

ORDINANCE NO. 2027

**AN ORDINANCE AMENDING CPMC CHAPTER 15.04, BUILDING CODE TO COMPLY WITH UPDATES AND REFERENCES TO NEW STATE CODE**

**RECITALS:**

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. On May 12, 2016, the Central Point Community Development Department initiated and recommended approval of a code amendment to CPMC Chapter 15.04 bringing the City's municipal code into conformance with State Building Code Revisions and Updates.
- C. On May 12, 2016, the City of Central Point City Council held a properly advertised public hearing; reviewed the Staff Report; heard testimony and comments, and deliberated on approval of the Municipal Code Amendment.
- D. Words ~~lined through~~ are to be deleted and words in **bold** are added.

**THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

**SECTION 1.** Amendments to CPMC Chapter 15.04, revises language in the City's Building and Construction Code to conform with the State Building Code.

**Chapter 15.04  
BUILDING CODE**

Sections:

- 15.04.010 Standards applicable to building.**
- 15.04.020 City code administration.**
- 15.04.030 Local interpretation.**
- 15.04.040 Board of appeals.**
- 15.04.050 Certificate of occupancy.**
- 15.04.060 Change of occupancy.**
- 15.04.070 Re-inspection fee.**
- 15.04.080 Violations and penalties.**

**15.04.010 Standards applicable to building.**

All construction, building, and related activities within the city shall comply with all ordinances of the city and with the following specialty codes, which by this reference are expressly adopted and incorporated into this code:

A. The 2014 Oregon Structural Specialty Code based on the International Building Code, 2012 Edition, as published by the International Code Council and amended by the Building Codes Division; specifically adopting and including Section 109, Fees; permit and plan review fees shall be as per the building fee schedule as adopted by the city of Central Point; Section 112, Service Utilities; Section 116, Unsafe Structures and Equipment; Appendix G, Flood-Resistant Construction; Appendix H, Signs; Appendix I, Patio Covers; and Appendix J, Grading.

B. The 2014 Oregon Mechanical Specialty Code based on the 2012 International Mechanical Code and the 2012 International Fuel Gas Code, as published by the International Code Council, Inc., amended by the Oregon Building Codes Division, with fees as per the mechanical fee schedule adopted by the city of Central Point.

C. ~~The 2014 Oregon State of Oregon 2014~~ Residential Specialty Code based on the 2009 Edition of the International Residential Code, as published by the International Code Council, Inc., specifically adopting Section R104.8, Liability.

D. ~~The 2014 Oregon State of Oregon 2008~~ Electrical Specialty Code based on the ~~2014 2008~~ Edition of the National Electrical Code as published by the National Fire Protection Association, Inc.

E. ~~The 2014 Oregon State of Oregon 2011 Edition~~ Plumbing Specialty Code based on the 2009 Edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials.

F. 1994 Edition of the Uniform Abatement of Dangerous Buildings as published by the International Conference of Building Officials.

G. The 2010 Edition Oregon Manufactured Dwelling and Installation Specialty Code.

H. The ~~2014 2010~~ Oregon Fire Code based on the ~~2012 2009~~ International Fire Code with Oregon amendments.

I. 2014 Oregon Energy Efficiency Specialty Code based on 2012 International Energy Conservation Code. (Ord. 1991 §1(part), 2014; Ord. 1953 §1, 2011; Ord. 1938 §1, 2010; Ord. 1904, 2007; Ord. 1857, 2005; Ord. 1853 §1, 2004; Ord. 1832 §1, 2003; Ord. 1807 §1, 2000; Ord. 1798 §1, 1998; Ord. 1781

§1(part), 1997; Ord. 1764 §1, 1997; Ord. 1749 §3, 1996; Ord. 1686 §1, 1993; Ord. 1683 §1, 1993; Ord. 1640 §1, 1990; Ord. 1630 §1, 1990; Ord. 1573 §1, 1986; Ord. 1520 §1, 1984; Ord. 1497 §1, 1983; Ord. 1482 §1, 1982; Ord. 1409 §1(part), 1980; Ord. 1167 §2, 1974).

