

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 677

AN ORDINANCE ADOPTING Uniform Building Code 1973 Edition, Uniform Building Code Standards, Uniform Housing Code, Uniform Mechanical Code, Uniform Sign Code, Uniform Code for the Abatement of Dangerous Buildings, as published in 1973 by the International Conference of Building Officials, AND ADOPTING MODIFICATIONS TO SAID CODES, TO BE ISSUED PURSUANT TO Chapter 834 Oregon Laws 1973, TOGETHER TO BE KNOWN AS "The City of Sherwood Uniform Building Code of 1973" AND ADOPTING APPLICABLE SECTIONS OF Chapter 447 Oregon Revised Statutes as amended by Oregon Laws 1973, AND ADOPTING REGULATIONS ISSUED PURSUANT THERETO BY THE Department of Commerce, as "The Plumbing Code of the City of Sherwood", ADOPTING APPLICABLE SECTIONS OF Chapter 693 Oregon Revised Statutes, AND REGULATIONS THEREUNDER PRESCRIBING QUALIFICATIONS FOR JOURNEYMAN PLUMBER AND FOR THE CONDUCT OF A PLUMBING BUSINESS; REQUIRING APPLICATION FOR AND ISSUANCE OF PERMITS FOR PERFORMANCE OF ANY PLUMBING WORK WITHIN THE CITY OF SHERWOOD; PROVIDING FOR INSPECTION OF ALL PLUMBING WORK, PRESCRIBING PERMIT AND INSPECTION FEES; PROVIDING PENALTIES FOR VIOLATION HEREOF, REPEALING Ordinance No. 546 as amended, Ordinance No. 408 AND ANY PORTIONS OF ANY OTHER ORDINANCE INCONSISTENT HERewith, AND DECLARING AN EMERGENCY.

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: Sections 1 through 6 of this ordinance shall be known as "The City of Sherwood Uniform Building Code of 1973" and may be cited as such.

Section 2: The following uniform codes published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, 90601, be, and the same are hereby incorporated herein by reference, to the same legal force and effect as if set forth herein in full, part by part, chapter by chapter, section by section, pursuant to authority of §221.330 ORS which by reference herein is likewise made a part hereof:

- a. Uniform Building Code, 1973 Edition
- b. Uniform Housing Code, 1973 Edition
- c. Uniform Building Code Standards, 1973 Edition
- d. Uniform Mechanical Code, 1973 Edition
- e. Uniform Sign Code, 1973 Edition
- f. Uniform Code for the Abatement of Dangerous Buildings, 1973 Edition

Not less than three (3) copies of each of the foregoing volumes shall be kept and maintained on file in the Office of the City Recorder of the City of Sherwood for use and examination by the public, pursuant to §221.330 ORS.

Section 3: Whereas, pursuant to Oregon Laws 1973, Chapter 834 (entitled Senate Bill 73), the Director of Commerce is directed to adopt, and amend from time to time, a state building code and regulations conforming insofar as practicable to model building codes generally accepted and in use throughout the United States, which code may be adopted by the Director by reference, and

Whereas, the City Council has found that any such structural codes and regulations will not substantially depart from the provisions of the Uniform Building Code hereinabove adopted,

the State Structural Code and Mechanical Code to be adopted by the Director of Commerce are hereby by this reference likewise adopted together with amendments adopted and regulations issued pursuant thereto. Until the State Structural and Mechanical Codes become operative and effective, the provisions of the Uniform Building Code hereinabove adopted shall control and govern with respect to the construction, reconstruction, alteration, repair of buildings and other structures, and the installation of mechanical heating and ventilating devices and equipment. Upon and after the operative dates of the State Structural and Mechanical Codes, in case of any conflict between the uniform codes hereinabove adopted, the state codes shall control. To the extent that the Uniform Building Code and Mechanical Code are more restrictive, exacting, or detailed in their requirements, they shall not be deemed to be in conflict with the State Structural and Mechanical Codes.

