

TITLE 8

BUILDING AND SPECIALTY CODES

CHAPTER 810

SPECIALTY CODE

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I. GENERAL PROVISIONS

810.005 Title

This Chapter, LCC 810.005 to LCC 810.900, shall be known and may be cited as the “Linn County Specialty Code” or simply as the “Specialty Code.”

[Adopted 83-478 §1.1 eff 11/1/83; amd 99-058 §7 3/3/99]

810.010 Definitions

As used in this Chapter:

(A) “**Building**” includes any structure that is subject to the applicable code, rule, or standard adopted in LCC 810.100 (A) (1) to (8).

(B) “**Building Code**” includes LCC Chapters 810 (Specialty Codes), 820 (Dangerous Building Code), 850 (Fill and Excavation Code), and 870 (Floodplain Management Code).

(C) “*Specialty Code*” specifically means the codes, rules, and standards adopted in LCC 810.100. The term generally means this Chapter. The *Specialty Code* is a part of the Building Code.

(D) “**Building Official**” includes any person who is the designee thereof.

(E) “**Owner**” means the owner of record, the contract purchaser of record, any person in control of the building, any person occupying the building, a contractor of the owner, and the owner’s designated agent.

[Adopted 99-058 §7 3/3/99]

810.020 Purpose

The purpose of this Chapter is to provide uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security of the residents of this County who are occupants and users of buildings.

[Adopted 83-478 §1.2 eff 11/1/83]

810.030 Scope

(A) The location, relocation, erection, construction, maintenance, repair, alteration, equipping and use of buildings shall comply with requirements of this Chapter and with applicable State and federal laws and regulations.

(B) This Chapter shall apply within any incorporated City which the application and enforcement of any code, rule, or standard adopted in LCC 810.100 (A) (1) to (8) has been delegated to the County, either by contractual arrangement with a city or by default under the provisions of ORS 455.150.

[Adopted 83-478 §1.3 eff 11/1/83; amd 99-058 §7 3/3/99; amd 2000-357 §1 eff 7/19/00]

810.040 Interpretation

Where the conditions imposed by a provision of this Chapter differ from the conditions of another provision of this Chapter or of another law, ordinance, code, regulation or order having application in Linn County, the provision which is more restrictive shall govern.

[Adopted 83-478 §1.5 eff 11/1/83]

810.050 Repeal

Ordinances 71-2.000 filed June 23, 1971 and 71-3.000, filed January 10, 1973 are hereby repealed in their entirety.

[Adopted 83-478 §1.6 eff 11/1/83]

810.100 Specialty codes, rules, and standards

(A) *Adoption of specialty codes, rules, and standards.* The codes, rules, and standards named in subsection (B) of this section are hereby adopted and shall be known as the Linn County *Specialty Code*.

(B) *Specialty codes, rules and regulations.*

(1) **Structural.** The Oregon Structural Specialty Code (“Structural Code”), as adopted by OAR-918-460-0010 to 918-460-0015, except as modified by this Chapter, is enforced as part of this Chapter.

(2) **Mechanical.** The Oregon Mechanical Specialty Code (“Mechanical Code”), as adopted by OAR 918-440-0010 and 918-440-0040, except as modified by this Chapter, is enforced as part of this Chapter.

(3) Plumbing.

(a) The Oregon Plumbing Specialty Code (“Plumbing Code”), as adopted by OAR 918-750-0110 except as modified by this Chapter, is enforced as part of this Chapter.

(b) The Ordinary Minor Repair and Minor Plumbing Installation Rules, as adopted by OAR 918-780-0120 to 918-780-0140 is enforced as part of this Chapter.

(4) Electrical.

(a) The Oregon Electrical Specialty Code (“Electrical Code”), as adopted by OAR 918-305-0100 except as modified by this Chapter, is enforced as part of this Chapter.

(b) The Electrical Plan Review Rules, as adopted by OAR 918-311-0210 to 918-311-0050, is enforced as part of this Chapter.

(c) The Minor Installation Labels Rules, as adopted by OAR 918-309-0200 to 918-309-0260, is enforced as part of this Chapter.

(d) The Temporary Electrical Permit Rules, as adopted by OAR 918-309-0080, effective September 1, 1992.

(5) **Dwellings.** The Oregon One and Two Family Dwelling Specialty Code (“Dwelling Code”), as adopted by OAR-918-480-0005 to 918-480-0010, except as modified by this Chapter, is enforced as part of this Chapter.

