

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

15.04 Building Codes Adopted

15.08 Uniform Code for the Abatement of Dangerous Buildings Adopted

15.12 Mobilehome Parks

15.16 Davis-Bacon Act Compliance Policy

Chapter 15.04

BUILDING CODES ADOPTED

Sections:

15.04.010 Adopted.

15.04.020 Definitions and adoption by reference of specific state specialty codes--Identifying requirements for permits.

15.04.030 Purpose.

15.04.040 Dangerous buildings--Moving structures/buildings--Dust control--Noted improprieties, nuisances or illegal activities.

15.04.010 Adopted.

That certain documents, which are on file in the office of the building inspector for the city, being marked and designated as Uniform Building Code and Uniform Building Code Appendix, and Uniform Building Code Standards, 1985 Edition with State of Oregon Structural Specialty Code and Fire and Life Safety Code and Mechanical Specialty Code and Mechanical Fire and Life Safety Code 1986 Edition and the Uniform Fire Code and the Uniform Fire Code Standards, published by the International Conference of Building Officials, be and the same are adopted as the code for the city for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the city, providing for issuance of permits and collection of fees therefor, providing penalties for violation of such code, and each and all of the regulations, provi-

sions, penalties, conditions and terms of such Uniform Building Code, Uniform Building Code Appendix, Uniform Building Code Standards 1985 Edition and State of Oregon Structural Specialty Code and Fire and Life Safety Code and Mechanical Specialty Code and Mechanical Fire and Life Safety Code 1986 Edition and the Uniform Fire Code and Uniform Fire Code Standards published by the International Conference of Building Officials, on file in the office of the building inspector for the city are referred to, adopted and made a part hereof as if fully set out in this chapter. (Ord. 149 § 1, 1986)

15.04.020 Definitions and adoption by reference of specific state specialty codes-- Identifying requirements for permits.

“Building official/inspection section” the city of Boardman staff section responsible for establishing, administering, inspection and enforcement of the provisions of this, and other related, ordinances of the city of Boardman under the direction of the city manager; staffed by appropriately state certified inspectors within each specialty code; and further responsible for ensuring coordination with the state of Oregon Building Codes division in areas of inspections and permits for which the city of Boardman personnel are not yet certified.

“City” the city of Boardman, Oregon.

“City building code” the complete body of city of Boardman building codes, including all of the adopted state of Oregon Specialty codes and administrative rules thereunto pertaining, established by this Ordinance; also including the appropriate provisions of the zoning and subdivision ordinances; and public works standards directly applicable to structures within the corporate limits of the city of Boardman.

Electrical Specialty Code: The most current edition of the Oregon Rules Establishing Minimum Safety Standards for the Design and Construction of Electrical Systems in Buildings as adopted by OAR 918-305-0100 are hereafter amended.

Manufactured Dwelling (Home), Cabana, Accessory Structures, and Heat-Producing Appliances Standards:

1. OAR 918 -- Division 505, 510, 520 Rules Establishing Minimum Safety Standards for the Design and Construction of Manufactured Dwellings.

Mechanical Specialty Code: The most current edition of OAR 918-440-0010 Rules Establishing Minimum Safety Standards for the Design and Construction of Mechanical Systems in Buildings.

Mobile Home Park Standards: The City of Boardman adopts by reference the Mobile Home Parks Regulations established by the most current edition of OAR 918-Division 600. Permits are required.

One and Two Family Dwelling Specialty Code: The most current edition of the Oregon Rules Establishing Minimum Safety Standards for the Design and Construction of One and Two Family Dwellings as adopted by OAR 918-480-0005 or hereafter amended. Appendix Chapters 7, 11, 12 (Division I), 23, 26, 29, 32, 35, 38, 41, 49, 55 and 57 are hereby adopted.

Plumbing Specialty Code: The most current edition of the Oregon Rules Establishing Minimum Safety Standards for the Design and Construction of Plumbing Systems in Buildings as adopted by OAR 918-750-0110 or hereafter amended.

