the number of occupants using 35 square feet per person (ie 175 sq ft room divided by 35 sq ft/person= 5 occupants in this room).

9. At least one responsible adult shall be present and awake at all times, shall be equipped with a flashlight and shall have immediate access to a phone (or shall carry a working cell phone). This duty can be shared by more than one adult. This requirement can be waived by the Fire Marshal's Office if an alarm system is installed throughout the building. Partial detention/alarm systems will be considered on a case-by-case basis.
10. An accurate and up-to-date list of the site schedule shall be provided to the Fire Marshal's Office. Changes to the schedule shall be communicated as soon as they are known.
11. Other conditions may be required on a case-by-case basis.

## **F. Planning and Zoning Requirements**

The temporary shelter must comply with Portland Zoning Code Chapter 33.296, Temporary Activities.

Alternative proposals that do not meet the requirements of Sections B-D of this code guide may be reviewed on a case-by-case basis through the building code administrative appeals process.

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Amended with new bureau name July 08, 2024.

Updates November 1, 2006 edition and re-numbers from IBC/34/#2

New November 1, 2006