(6) **Manufactured Dwellings.** The Manufactured Dwelling and Manufactured Dwelling Accessory Building or Structure Standards (“Manufactured Dwelling Code”), as adopted by OAR 918-500-0020 to 918-520-0035, except as modified by this Chapter, is enforced as part of this Chapter.

(7) **Manufactured Dwelling Parks.** The Manufactured Dwelling Park and Mobile Home Park Rules (“Manufactured Dwelling Park Code”), as adopted by OAR 918-600-0005 to 918-600-0030, except as modified by this Chapter, is enforced as part of this Chapter.

(8) **Recreational Vehicle and Organizational Camps.**

(a) The Recreational Vehicle and Organizational Camp Rules, as adopted by OAR 918-650-0000 to 918-650-0080, except as modi-

fied by this Chapter, is enforced as part of this Chapter.

(b) Recreation Vehicle Standards and Rules, as adopted by OAR 918-525-0040, except as modified by this Chapter, is enforced as part of this Chapter.

(c) Recreation Vehicle and Accessory Structures, Park Trailer, and Cabana Installation Standards and Rules, as adopted by OAR 918-530-0005 to 918-530-0340, except as modified by this Chapter, is enforced as part of this Chapter.

(d) Park Trailer Heat Producing Appliances Standards and Rules, as adopted by OAR 918-520-0010 to 918-520-0030, except as modified by this Chapter, is enforced as part of this Chapter.

(C) The fee amounts in the provisions of the State Specialty Codes or of the Administrative Rules have not been adopted by ordinance. The Board of Commissioners by annual fee order may adopt fees.

[Adopted 83-478 §2 eff 11/1/83; amd 84-503 §1 eff 10/10/84; amd 84-067 §2 eff 11/28/84; amd 87-553 §1 eff 11/4/87; amd 93-408 §1 eff 7/21/93; amd 94-377 §1 eff 6/29/94; amd 97-494 §2 eff 10/1/97; amd 99-058 §7 3/3/99; amd 2000-357 §1 eff 7/19/00; amd 03-328 §1 eff 8/27/03]

II. PROCEDURE

810.125 Permit required

Prior to conducting any work subject to this Chapter on a building, the owner thereof shall first apply for and obtain from the Building Official a permit authorizing that work.

[Adopted 99-058 §7 3/3/99]

810.126 Permit fees

The applicant for a building permit, shall at the time the permit is issued pay the amount fixed by the Board of Commissioners for that permit.

[Adopted 99-058 §7 3/3/99; amd 2000-357 §1 eff 7/19/00]

810.126 Permit process

(A) Applications for permits are made on forms provided by the Building Official.

(B) The application process is governed by the Linn County Building Inspection Program

Operating Plan¹ adopted December 31, 1996 and amended from time to time by and on authority of the Building Official.

[Adopted 2000-357 §1 eff 7/19/00]

III. ENFORCEMENT

810.150 Activities prohibited; permit required

(a) No person shall engage in or procure, aid or abet any other person to engage in any conduct or activity for which a permit, certificate, label or other formal authorization is required by this Chapter or any other regulation without first having obtained such permit, certificate, label or other formal authorization.

(B) No person shall work on a building for which a permit is required unless the fee for that permit is first paid.

(C) In accordance with ORS 479.550 (1), and except as otherwise provided by ORS 479.540, or other applicable state law, no person shall work on any new electrical installation for which a permit has not been issued by Linn County.

(D) No person may make an electrical installation for which an electrical plan review is required unless that person first submits the plan to the Building Official, the plan is reviewed by the Building Official, and the Building Official approves the electrical plan review.

(E) No person shall violate or procure, aid or abet in the violation of any order concerning the application of a provision of this Chapter, in a particular case made by the Director, an advisory board, a State administrative officer or any local appeals board, Building Official or inspector.

(F) No owner shall allow a building owned or under that person's control, or any mechanical system, materials or appurtenances, plumbing or drainage system or any parts thereof to be maintained in an unsafe or unsanitary condition.

¹A copy of the current (December 16, 1998) Operating Plan is attached to this Chapter in Appendix 1 for the reader's convenience.

(G) No owner or person in control of a building shall maintain any device or safeguard which is required by this Chapter in a manner not in conformance with this Chapter.