Recreational Parks and Organizational camps Regulations: The most current edition of the Oregon Rules Establishing Minimum Safety Standards for the Design and Construction of Recreational Parks and Organizational Camps as adopted by OAR 918-Division 650.

Structural Specialty Code: The most current edition of the Oregon Rules Establishing Minimum Safety Standards for the Design and Construction of Structural Systems in Buildings as adopted by OAR 918-460-0010 or hereafter amended. (Ord. 1-2003 § 1: Amended during 2001 codification; Ord. 166 § 1, 1994)

15.04.030 Purpose.

A. To establish within the city a building official/inspection section, to adopt by reference the appropriate Building Specialty Codes which shall govern all aspects of structural construction and the installation of devices and related equipment therein, as resolved by city council electing on July 1, 1994 responsibility for permit issuance, inspection services and enforcement within the following building code programs:

1. Plans;
2. Structural;
3. Mechanical;
4. Manufactured Dwelling Acc. and Equipment;
5. Manufactured Dwelling Cabana;
6. Manufactured Dwelling Park/Plan;
7. Recreational Vehicle Park/Plan/Construction;
8. Plumbing (subject to certified inspection);
9. Electrical (subject to certified inspection);
10. Manufactured Dwelling.

B. The Building Official/Inspection Section of the City Shall:

1. Provide competent certified personnel to administer the Boardman Building Code.

2. Provide forms and instructions required for building permits and other applications for work to be performed within the requirements of the Building Code and other related zoning ordinance and subdivision ordinance provisions.

3. Accept applications at offices in city hall for all permits required by city ordinance, restitution or administrative order, during normal business hours on working days, and to receive from the applicant in each instances the appropriate fees.

4. Review plans and specifications submitted with each application to ensure compliance with Building Code standards. Issue orders pursuant to Building Code compliance. Issue permits as appropriate in compliance with Building Code. Issue other permits, including occupancy permits consistent with code upon completion of work in compliance with regulations.

5. Inspect construction as it progresses under each permit to ascertain compliance. Maintain complete records in compliance with all public laws and requirements, and keep the city manager informed regarding permit issuance, non-compliance/stop work orders, and any disputes, appeals or formal enforcement actions; assist the city manager and/or city attorney in pursuing resolution of such actions.

C. Permits and Fees.

1. Permits shall be issued in compliance with this chapter, applicable other city ordinances, and ORS. Permit format and content shall be set by city resolution, and comply with state of Oregon Building Codes standards.

2. Fees shall be charged for permits issued in compliance with this chapter, and shall be paid prior to issuance of the permit for which the fee is charged, and shall be established by city resolution, the city council may, at any time, adopt fee schedules in compliance with ORS, and in consideration of the costs of providing and administrative and/or inspection services, council action may waive said fees, and may by administrative action defer and/or amortize said fees.

3. Exceptions: A permit shall not be required for routine maintenance.

C. Inspection.

1. The building official/inspector as the direct representative of the city manager shall enforce this chapter and related city ordinances. Upon presentation of proper credentials, this official may enter at reasonable times the premises of buildings upon which construction is suspected for which no permit has been received, to carry-out duties imposed upon the building official/inspection section by this chapter.

2. Release from Liability. Neither the building official/inspector, city manager, nor city shall be liable for any damages, costs or expenses for any failure to enforce the provisions of this chapter.

3. Appeals of any administrative ruling shall be first to the city manager, and failing resolution sufficiently satisfactory to release the issue, thence to the city planning commission for issues related to matters within their jurisdiction, or directly to the city council, acting in the council's capacity as official city appeals board. appeals to substantive Building Code issues shall refer to appropriate ORS for resolution, and further, direct appeal to the State Building Codes agency is at any time authorized.

D. Violation.

1. No person shall construct, re-construct, alter or move structures, or install electrical, plumbing, or mechanical devices or equipment therein which does not comply with the requirements of this chapter, or the standards established by adopted codes. Nothing within this chapter is intended to permit such action in violation of any other ordinances, or state or federal law. Violations of this chapter shall be subject to penalties provided by separate ordinance, which shall be referenced, to this chapter, in violations of ORS, the appropriate penalties and procedures set forth in ORS shall apply. (Ord. 1-2003 § 3: Ord. 166 § 3, 1994)

15.04.040 Dangerous buildings--Moving structures/buildings--Dust control--Noted improprieties, nuisances or illegal activities.

