



Statewide Statutory Interpretation
Rescinded Oct. 1, 2022

No. 14-03
State Building Code – Scope
Retaining Walls

The information contained in this statewide statutory interpretation is legally binding on any party involved in activities regulated by applicable Oregon law, applicable Oregon regulations or State Building Code. If the information contained in this statewide statutory interpretation is cited as a basis for a civil infraction, a representative of the jurisdiction must cite the interpretation number found in this document.

Statutory reference: Oregon Revised Statute (ORS) 455.020

Date: Issued—Nov. 20, 2014
Last updated—Oct. 1, 2019
Rescinded—Oct. 1, 2022

Subject: Regulation of Retaining Walls

Question: Does the scope of the State Building Code include the regulation of all retaining walls?

Answer: No. The scope of the State Building Code is limited to those retaining walls providing safeguards for the users of buildings.

Analysis:

Per ORS 455.010, the “State Building Code” consists of the various specialty codes adopted by the Department of Consumer and Business Services. The stated purpose of the state building code as provided in ORS 455.020 is to; “...establish uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security of the **residents of this state who are occupants and users of buildings.**” (emphasis added) (et al)

The regulation of retaining walls in the Oregon Structural Specialty Code and the Oregon Residential Specialty Code is limited to applications where the installation of the retaining wall has a direct impact on the structural integrity of regulated buildings or the usability of the means of egress and/or a required exterior accessible route.

Examples of retaining walls within the scope of the State Building Code include:

- Retaining material which in turn supports a regulated building, accessible parking, a required accessible route or the means of egress
- Retaining materials which, if not restrained, could impact buildings, accessible parking, a required accessible route or the means of egress

Examples of retaining walls outside the scope of the State Building Code include:

- Retaining material solely for landscaping purposes
- Retaining material at a property line where the impact on a regulated building is not a concern
 - Retaining material protecting a private road or non-required exterior pedestrian walkways

Contact: Visit the division website to [contact a building code specialist](#).

