

ORDINANCE NO. 790

AN ORDINANCE ADOPTING THE 1985 STATE BUILDING CODE, PROVIDING FOR LOCAL ADMINISTRATION OF THE CODE, ADOPTION OF CERTAIN OTHER CODES, PRESCRIBING PENALTIES AND REMEDIES, REPEALER AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Conformance to State Standards.

(1) The policy of the City is that fire safety standards in the City be as high as the standards of fire safety prescribed by state law. Notwithstanding any lesser standard of fire safety indicated by a City ordinance, any standard of fire safety prescribed by ORS 456 or by the State Fire Marshal in the Oregon Administrative Rules under ORS 456.030 applies as a City requirement in the same manner as the standard applies as a state requirement.

(2) The policy of the City is that the standards of building construction and related activities in the City be at all time in compliance with the State Building Code Standards, the 1985 Edition of the Uniform Sign Code, published by the International Conference of Building Officials, and the 1985 Edition of the Uniform Building Code Standards published by the International Conference of Building Officials. Notwithstanding any standard affecting construction contained in a City ordinance, any standards in the State Building Code applies as a City requirement in the same manner as that standard applies as a state requirement. If a standard established by the City is in conflict with the State Building Code, the state standard shall prevail.

(3) No person may engage in construction or other activity not meeting the state standards or other requirements of this article as the standards provide at the time of the activity.

Section 2. Local Administration of Building Code. The City shall provide for specialty code administration, including plan checking with fire and life safety plan review, permit issuing and inspection for structural, mechanical, and mobile home installation, hook-up, alteration and mobile home park construction. The City may provide for some services related to plumbing and electrical work.

Section 3. Adoption of Certain Codes. The following are adopted:

(1) The State of Oregon Structural Specialty Code and Fire and Life Safety Code; including Chapter 70, "Excavation and Grading" of the appendix to the 1985 Edition of the Uniform Building Code;

(2) The State of Oregon Mechanical Specialty Code and Mechanical Fire and Life Safety Code;

(3) The Oregon Code for solar heating, cooling and hot water systems;

(4) The State of Oregon Plumbing Specialty Code;

(5) The State of Oregon Regulations and Standards governing the installation, plumbing and electrical hook-up and alteration of mobile homes and construction of mobile home parks;

(6) The State of Oregon Electrical Code; and

(7) The State of Oregon One and Two Family Dwelling Specialty Code.

Section 4. Board of Appeals. The City Council shall appoint a five (5) member "Board of Appeals", as set forth in the Uniform Building Code, Section 204, to serve on any matters as needed, including ORS Chapter 447.

Section 5. Violations and Penalties. It shall be unlawful for any 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 in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this ordinance. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of an offense, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued or permitted, and upon conviction of any such violation, such persons shall be punishable by a fine of not more than \$500.00.


Section 6. Remedies for City. In case of violations of any code adopted by this ordinance, the City may institute an appropriate court suit or action to enjoin the use and/or occupancy, or threatened use and/or occupancy of a building or structure until an occupancy permit is issued and approved by the City Building Official. In such case the City shall be entitled to recover from the defendant(s) in such suit or action and in addition to statutory costs, its reasonable attorney's fees to be fixed by the trial court and such further sum as may be fixed by the appellate court in case of an appeal.

Section 7. Repeal. Municipal Code Chapter 15.04 enacted January 16, 1985, is hereby repealed.

Section 8. Emergency Declared. In view of the necessity to prescribe regulations concerning the construction of buildings and other related activities, and to adopt the latest version of the Uniform Building Code, to better promote the safety, health, and welfare of the citizens of Canby, Oregon, an emergency is

hereby declared to exist and this ordinance shall take effect immediately upon its final reading and passage by the Canby City Council.

SUBMITTED to the Council and read the first time at a regular meeting thereof on the 4th day of June, 1986; ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at a regular meeting thereof on the 18th day of June, 1986, commencing at the hour of 7:30 o'clock p.m., at the Council's regular meeting chambers at the Canby City Hall, in Canby, Oregon.

  
Marilyn W. Perkett, City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of June, 1986, by the following vote: YEAS 6 NAYS 0

  
William F. Pulver, Mayor

ATTEST:

  
Marilyn W. Perkett, City Recorder