(H) No person shall allow a building to be a nuisance. A person who allows a building to be a nuisance creates a continuing nuisance until such time as the location, relocation, erection, construction, maintenance, repair, alteration, equipping, commencement or use of a building is brought into compliance with this Chapter.

(I) When the Building Official shall have first obtained, pursuant to LCC 240.200 to 240.260, a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as provided in LCC 810.210 (E), to promptly permit entry therein by the Building Official for the purpose determining compliance with this Chapter.

(J) No person shall continue to use or occupy a building for which the Building Official has given that person notice that the building is to be vacated as described in LCC 810.210.

(K) No person shall dispose of storm water unless a system for such disposal is first submitted to and approved by the Building Official pursuant to standards established by the Building Official.

[Adopted 83-478 §3.3 eff 11/1/83; amd 94-377 §1 eff 6/29/94; amd 99-357 §7 3/3/99; amd 2000-357 §1 eff 7/19/00]

810.170 Nuisance declared

The location, relocation, erection, construction, maintenance, repair, alteration, equipping, commencement or use of a building in violation of this Chapter or with applicable State and federal laws and regulations is a nuisance.

[Adopted 83-478 §3.4 eff 11/1/83; amd 99-058 §7 3/3/99]

810.200 Building Official established

(A) The Planning Director shall appoint a person to the position of Building Official to administer and enforce the *Specialty Code*. The Building Official shall attend to all aspects of code enforcement, including the issuance of all building permits.

(B) In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint a chief plans examiner, a chief building inspector and other related technical officers and inspectors and other employees as shall be authorized from time to time.

[Adopted 83-478 §3.1 eff 11/1/83; amd 87-553 §1 eff 11/4/87; amd 93-408 §2 eff 7/21/93; amd 94-377 §1 eff 6/29/94; amd 97-494 §2 eff 10/1/97; amd 99-357 §7 3/3/99]

810.210 Building Official; powers and duties

(A) The Building Official is hereby authorized and directed to enforce all the provisions of this Chapter. For such purposes, the Building Official shall have the powers of a law enforcement officer.

(B) In addition to any other authority and power granted to the Building Official, and except where inconsistent with other provisions of law, the Building Official may enforce the provisions of this Chapter against any person regardless of whether a permit, certificate, license or other indicia of authority has been issued.

(C) The Building Official shall not issue a permit if the proposed work would be in violation of local, state, or federal laws.

(D) *Inspections and investigations.*

(1) The Building Official may, make any inspection, any investigation, order corrective action and may issue an order to stop all or any part of the work under the applicable provision of this Chapter.

(2) The Building Official may cause a building to be reinspected to determine compliance with this Chapter.

(3) *Special investigation.* Whenever any work for which a permit is required by this Chapter has been commenced without first obtaining said permit, a special investigation may be made before a permit is issued for such work. If an investigation is conducted, an investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or is subsequently issued. The investigation fee shall be equal to the amount of the permit fee adopted pursuant to this Code. The minimum investigation fee shall be the

same as the minimum fee set forth in the fee schedule annually approved by Linn County. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Chapter or from any penalty prescribed by this Chapter or other law.

(E) *Right of entry onto property to make inspections and investigations.* Whenever necessary to make any inspection or any investigation to determine compliance with or to enforce any of the provisions of this Chapter, or whenever the Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or ordinance or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Chapter, provided that if such building or premises be occupied, the Building Official shall first present proper credentials and request entry; and if such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry

(F) *Issuance of stop work orders.*

(1) Whenever any work is being done contrary to the provisions of this Chapter, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(2) For the purposes of this Chapter, a stop order shall be deemed served on any and all persons engaged in the doing or causing work to be done if it has been posted on the job in a location visible to persons entering or working on the site.

(G) *Occupancy Violations.* Whenever any building or equipment therein is regulated by this

Chapter and is being used contrary to the provisions of this Chapter, the Building Official may order such use discontinued and the building, or portion thereof, vacated by notice given to the owner

(H) *Cooperation of Other Officials and Officers.* The Building Official may request, and shall receive so far as is required, in the discharge of any duties of the Building Official duties, the assistance and cooperation of other officials of this jurisdiction.