**15.04.020 City code administration.**

A. The city shall provide for the administration of a department of building safety, which shall include plan checking, issuance of permits and inspection programs for structural, mechanical, plumbing and electrical work. This city program is applicable to public buildings, including state buildings as well as private buildings.

B. The city shall perform fire and life safety plans examinations in such cases where a partial exemption for such purposes has been granted to the city by the State Fire Marshal's office. (Ord. 1991 §1(part), 2014; Ord. 1853 §2, 2004; Ord. 1807 §2, 2000; Ord. 1781 §1(part), 1997; Ord. 1497 §2, 1983; Ord. 1409 §1(part), 1980; Ord. 1370 §1, 1980; Ord. 1167 §3, 1974).

**15.04.030 Local interpretation.**

In addition to the provisions of Section 104.11 of the Structural Specialty Code and similar provisions of other specialty codes, the building official may approve a material or a method of construction not specifically prescribed by the ordinance codified herein, provided he finds that the proposed design is satisfactory and that the material, method or work offered is for the purpose intended at least the equivalent of that specifically prescribed by the ordinance codified herein, in quality, effectiveness, fire resistance, durability, safety and energy conservation, and that the Director of the Building Codes Division has not issued a report disapproving the material or method for the purpose. (Ord. 1991 §1(part), 2014; Ord. 1853 §3, 2004; Ord. 1781 §1(part), 1997; Ord. 1409 §1(part), 1980; Ord. 1167 §7, 1974).

**15.04.040 Board of appeals.**

A person aggrieved by a decision made by a building official under authority established pursuant to ORS 455.148, 455.150 or 455.467 may appeal the decision following the rules as outlined in ORS 455.475. (Ord. 1991 §1(part), 2014; Ord. 1853 §4, 2004; Ord. 1807 §3, 2000; Ord. 1781 §1(part), 1997; Ord. 1520 §2, 1984; Ord. 1409 §1(part), 1980; Ord. 1167 §8, 1974).

**15.04.050 Certificate of occupancy.**

No building or structure including residential shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until all public works improvements are complete and approved by the public works director, or his designee and the building official has issued a certificate of occupancy. (Ord. 1991 §1(part), 2014; Ord. 1781 §1(part), 1997).

**15.04.060 Change of occupancy.**

No change shall be made in the character of occupancies or use of any building which would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of the adopted codes for such division or group of occupancy. No change of occupancy shall be granted by the building official unless a change of occupancy inspection is conducted. The change of occupancy fee shall be in accordance with the fee schedule established by this jurisdiction. The payment of this fee shall not exempt any person from compliance with all other provisions of the codes adopted herein nor from any penalty prescribed by law. (Ord. 1991 §1(part), 2014; Ord. 1781 §1(part), 1997).

**15.04.070 Re-inspection fee.**

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. To obtain a re-inspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay a re-inspection fee in accordance with the fee schedule established by this jurisdiction. (Ord. 1991 §1(part), 2014; Ord. 1807 §4, 2000; Ord. 1781 §1(part), 1997).

**15.04.080 Violations and penalties.**

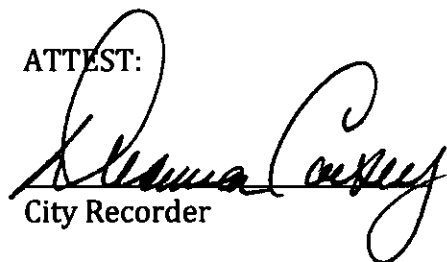
It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, occupy or maintain any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the ordinance codified in this chapter. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The minimum investigation fee shall be in accordance with the fee schedule established by this jurisdiction. The payment of this fee shall not exempt any person from compliance with all other provisions of the codes adopted herein nor from any penalty prescribed by law. (Ord. 1991 §1(part), 2014; Ord. 1781 §1(part), 1997; Ord. 1409 §1(part), 1980; Ord. 1167 §9, 1974).

**PASSED** by the Council and signed by me in authentication of its passage this <sup>26<sup>th</sup></sup> day of May 2016.



Mayor Hank Williams

ATTEST:



City Recorder