Section 4: Building Permit Fees. Section 303(2) Building Permit Fees of the Uniform Building Code hereinabove adopted by reference, is hereby amended and supplemented by adding thereto subparagraph (e) as follows:

"(e) No fees shall be exacted for work undertaken by the City of Sherwood; by the State of Oregon, its subdivisions and agencies; by the Federal Government, its subdivisions and agencies; by Washington County, or by any school district, if the work be done by such governmental units' own employees."

Section 5: Fire Zones. Section 1601 (a), Part IV, Chapter 16 of the Uniform Building Code adopted hereinabove, by reference is hereby amended to read as follows:

"§1601 (a) Fire Zones Defined. For purposes of this Code the entire City is hereby declared to be and is hereby established as a Fire District, and said Fire District shall be known and designated as Fire Zones No. 1, No. 2, and No. 3. Whenever in this Code reference is made to "Fire Zone (1) One", it shall be construed to refer to all those areas described and classified under the zoning ordinance, Ordinance No. 588, as C-1 Limited Commercial Zone and C-2, General Commercial Zone. Whenever in this Code reference is made to "Fire Zone (2) Two" it shall be construed to refer to all those areas described and classified under the zoning ordinance, Ordinance No. 588, as General Industrial District, I-1. Whenever in this Code reference is made to Fire Zone (3) Three", it shall be construed to refer to all those areas described and classified under the zoning ordinance, Ordinance No. 588 as Low Density Residential, R-1; Medium Density Residential Zone, R-2; High Density Residential Zone, R-3; Mobile Home District, R-T and Agricultural District, A-1."

Section 6: Violations and Penalties. The penalties provided by the 1973 edition of the Uniform Building Code as hereinabove adopted shall be applicable to any violation of the Sherwood Building Code except that Section 205 thereof is amended to read as follows:

Section 205:

- (a) 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 Code.

Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, 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 Code is committed, continued or permitted.

- (b) Conviction of any such violation shall constitute conviction of a class B misdemeanor and as such shall be punishable by a fine of not more than \$500.00 or by imprisonment for not more than 180 days or by both such fine and imprisonment.

Section 7: That Sections 447.010 to 447.140 (except 447.090) Oregon Revised Statutes as now in effect or any may hereafter be adopted or amended, and the regulations now prescribed by the Department of Commerce or as may hereafter be adopted by the Department of Commerce, pursuant to Chapter 834 Oregon Laws 1973 (enrolled Senate Bill 73) as a specialty code for the regulation of plumbing, are hereby adopted as the "Plumbing Code of the City of Sherwood", and shall have the same force and effect as though recited herein in full, and three (3) copies of said regulations shall be maintained at all times in the Office of the City Recorder of Sherwood, or the City Building official.

Section 8: That the laws of the State of Oregon as set forth in Chapter 693, Oregon Revised Statutes, and the regulations of the Department of Commerce as promulgated thereunder with respect to the definition and qualification of "journeyman plumber" and "registration to conduct a plumbing business", and all other requirements of competency and qualification as in said Chapter 693 set forth, are hereby adopted as the definitions and required qualifications of anyone conducting plumbing work within the City of Sherwood as a journeyman plumber or conducting a plumbing business within the City of Sherwood.

Section 9: It shall be unlawful for any person, firm or corporation, whether acting as principal, servant, agent or employee, to do or cause to be done, or permit to be done, any plumbing work, or installation of any plumbing materials, whether interior or exterior, in connection with waste, sewer, or other facilities, through or incident to the use of which any liquid or other substance whatsoever shall be discharged into the City's sewers or into any private cesspool, septic tank, or other disposal facility, without first securing a permit from the Office of the Building Official or office of person or agency as hereafter may be designated to carry out the Building Official's functions with respect to plumbing inspections.