[Adopted 83-478 §3.2 eff 11/1/83; amd 94-377 §1 eff 6/29/94; amd 97-494 §2 eff 10/1/97; amd 99-357 §7 3/3/99]

810.240 Liabilities

(A) The Building Official, acting in good faith and without malice in the discharge of any duties of the Building Official is not thereby rendered personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of any of those duties. Any suit brought against the Building Official or employee because of such act or omission shall be defended by legal counsel provided by the County until final termination of such proceedings.

(B) This Chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building for any damages to persons or property caused by defects, nor shall the County be held as assuming any such liability by reason of the inspections authorized by this Chapter or any certificates of inspection issued under this Chapter.

[Adopted 83-478 §3.2 eff 11/1/83; amd 94-377 §1 eff 6/29/94; amd 97-494 §2 eff 10/1/97; amd 99-357 §7 3/3/99]

[810.220 Nuisance declared; the text of this section has been relocated to 810.150 and 810.900]

810.240 Additional remedies

In addition to any other remedies provided by law, the governing body or the district attorney may institute injunction, mandamus, abatement, or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate, or remove the unlawful location, relocation, construction, main-

tenance, repair, alteration or use of a building or equipment thereof.

[Adopted 83-478 §3.5 eff 11/1/83; amd 99-058 §7 3/3/99]

810.900 Penalties

Violation of any subsection of LCC 810.150 is a Class “A” infraction and may be enforced pursuant to LCC Chapter 240 (Linn County Enforcement Code).

[Adopted 83-478 §3.3 eff 11/1/83; amd 84-067 §3.3 eff 11/28/84; amd 88-536 §11 eff 10/12/88; amd 94-377 §1 eff 6/29/94; amd 99-058 §7 3/3/99]

Statutory References and Other Authorities:

ORS 203; 455; 476; 479; OAR 918-260; 918-290; 918-310; 918-320; 918-440; 918-460; 918-480; 918-500; 918-525; 918-530; 918-535; 918-540; 918-600; 918-650; 918-750; 918-780; Op Atty Gen 5874; Op Atty Gen 5874-A; Linn County Building Operations Plan

Legislative History of Chapter 810 (formerly codified at Chapter 10.10):

Adopted 71-2.000 and 71-3.000 eff 5/12/71

Amendments to 71-2.000 and 71-3.000:

- #1 71-144
- #2 73-002 (71-3.000) 10/18/72

Adopted 83-478 eff 11/1/83; repealed 71-2.000 and 71-3.000

Amendments to 83-478:

- #1 84-503 eff 10/10/84
 - #2 84-067 eff 11/28/84
 - #3 87-553 eff 11/04/87
 - #4 88-536 eff 10/12/88
 - #5 93-408 eff 7/21/93
 - #6 94-377 eff 6/29/94
 - #7 95-177 eff 5/10/95 (renumbering)
 - #8 97-494 eff 10/1/97
 - #9 99-058 §7 eff 3/3/99
 - #10 00-357 §1 eff 7/19/00
 - #11 03-328 §1 eff 8/27/03
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Appendix 1 — Linn County Building Inspection Program Operating Plan²

DECEMBER 31, 1996
Revised May 12, 1997
Revised December 16, 1998

INTRODUCTION

OAR 918-020-0080 Delegation of Building Inspection Programs

The state Building Codes Division and every municipality that administers and enforces a building inspection program or desires to assume responsibility to administer and enforce a building inspection program shall prepare an operating plan that describes the manner in which the municipality or the division will do so. The operating plan shall establish specific goals, consistent with the program standards described in OAR 918-020-0090.

This operating plan was developed to comply with the above administrative rule. The plan is on file with the State of Oregon Building Codes Division, has been distributed to surrounding jurisdictions, and is available through this office upon request.

This plan reflects the standards, policies, procedures and services administered and offered through the Linn County Planning and Building Department. The plan will be updated as necessary to reflect service changes.

Any questions related to this plan should be directed to:

Robert Netter, Building Official
Planning and Building Department
300 SW 4th Ave.
P.O. Box 100
Albany OR 97321

Phone: (541) 967-3816 ext. 2358
Fax: (541) 926-2060

ADMINISTRATIVE STANDARDS

Fees

Fees charged by the Linn County Planning and Building Department for construction, reconstruction, alteration and repair of prefabricated structures, other buildings and structures, installation of mechanical heating, ventilating devices and equipment shall be equal to the fee schedule printed in the 1979 editions of the Uniform Building and Mechanical Codes respectively.

