

ORDINANCE NO. 20-1001

**AN ORDINANCE OF THE CITY OF OREGON CITY ADOPTING AMENDMENTS TO
OREGON CITY MUNICIPAL CODE: CHAPTER 15.04 BUILDING CODE; DECLARING AN
EMERGENCY**

WHEREAS, the City of Oregon City Building Division reviews and regulates construction in accordance with a program delegated from the State Building Codes Division; and

WHEREAS, the State Building Codes Division recently amended Chapter 1- Scope and Administration of the Oregon Structural Specialty Code to narrow the authority to regulate items that do not directly impact buildings; and

WHEREAS, the Oregon Structural Specialty Code amendments were effective January 1, 2020; and

WHEREAS, to continue business practices and permitting process as they have been since the adoption of a statewide building code in 1974, local jurisdictions must adopt local codes; and

WHEREAS, Chapter 15.04 of the Oregon City Municipal Code implements state specialty codes with some exceptions; and

WHEREAS, staff worked with the Development Stakeholders Group to draft amendments which allow the City to continue to regulate select items; and

WHEREAS, continued regulation will allow continuous implementation of regulations previously included in the Oregon Structural Specialty Code resulting in greater public safety, continual practices and permitting, and consistency among jurisdictions.

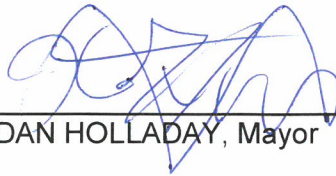
NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City hereby amends the portions of the existing Oregon City Municipal Code Chapter 15.04; which are attached hereto as Exhibit 'A'.

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 3. Emergency Clause and Effectiveness. The changes to the state specialty codes triggering these amendments took effect on January 1, 2020. Coordinated operation requires emergency implementation allowing this Ordinance to take effect immediately.

Read for the first and second time at a regular meeting of the City Commission held on the 15th day of January 2020.



DAN HOLLADAY, Mayor

Attested to this 15th day of January 2020:



Kattie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney

Exhibit:

A. Revised Chapter 15.04 of the Oregon City Municipal Code



Oregon City Municipal Code Chapter 15.04 - BUILDING CODE

15.04.010 - Adopted.

- A. Except as otherwise provided in this section, the following state specialty codes are adopted and shall be in full force and effect as part of the Oregon City Municipal Code of 1991, pursuant to ORS 455.153:
1. The State of Oregon Structural Specialty Code, as authorized by ORS 455.010 through 455.040, and adopted in OAR Division 918-460, with the additions identified below, (hereinafter "Structural Specialty Code"):
 - a. The term "Demolition" is added back into Section 105.1 "Permits";
 - b. Section 116, Unsafe Structures and Equipment;
 - c. Pursuant to the regulation of dangerous building, seismic rehabilitation plans that provide for phased completion of repairs that are designed to provide improved life safety but may be less than the standards for new buildings;
 - d. Abatement of nuisances and dangerous buildings;
 - e. Demolition;
 - f. Protection of adjoining property;
 - g. Retaining walls not otherwise regulated under the provisions of the State of Oregon Structural Specialty Code;
 - h. Fences over 7 feet in height;
 - i. Tanks that are located exterior to and not attached to or supported by a regulated building;
 - j. Cellular phone, radio, television and other telecommunications towers that are not attached to or supported by a regulated building;
 - k. Ground mounted flagpoles exceeding 25 feet in height;
 - l. Signs not attached to or supported by a regulated building;
 - m. Floating structures;
 - n. Docks;
 - o. Fixed piers and wharves with no superstructure;
 - p. Equipment shelters not intended for human occupancy with a building area 250 square feet or less, designated as Risk Category I or II;
 - q. Administration and implementation of a National Flood Insurance Program (NFIP);
 - r. Transitional housing accommodations; and
 - s. Matters not encompassed by this code but determined by the Building Official to be similar to those regulated.
 2. The State of Oregon Mechanical Specialty Code, as authorized by ORS 455.020 to 455.040 and ORS 455.1 10, and adopted in OAR Division 918- 440 (hereinafter "Mechanical Specialty Code").
 3. The State of Oregon Plumbing Specialty Code, as authorized by ORS 455.020 to ORS 455.040, and adopted in OAR Division 918-750 (hereinafter "Plumbing Specialty Code").
 4. The State of Oregon Electrical Specialty Code, as authorized by ORS 479.730, and adopted in OAR Division 918-305.

5. The State of Oregon Residential Specialty Code, as authorized by ORS 455.610, and adopted in OAR Division 918-480.
6. The State of Oregon Regulations for mobile home and manufactured dwelling parks; temporary parks, manufactured dwelling installation, support and tie down requirements; park or camp requirements as authorized by ORS 446.062, and adopted in OAR Division 918-500 and OAR Division 918-650.
7. The State of Oregon Solar Installation Specialty Code as authorized by ORS 455.010 to 455.895 (hereinafter "Solar Installation Specialty Code")

15.04.015 - Administration.

- A. The city commission may require independent review of analysis of building subject to the codes adopted in OCMC 15.04.010 by qualified persons at the permit applicant's expense.
- B. Fee schedules applicable to permits under this code shall be effective as of the date of publication by the state of Oregon. Valuation of each project/building shall be determined by the building official. Further, notwithstanding this subsection, the city commission may revise fees charged under said code by resolution of the city commission.

15.04.020 - Violation—Penalty.

Any building or structure in violation of the building code, adopted by the appropriate agency of the state, shall be deemed a nuisance. Violation of any provision of the building code is subject to the code enforcement procedures of Chapters 1.16, 1.20 and 1.24.