

ORDINANCE NO. 158

AN ORDINANCE ADOPTING OREGON STATE SPECIALTY CODES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, AND REPEALING OF ORDINANCE NO. 144.

The city of Lakeside ordains as follows:

Section 1. Adoption of Codes. The city of Lakeside adopts the following codes by reference, and each code is incorporated and made a part of this ordinance, except as specifically provided by this section.

(1) The state of Oregon 1993 Edition Structural Specialty Code (OAR 918-460-010 as of January 1, 1993) including Sections 104(d) and 203 except that Section 302(b) and (c) are amended to read as follows:

(b) Plans and Specifications. Plans, engineering calculations, diagrams, and other data shall be submitted in one or more sets with each applications for a permit. The building official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

Submittals shall include construction inspection requirements as defined in Section 302(c).

EXCEPTIONS: The building official may waive the submission of plans, calculations, construction inspection requirements, etc., if he finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

(c) Construction Inspection. The engineer or architect in responsible charge of the structural design work shall include in the construction documents the following:

1. Special inspections required by Section 306.

2. Other structural inspections required by the engineer or architect in responsible charge of the structural design work.

(2) The state of Oregon 1993 Edition Mechanical Specialty Code (OAR 918-440-010 as of January 1, 1993).

(3) The state of Oregon 1993 Edition One and Two Family Dwelling Specialty Code (OAR 918-480-000 as of May 1, 1993).

(4) The state of Oregon 1992 Edition Plumbing Specialty Code (OAR 918-750-010 as of December 23, 1991).

(5) The state of Oregon 1993 Edition Electrical Specialty Code (OAR 918-290-010 to 918-290-110 as of July 1, 1993). Electrical plan reviews are required as per OAR 918-320-300 to 340 for all nonresidential occupancies and residential occupancies in excess of two dwelling units.

Minor installation labels shall be permitted in accordance with (OAR 918-310-010 through 918-310-100).

(6) Manufactured Dwelling and Cabana Installation Standards (OAR 918-Division 505).

Manufactured Dwelling and Manufactured Dwelling Accessory Building or Structure Standards (OAR 918-Division 510).

Manufactured Dwelling heat-producing appliances (OAR 918-Division 520).

(All above rules as of June 15, 1992).

(7) Mobile Home Parks. (OAR 918-Division 600 as of October 23, 1991).

(8) Recreational Parks and Organizational Camps. (OAR 918-Division 650 as of October 23, 1991).

Section 2. Local Interpretation.

(1) The city board of appeals shall be the city council which shall have no authority to waive requirements of a specialty code.

(2) A person affected by a ruling of the building official may appeal the ruling to the board of appeals within 30 days of the ruling with further appeal to the appropriate state specialty code board.

(3) The city recognizes that a person may request a ruling from the administrator of the state building codes agency prior to submitting an application to the city for a permit or after withdrawing a previously submitted application.

(4) Electrical code appeals shall be processed to the city lead electrical inspector who will render a final decision. Appeals from final decisions made by the city electrical inspector on electrical installations or electrical products shall be made to the Oregon state chief electrical inspector according to the provisions of ORS 479.853 and OAR 918-301-030.

Section 3. Fees.

(1) Value or valuation of a building or structure shall be determined as established by structural specialty code sections 304[b] and 423 as adopted by this ordinance section 1, subsection (1).

(2) Permit, plan checking, investigation and other fees charged by the building official shall be as established in the specialty codes listed below as adopted by this ordinance section 1, subsection (1) and as follows:

(a) 1993 Structural (building), Section 304 and Table No. 3-A thereof,

(b) 1993 Mechanical, Section 304 and Table No. 3-A thereof,

(c) 1993 One and Two Family Dwelling, Section R.110.2 and state of Oregon adopted fee schedules, tables, Structural Permit Fees Page 2.E, Mechanical Permit Fees Pages 2.F & 2.G, Plumbing Permit Fees Page 2.H, and Electrical Permit Fees Page 2.I thereof.

(d) 1992 Plumbing, Section 20.7 and Attachment A.

(e) 1993 Electrical as indicated in Attachment B Electrical Fee Table. Limited energy permit fees shall be \$40.00, as indicated on the electrical specialty permit application form. Minor electrical labels shall be \$50.00 per 10 minor labels.

(f) 1992 Manufactured Dwelling, Cabana, Accessory and Appliances (installations), OAR 918-500-100.

(g) 1991 Mobile Home Parks, OAR 918-600-030.

(h) 1991 Recreational Parks and Organizational Camps, OAR 918-650-030.

Section 4. Investigative Authority and Corrective Action of Building Official and Inspector. In addition to any other authority and power granted to the building official or delegated inspector under the specialty codes adopted by this ordinance, except where inconsistent with other provisions of the law, the building official or delegated inspector may enforce the provisions of the specialty codes against any person regardless of whether a permit, certificate, license or other indicia of authority has been issued. The building official or delegated inspector may investigate, order corrective action and if an immediate hazard to health and safety is imminent, issue an order to stop all or any work under the applicable specialty code.

Section 5. Penalties.

(1) It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure, mechanical system or equipment, plumbing system or fixtures, electrical system or equipment or cause or permit the same to be done in violation of a specialty code or other regulation established by this ordinance.

(2) It shall be unlawful for a person, firm or corporation to construct, enlarge, alter, repair, move, improve, convert or demolish, set up, use, occupy or maintain any manufactured dwelling, accessory structure or appliances, manufactured dwelling park, or recreational park or camp or cause or permit the same to be done in violation of a specialty code or other regulation established by this ordinance.

(3) The provisions and penalties herein are in addition to those remedies established for trades licensing under ORS chapters 446, 447, 455, 479 and 693 more specifically ORS 446.990, 447.160, 455.895, 479.830 and 693.190 penalty provisions.

(4) A violation of subsections 1 and 2 above is punishable by a fine not to exceed \$1000.00 per violation. In the case of a continuing violation, every day's continuance of the violation is a separate offense.

Section 6. Severability. The council declares that should any section, paragraph, sentence, or word of this ordinance be declared for any reason to be invalid, it is the intent of the council that it would have passed all other portions of this ordinance, independent of the elimination of any such portion as may be declared invalid.

Section 7. Effective Date. This ordinance shall become effective on July 1, 1993.

Section 8. Repeal. Ordinance No. 144 is hereby repealed.

Section 9. Emergency Clause. Whereas, it is necessary to maintain the peace, health and safety of the citizens of Lakeside an emergency is hereby declared to exist. This ordinance therefore, shall be come in force with the effective date of this ordinance upon its passage by the council and approval of the mayor.

Passed by the council and approved by the mayor June 28, 1993.