Fees charged for installations of manufactured structures and plumbing installations shall be equal to the fee schedules adopted by the Manufactured Structures and Parks Advisory Board, and the State Plumbing Board. Fees for installations of manufactured dwellings and plumbing installations shall not exceed the reasonable and necessary costs of carrying out effective administration and enforcement of the respective inspections programs.

The Linn County Planning and Building Department operates under a general fund allocation. All plan review and

²This Operating Plan is not a part of the Code and is amended from time to time on the authority of the Building Official. Contact the Building Official for a current edition of this plan.

permit revenues are deposited into the general fund. Department expenditures are allocated through various general fund accounts.

Equipment

Each inspector will be supplied with equipment reasonably necessary to administer and enforce the state specialty codes in an efficient, effective, timely and acceptable manner. Such equipment *may* include, but not be limited to, vehicles capable of traveling to and from inspection sites, personal protection equipment necessary to ensure employee safety on inspection sites, desktop or portable laptop computer, cellular telephone, code books, inspection report forms, business cards and other materials and resources reasonable required to carry out their inspection responsibilities.

Staff authority and responsibilities

Building Official: The Building Official and staff through the authority given by Linn County Building Code Chapter 810 provide interpretations of the code in conformance with the intent and purpose of the code. The Building Official adopts and enforces rules and supplemental regulations in order to clarify the application of its provisions. The Building Official supervises building inspection staff and advises the Planning & Building Director on building issues.

Plans Examiners: Examines construction plans, blue prints, architectural drawings, designs and other documents for commercial, industrial structures, dwellings and accessory structures for compliance with Linn County Codes. Provides code interpretation guidance and counsel on technical issues and technology and advice and problem solving assistance to staff and inspectors, fire departments, architects, engineers and the public.

Structural/Mechanical Inspectors: Enforce the Linn County Codes through plan reviews and inspections of all building types.

Electrical Inspectors: Enforce the Linn County Code through plan reviews (when required) and inspection of all building types. Answer questions from the public on the phone and public service counter.

Plumbing Inspectors: Enforce the Linn County Code through plan reviews and inspection of plumbing installations. Answer questions from the public on the phone and public service counter.

Job classifications for building, electrical, plans examiners and plumbing inspectors are available

Local appeals process

The Building Official reviews an appeal of a plans examiner or inspector decision. The appeal may be verbal or in writing. There is no cost for this initial appeal. A decision is generally rendered within 24 hours of the request.

Any appeal of a decision of the Building Official related to code provisions is reviewed by the Linn County Specialty Code Appeals Board as per Chapter 480 of the Linn County Code. There is a \$75.00 fee for this appeal.

As per ORS 455.690, any person aggrieved by the final decision of a county appeals board may, within 30 days after the date of the decision, appeal to the appropriate state advisory board.

Accounting

The Planning and Building Department accounts for revenues and expenditures for each specialty code program administered. The budgets for the structural, mechanical, and plumbing programs have been consolidated because most of the plan review and inspection activities are integrated. All program expenditures are budgeted in the Planning and Building Department's annual budget and charged against the general fund. The accounting office documents administrative/overhead costs.

Records retention and retrieval

The county maintains plans, plan review notice and inspection records at its offices in the Linn County Courthouse in Albany. Permit records are kept through a combination of electronic, hard copy and microfilm formats. Active files are kept for a period of approximately two years in the office and then microfilmed. Contacting the office and providing the plan review or permit number enables file retrieval. Approved plans and plan review notices are purged four years after approval. A fee, based upon the Annual Fee Schedule adopted by the Linn County Board of Commissioners may be charged for public record requests.

Availability of operating plan

Copies of the Operation Plan for Linn County are available to the public by calling (541) 967-3816.

Public inquiries, comments, and complaints

Office hours are Monday-Friday; 8:30 AM to 5 PM, building staff can be contacted by calling (541) 967-3816 or 800-319-3816. The fax number is (541) 926-2060. Inquiries, comments and complaints will be referred to the appropriate staff member for review and resolution.

Public inquiry process

The Planning and Building Department is located in the County Courthouse at 300 SW 4th Ave., Rm. 114 in Albany. The office is open to the public Monday through Friday from 8:30 AM to 5:00 PM. Phone calls are accepted Monday through Friday from 8:30 AM to 5:00 PM.

