

ORDINANCE NO. 1085

AN ORDINANCE ADOPTING BY REFERENCE CERTAIN SECTIONS OF THE STATE OF OREGON BUILDING AND SPECIALTY CODES TO PROVIDE A UNIFORM BUILDING CODE FOR THE CITY OF CANBY, REPEALING CURRENT CHAPTER 15.04, AND DECLARING AN EMERGENCY.

THE CITY OF CANBY HEREBY ORDAINS as follows:

Section 1. Building Code Adopted. There is hereby added to the Canby Municipal Code a new Chapter 15.04, entitled Building code which shall read as follows:

Chapter 15.04

BUILDING CODE

Sections:

15.04.010 Adoption of Codes

15.04.020 Fees

15.04.030. Severability

15.04.040. Appeal Procedure.

15.04.050. Penalties.

15.04.060. Remedies for city.

15.04.010 Adoption of Codes

The following specialty codes, rules and standards are adopted and incorporated herein by this reference as included in this chapter.

A. Structural Code. The Oregon Structural Specialty Code, as adopted by OAR 918-460-0000 through 918-460-0015, except as modified in this chapter, is adopted as part of this chapter.

B. Mechanical Code. The Oregon Mechanical Specialty Code, as adopted by OAR 918-440-0010 through 918-440-0040, except as modified in this chapter, is adopted as part of this chapter.

C. One and Two Family Dwelling Code. The Oregon One and Two Family Dwelling Specialty Code as adopted by OAR 918-480-0005 through 918-480-0010, except as modified in this chapter, is adopted as part of this chapter.

D. Plumbing Code. The Oregon Plumbing Specialty Code, as adopted by OAR 918-750-0100 through 918-750-0190, except as modified in this chapter, is adopted as part of this chapter.

E. Electrical Code. The Oregon Electrical Specialty Code, as adopted by OAR 918-305-0000 through 918-305-0260, except as modified in this chapter, is adopted as part of this chapter.

F. Manufactured Dwelling Parks Rules. The Manufactured Dwelling Park and Mobile Home Park Rules adopted by OAR 918-600-0000 through 918-600-0095, except as modified in this chapter, is adopted as part of this chapter.

G. Manufactured Home Installation Rules. The Manufactured Dwelling Rules adopted by OAR 918-500-0005 through 918-500-0035, except as modified in this chapter, is adopted as part of this chapter.

H. Recreational Park and Organizational Camp Rules. The Recreational Park and Organizational Camp Rules adopted by OAR 918-650-0005 through 918-650-0085, except as modified in this chapter, is adopted as part of this chapter.

I. Fire Sprinkler Requirements. Appendix Chapter 9, Division III of the Oregon Structural Specialty Code is adopted and incorporated herein and is adopted as part of this chapter.

J. Excavation and Grading. Appendix Chapter 33 of the Oregon Structural Specialty Code is adopted and incorporated herein and is adopted as part of this chapter.

H. Sign Code. The 1994 Edition of the Uniform Sign Code as Published by The International Conference of Building Officials, with the exception of specific amendments. The following amendments to the Uniform Sign Code are adopted:

1. Subsection 303(3) is deleted.
2. Subsection 403(f), Table 4-B "Projection of Signs" is amended to read as follows:

<u>Clearance</u>	<u>Maximum Projection</u>
Less than 8 feet	Not permitted
Over 8 feet	Sign shall not project within 2 feet of curb line

15.04.020 Fees.

A. Fees charged under this chapter shall be established by resolution of the city council.

B. The building official may authorize the refunding of fees paid.

C. The determination of value or valuation under any provisions of this chapter shall be made by the building official in accordance with rules adopted by the State of Oregon Building Codes Division.

15.04.030. Severability.

If any section, paragraph, sentence or word of this chapter or codes adopted herein is declared to be invalid, such invalidity shall not affect the remainder of this chapter or any of the codes adopted herein and, to that end, the provisions thereof are declared to be severable.

15.04.040. Appeal Procedure.

Any person aggrieved by a decision of the building official made pursuant to the specialty codes adopted by the State of Oregon may appeal that decision to the Building Codes Division of the State of Oregon.

15.04.050. 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 chapter. Any person, firm or corporation violating any of the provisions of this

chapter shall be deemed guilty of an offense, and each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than \$1,000 per violation. Each day that a violation exists is a separate offense.

15.04.060. Remedies for city.

In case of violations of any code adopted by this chapter, 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 a certificate of occupancy 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 appeal. The city may also use the State of Oregon Department of Consumer and Business Services Building Codes Division compliance section for administrative rule and statute enforcement.

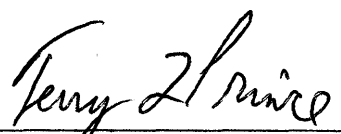
Section 2. Repeal. The current Chapter 15.04 is hereby repealed and replaced by the above.

Section 3. Emergency. In order to promote the health, safety and welfare of the citizens of the City of Canby by immediately implementing these building regulations, an emergency is declared and this Ordinance is effective upon its passage by the Canby City Council.

SUBMITTED to the Council and read the first time at a regular meeting thereof on December 19, 2001, 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 January 2, 2002, commencing after the hour of 7:30 p.m., at the Council's regular meeting chambers at the Canby City Hall in Canby, Oregon.

ENACTED on the second and final reading by the Canby City Council at a regular meeting thereof on January 2, 2002 by the following vote:

YEAS 4 NAYS 0



Terry L Prince, Mayor

ATTEST:



Chauncey F. Seifried, City Recorder Pro Tem