Section 10: Applications for permit shall be on forms prescribed by the City and shall include a description of the work to be done, the location, ownership, occupancy, and actual or prospective use of the premises upon which the work is to be performed, the applications to be accompanied with plans, specifications, drawings, and such other information as the Building Official may deem necessary and pertinent to a clear understanding of the work to be performed.

Section 11: No plumbing work for which a permit is required shall be commenced in any building or premises within the City until an official permit covering the work as issued by the City is posted in a conspicuous place on said building or premises. No person shall remove or deface such permit until the work authorized by such permit has been approved in writing by the Building Official or his authorized representative.

Section 12: No permit shall be issued to any person to construct, install, alter, repair or change any new or existing plumbing in the City of Sherwood unless such person shall hold a valid journeyman plumber's certificate of competency issued by the Department of Commerce and shall otherwise be qualified as a journeyman plumber as defined in Chapter 693, Oregon Revised Statutes, provided that nothing herein contained shall preclude an owner from doing his own plumbing work in his own building or on his own premises provided that he shall first obtain a permit as by this Ordinance required and shall comply with all provisions of the ordinances applicable thereto, the rules and regulations of the Department of Commerce and the State Plumbing Code as promulgated by said Department.

No permit shall be issued to any person, firm or organization to conduct a plumbing business in the City of Sherwood unless such person, firm or organization shall have made application to the Department of Commerce and paid a registration fee to engage in the business, furnish labor and material, or labor only, to install, alter or repair plumbing, and any work performed pursuant to said permit shall be performed by journeyman plumber as defined in Chapter 693, Oregon Revised Statutes.

Section 13: The Building Official is hereby designated as Plumbing Inspector and it shall be his duty to inspect all plumbing in the City of Sherwood and to require that all plumbing installations conform with the provisions of this Ordinance.

If the Building Official finds that said plumbing does not conform with the requirements of this ordinance and the State Plumbing Code, he shall give notice in writing thereof to the owner of the premises, or to the contractor as the case may be, setting forth specifically in what respects said work or material, does not conform to this Ordinance, and the owner or contractor as the case may be, shall immediately and within a reasonable time bring the plumbing work and materials into conformity with the State Plumbing Code, provided that nothing in this Ordinance shall be construed as authorizing or permitting the Building Official to require any plumbing installations pre-existing this Ordinance to be removed or changed to conform to the State Code except to the extent that such action is necessary to protect public health and to conform to the use limitations prescribed for the sewer system of the City of Sherwood.

Section 14: As a condition precedent to the issuance of a permit for the installation, alteration, renovation or repair of plumbing or sewage disposal system, the applicant shall pay to the City of Sherwood fees as follows:

Permit Issuance Fees:

As set forth on the attached "Exhibit A" by reference made a part hereof.

Section 15: The Building Official shall inspect all work authorized by permit, for the purpose of determining whether such work conforms to the requirements of this Ordinance. He shall issue a written approval for any work found in conformity herewith, and shall reject all work or materials which are not in conformity herewith.

Whenever the Building Official shall find any plumbing work being conducted or accomplished within any premises or building, which shall be deemed defective, leaking or unsanitary, or in violation of ordinances of the City of Sherwood, it shall be his duty to notify the owner of the premises, the contractor, and the person actually performing the work, of such findings, and shall request that the defective work be removed or re-installed in accordance with the requirements of this Ordinance and the Plumbing Code of the State of Oregon. Such notice shall specify a reasonable time within which such conditions shall be corrected or in which such work shall be removed or re-installed, as the case may be.

Should any person served by such notice fail or refuse to comply with such orders within the time specified, or fail to in good faith undertake to comply therewith, such fact shall be reported by the Building Official to the City Council for further action.

Section 16: Penalties.