Response to customer inquiries are generally conducted on the same day they are received, but not later than 24 hours after receipt of the request.

Jurisdictional boundaries

The jurisdiction of this Department covers all areas within the county boundaries, and through an intergovernmental agreement with Marion County, the City of Mill City in Marion County. The building inspection program of Marion County through an intergovernmental agreement with Linn County covers the cities of Gates and Idanha in Linn County. The cities of Albany, Lebanon and Sweet Home have their own Building Inspection Programs. However, Linn County is responsible for the Electrical Programs within the cities of Lebanon and Sweet Home. A map of the jurisdictional boundaries is maintained at the public service counter. Linn County is a "full service" jurisdiction. Permits for work governed by each specialty code is available through this office.

Notifications

All notices issued pursuant to OAR 918-020-0070 through 0220 shall be sent to Linn County's Building Official.

PERMITTING STANDARDS

Office location and hours of operation

The Department maintains office hours from 8:30 AM to 5:00 PM. Support staff between answer telephones and staff the public service counter. Permit applications are accepted and permits are issued anytime between 8:30 AM and 5:00 PM. Permit applications are also accepted via mail and phone. In the Contract Cities, a permit application can be obtained in their local office. The contract cities are Brownsville, Halsey, Harrisburg, Lyons, Mill City, Millersburg, Scio and Tangent.

Application procedures

Applications for permits are made on forms provided by the Department. Permit applications received in person are checked for completeness before the customer leaves. Permit applications received via mail are checked on the day of receipt for completeness and if necessary information is lacking, the customer is contacted immediately.

Permit applications submitted by mail will be entered into the permit tracking system when received. Where permit applications received by mail/fax are found to be incomplete, the department will mail the application back to the applicant within 24 hours of receipt of the application and advise them is needed to complete the permit application.

Application & permitting time frames

One and Two Family Dwelling Code Permits: When possible, permit applications for work regulated by the One and Two Family Dwelling Code are issued over-the-counter. If the permit requires additional review and cannot be issued over-the-counter, the Department will notify the applicant within two weeks of any plan deficiencies. Staff generally issues the permit within two weeks from the date the complete application and plan information are received.

Manufactured Dwelling Permits: Permit applications for works regulated by the Oregon Manufactured Dwelling Standards are issued over-the-counter when possible. If the permit requires some in-depth review and cannot be issued over-the-counter, staff generally issues the permit within one week from the date that complete application and plan information are received.

Other Permits: Permit applications for work regulated by the Structural, Mechanical, Plumbing, and Electrical Codes are issued over-the-counter when possible. If the permit requires additional review and cannot be issued over-the-counter, the Department will notify the applicant within 10 days of any plan deficiencies. Staff generally issues the permit within 10 days from the date that complete application and plan information are received.

“Over the counter” permit procedures

Permits not involving a plan review are generally issued over-the-counter. Temporary permits, plumbing and electrical minor labels are also issued over-the-counter. Emergency permits can be issued over-the-counter or, with the approval of the Building Official, via any reasonable means (i.e. via telephone). Master permits are issued only after receiving a written application describing various aspects of the program. The Department has a form letter explaining the required information.

Verification of licenses and registrations

Prior to the issuance of any permit staff verifies that the applicant meets the licensing and registration requirements of ORS Chapters 446, 447, 455, 479, 693 and 701. Issues that may arise from this verification process are referred to the Building Official for resolution.

PLAN REVIEW STANDARDS

Plan review process

The County plans examiners review structural, fire and life safety, energy, mechanical and plumbing plans to ensure compliance with applicable codes. Support staff use a Commercial “checklist” and a One and Two Family Dwelling “checklist” to ensure the customer has submitted all necessary information and where required, verify that an Oregon Registered Design Professional stamps plans. The checklists are available at the public service counter. Plan review staff shall verify the stamp of design professionals by contacting the Architect Examiners Board at 750 Front Street NE, Salem, Oregon, (503) 378-4270 or the Engineers Examiners Board at 750 Front Street NE, Salem, Oregon, (503) 362-2666.

A roster of the plan review staff including current certifications and continuing education records, is available to any interested party upon request.