A. Enforcement of Related Ordinances. The building official/inspection section shall be charged with the enforcement of city ordinances applicable to buildings deemed dangerous, as established by appropriate city ordinance; and shall administer the movement of structures as established by appropriate city ordinance; and shall enforce the dust control provisions of the city nuisance ordinance on behalf of city manager.

B. Utilities. The building official may require water hook-on fee payment at time of permit issuance, to ensure appropriate dust control/prevention during construction periods.

C. Offenses Noted. During routine schedule/unscheduled inspections within the city or at any time during the pursuit of the provisions of this chapter, at observed occurrences of improper activity, the official/inspector may investigate further, contract such other city departments as public works, fire or police, notify the city manager, or work in context with any or all of these to resolve improprieties. The official/inspector will assist the city manager or city attorney in pursuing resolution of such actions. (Ord. 1-2003 § 4: Ord. 166 § 4, 1994)

Chapter 15.08

UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS ADOPTED

Sections:

15.08.010 Purpose.

15.08.020 Scope.

15.08.030 Adopts.

15.08.040 Appeals.

15.08.050 Administration.

15.08.010 Purpose.

It is the purpose of this chapter to provide a just, equitable and practicable method to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public of the city or their occupants, may be required to be repaired, vacated or demolished. (Ord. 169 § 1, 1995)

15.08.020 Scope.

The provisions of this dangerous buildings chapter shall apply to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in this jurisdiction. (Ord. 169 § 2, 1995)

15.08.030 Adopts.

The city, by reference, adopts in its entirety the 1994 Uniform Code for the Abatement of Dangerous Buildings as published by the International Conference of Building Officials, a copy of which is attached and shall be considered as integral to this chapter. (Ord. 169 § 3, 1995)

15.08.040 Appeals.

For purposes of appeals of notice of abatement of dangerous buildings, the city council of the city shall serve as the board of appeals. (Ord. 169 § 4, 1995)

15.08.050 Administration.

The building official is designated as authorized to enforce the provisions of this chapter. (Ord. 169 § 5, 1995)

Chapter 15.12

MOBILEHOME PARKS

Sections:

15.12.010 Mobilehome parks.

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Ordinance 14, which pertains to mobilehome parks, is not reproduced here by request of the city. A copy of the full text of the ordinance is on file for reference in the office of the city recorder. (Prior code § 7-1)

Chapter 15.16

DAVIS-BACON ACT COMPLIANCE POLICY

Sections:

15.16.010 Davis-Bacon Act Compliance Policy.

15.16.010 Davis-Bacon Act Compliance Policy.

A. All laborers and mechanics employed by contractors or subcontractors on any federally financed construction projects conducted by the city shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, regardless of contractual relationship.

B. All construction contracts entered into by the city that will be financed with federal assistance, must contain a statement that the contractor/subcontractor agrees to abide with all the regulations in the Davis-Bacon Act. This includes the payment of “prevailing” wages, the posting of these rates on the job site, and filing the proper reports with the Department of Labor.

C. The city is responsible for obtaining a copy of the “prevailing” wages for the locality from either the contractor/subcontractor or the Secretary of Labor. The city is

also required to obtain a copy of the reports filed with the Department of Labor within seven days after the end of the contractor's pay period. It must be determined that the contractor/subcontractor has paid laborers at least the "prevailing" wage, and that any overtime and fringe benefits have been calculated correctly.

D. The city manager is responsible for monitoring this policy and determining the contractors/subcontractors are in compliance with the Davis-Bacon Act. All reports and documentation obtained by the city shall be filed by project. The city is not required to file any reports unless a violation occurs. If violations of this act are found, the responsible official will properly notify the Secretary of Labor on a timely basis. (Ord. 160, 1991)