

## **RESOLUTION NO. 2244**

**A RESOLUTION APPROVING AN AMENDED OPERATING PLAN FOR BUILDING AND SPECIALTY CODE ENFORCEMENT PROGRAM AND FILING WITH THE OREGON BUILDING CODES DIVISION, AND AMENDING SECTION 4 OF THE FEES AND CHARGES SCHEDULE ADOPTED BY RESOLUTION 1954 AND AS SUBSEQUENTLY AMENDED.**

**THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. By delegation of authority under the State Building Code the City operates the Building Inspection program and has certified personnel to perform plan reviews and structural, mechanical, electrical and plumbing inspections.
2. Oregon Statutes and Administrative rules require all jurisdictions in Oregon that provide enforcement of building or specialty codes to have an approved operating plan on file with the Oregon Building Codes Division.
3. The Oregon State Legislature adopted HB2978 in the 2013 session, legislation that restricts the fees that may be charged by any jurisdiction for "investigative fees" and due to the recent absence of key management staff, the City of Troutdale operating plan has become out of date and requires revision.
4. To bring the operating plan into current compliance with the Oregon Structural Specialty Code the City of Troutdale is adopting the 2009 International Existing Building Code for use in existing and historical buildings as well as unsafe buildings and equipment.
5. The City's Fees and Charges schedule requires revision to implement the necessary revisions to the operating plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1. Approves the amended Building Inspection Program Operating Plan of January 2014 in substantial conformity with Exhibit A of the Staff Report, to revise the fees charged for "investigative fees" and to adopt compliance with the 2009 International Existing Building Code, and make other changes as may be necessary to reflect other administrative or program changes, and to file the plan with the Oregon Building Codes Division.

Section 2. Designates the City Manager or Finance Director (each a "City Official") or a designee of the City Official, to act on behalf of the City, and without further action by the City Council the City Official is hereby, authorized, empowered and directed to sign and file on behalf of the City the amended operating plan, and any and all other required and necessary documents to implement the of the agreement.

Section 3. The City Official is hereby authorized to execute, acknowledge and deliver the amended operating plan in substantial conformity with Exhibit A of the Staff Report, including any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the operating plan, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. Further, consistent with intent of the operating plan, and in the best interest of the City, the City Officials are authorized to determine, execute, acknowledge and deliver any subsequent addendums, extension, revisions, modification, or successor documents of the operating plan, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 5. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the operating plan obligations, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 6. Item 4.u of the City's Fees and Charges Schedule – Investigation Fee for investigation of reported code violations, shall be revised to \$105 per hour plus any other actual costs.

Section 7. This Resolution shall take effect January 1, 2014.

**YEAS: 5**

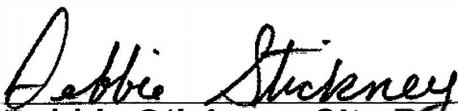
**NAYS: 2** Councilor White and Councilor Allen

**ABSTAINED: 0**



**Doug Daoust, Mayor**

Date 2/26/14



**Debbie Stickney, City Recorder**

**Adopted: February 25, 2014**