Permit applications requiring plans

When plans are required, permits will not be issued until four (4) sets of plans for commercial and three (3) sets of plans for one and two family dwellings have been reviewed and approved. Plans may be submitted in person or by mail. Plans

received in person at the public service counter are reviewed immediately by support staff to verify that appropriate information and materials are included with the plans. If plans are incomplete, a letter and checklist detailing information needed to complete the plan review are sent, faxed or handed to the applicant in person. The plans are returned to the applicant if they came in person or placed "on hold" until the information and/or appropriate fees are received.

Plans complete but not in compliance

Where the plan has the required information but is found to be in non-compliance with the applicable code, the applicant will be notified of the areas of non-compliance and any request for correction or additional information. The plan is placed "on hold" until additional information is received.

Plans complete and in compliance

Where the plan is deemed complete, the plan will be stamped "approved" by the plans examiner of record and a permit will be issued to the applicant. A plan review and approval can take up to two weeks for foundation only, conventionally framed residential and light commercial and up to four weeks for engineered complex residential and heavy commercial projects after all necessary information is received with the plans. All plans must be approved prior to issuing permits.

A plans examiner is available during regular office hours, Monday through Friday, to answer questions or provide advice. Appointments are necessary for all preliminary consultations with a plans examiner.

INSPECTION STANDARDS

Inspection process

Inspection staff provides inspection services between 8:30 AM and 4:00 PM each working day. Inspections outside of these hours may be arranged through the Building Official.

The Department utilizes an automated inspection request telephone line. This dedicated line is available 24 hours per day, seven days per week. Inspections, which are requested prior to 7:30 AM, are conducted on the date requested. Inspection requests received after 7:30 AM will be accomplished the following day unless a later date is requested. Inspection requests that are received after 7:30 AM but which are needed on the same day requested because of unforeseen issues may be accomplished if approved by the Senior Field Inspector or the Building Official.

Customers submitting inspection requests by fax, mail or in person are requested to utilize the inspection request line.

Approved plans are required to be available on the job site for all inspections unless other arrangements have been made with the Department.

Upon arrival at a job site, an inspector will verify that a permit has been posted and that approved plans are available. Inspections will be performed based on the approved plans. After completing the requested inspection, the inspector will prepare a written report which describes all items that require correction in accordance with the applicable specialty code and cites the code section. A copy of the inspector's report will be left with the building owner or contractor, if any, on site. If the building owner or contractor is not available at the site, a copy of the report will be left at the job site. If the inspector finds that all minimum code requirements have been met, the inspector will indicate his or her approval on the job card located on the site.

In certain circumstances the inspector assesses a reinspection fee. A Department policy outlines these circumstances and the policy is available upon request.

Listing of inspection staff

A roster of the inspection staff, including current certifications and continuing education records, is available to any interested party upon request.

Stop work orders

LCC 810.210 (F) (1) states as follows:

“Whenever any work is being done contrary to the provisions of [LCC 810 — Specialty Code], the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.”

The authority to issue stop work orders is delegated to the inspection staff. However, the Department policy requires that the inspector contact the Senior Field Inspector or the Building Official to discuss the decision prior to issuance of the stop work order.

Investigation of electrical and plumbing violations

Electrical and plumbing inspectors conduct random checks to verify compliance with plumbing and electrical licensing and registration requirements. In cases of a violation, the inspector is provided the discretion to stop the work and (a) issue a warning, (b) issue a notice of proposed assessment of civil penalty, or (c) discuss alternative options, such as a citation into Linn County Courts with the Senior Field Inspector or the Building Official.

Complaints received by the Department related to alleged violations of plumbing or electrical licensing or registration requirements are investigated by the appropriate inspector.

COMPLIANCE PROGRAMS

Process for response to reported code violations

Reports of work being performed without a permit, in violation of the County Building Code, and/or in violation of ORS 479.550, 479.620, 477.270, 447.040, 693.030 and 693.040 are accepted in person or via mail, telephone or fax. All reports are filed separately in violation files and are investigated by the inspection staff.

Investigation of reported violations

Reports as described above are investigated to determine whether or not a violation exists. If no violation exists, the case is closed. If a violation exists, there are several possible actions that may be taken by the Department, including but not limited to stop work orders, assessment of investigation fees, citation into Linn County Courts, and referral to the Building Codes Division Compliance Section through the process identified in ORS and OAR. In any case, the person making the report is informed of the outcome.

Notices of proposed civil penalties

As per ORS 455.156, the Department acts as an agent of the respective state boards in the issuance of proposed assessments of civil penalties.