(a) Violation of any of the provisions of the foregoing sections 7 through 15, or the lawful rules and regulations issued by the State Department of Commerce, pursuant to 447.101 to 447.140 Oregon Revised Statutes, or Chapter 834, Oregon Laws, 1973, (enrolled Senate Bill 73) with respect to plumbing, or any lawful order issued by the State, County or municipal health officer pursuant to 447.010 to 447.190 Oregon Revised Statutes, shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued or permitted.

(b) Conviction of any and each such violation shall constitute conviction of a class B misdemeanor and as such shall be punishable by a fine of not more than \$500.00 or by imprisonment for not more than 180 days or by both such fine and imprisonment.

Section 17: Ordinance 546 enacted January 11, 1967, and subsequently amended by Ordinances 585, 595 and 598 and Ordinance 408 enacted June 6, 1952, be, and the same are, hereby repealed, and any portions of any other ordinances which may be inconsistent herewith be, and the same are, hereby likewise repealed.

Section 18: Whereas, there are dangerous buildings in the City of Sherwood and whereas, the present Building Codes and ordinances are inadequate to effectively regulate contemporary and imminent construction about to be commenced within the City of Sherwood, and whereas the City of Sherwood presently has no plumbing code or regulations, an emergency is therefore hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: By the Council by unanimous vote of all Council members present, after being read by caption this 13<sup>th</sup> day of February, 1973.

Marjorie Stewart  
Recorder - City of Sherwood

APPROVED: By the Mayor, this 13<sup>th</sup> day of February, 1973.

Page 5 - Ordinance No. 644

Jack O. Harper  
Mayor - City of Sherwood

"EXHIBIT A"

PERMIT FEES

(a)	For the first fixture, appliance or opening for future use:	\$ 3.00
(b)	For each additional fixture, appliance or opening for future use:	\$ 2.00
(c)	For each floor drain, area drain, catch basin, sump or similar connection:	\$ 2.00
(d)	For each refrigerator, ice box, cooler or similar connection:	\$ 2.00
(e)	For each hot water tank:	\$ 2.00
(f)	For each shower head installed over a floor drain:	\$ 2.00
(g)	For any fixture or appliance connected to a water system only:	\$ 2.00
(h)	For storm or rain drains underground or above ground connecting to storm sewer, or any other method of disposal:	\$ 5.00 per bldg.
(i)	For each dry well, included in the plumbing permit issued for the building constructed:	\$ 2.00
(j)	For each building sewer relocated:	\$ 5.00
(k)	For each installation of water service pipe, new replacement, enlargement and extension based on size in inches:	
	3/4 inch	\$ 2.00
	1 inch	\$ 3.00
	1 1/4 inch	\$ 3.00
	1 1/2 inch	\$ 3.00
	2 inches	\$ 5.00
	3 inches	\$ 5.00
	4 inches	\$ 5.00
(l)	For fixture supply piping alone based on size of service in inches:	
	3/4 inch	\$ 2.00
	1 inch	\$ 3.00
	1 1/4 inch	\$ 3.00
	1 1/2 inch	\$ 3.00
	2 inches	\$ 5.00
	3 inches	\$ 5.00
	4 inches	\$ 5.00
(m)	For each fixture or appliance not covered in prior permit (first fixture or appliance):	\$ 3.00
	Each additional fixture or appliance on same permit:	\$ 2.00
(n)	For each steam table, boiler, boiler blowoff, chlorination, condensation waste, wading pool, fish pond, aquarium, swimming pool, foundation, water treatment equipment or similar connection:	\$ 2.00
(o)	For each dry well, not included in the plumbing permit for building:	\$ 3.00
(p)	The minimum charge for a permit shall be:	\$ 2.00
(q)	Fire and lawn sprinkler systems:	\$10.00 ea.
(r)	For each swimming pool:	\$10.00
(s)	For each individual water supply system, whether or not installed with reference to a building:	\$10.00
(t)	For each fire hydrant or fire hose valve:	\$ 2.00
(u)	For a permit extension under Section 312(b):	\$ 5.00

Permit Issuance Fees - Exhibit A