

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 742

AN ORDINANCE ADOPTING UNIFORM BUILDING CODE 1979 EDITION, UNIFORM BUILDING CODE STANDARDS, UNIFORM FIRE CODE 1979 EDITION, UNIFORM HOUSING CODE, UNIFORM MECHANICAL CODE, UNIFORM SIGN CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, AS PUBLISHED IN 1979 BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, TOGETHER TO BE KNOWN AS "THE CITY OF SHERWOOD UNIFORM BUILDING CODE OF 1979"; AND ADOPTING APPLICABLE SECTIONS OF CHAPTER 447 OREGON REVISED STATUTES AND THE STATE PLUMBING CODE; PRESCRIBING PERMIT AND INSPECTION FEES; PROVIDING PENALTIES FOR VIOLATION HEREOF; REPEALING ORDINANCE NO. 644 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 13 of this ordinance shall be known as "The City of Sherwood Uniform Building and Plumbing Code of 1979", 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 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 ORS 221.330, which by reference is likewise made a part hereof:

- (a) Uniform Building Code, 1979 Edition
- (b) Uniform Housing Code, 1979 Edition
- (c) Uniform Building Code Standards, 1979 Edition
- (d) Uniform Mechanical Code, 1979 Edition
- (e) Uniform Sign Code, 1979 Edition
- (f) Uniform Code for the Abatement of Dangerous Buildings, 1979 Edition
- (g) Uniform Fire Code, 1979 Edition

Not fewer than three 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 ORS 221.330.

Section 3. In addition to compliance with this and other city ordinances, building and related activities shall comply with the state building code standards adopted by the Director of the Oregon Department of Commerce, and the fire and life safety code standards adopted by the State Fire Marshal, as those codes apply at the time of the building or related activity. No person may undertake building or related activities without compliance with these standards.

The city shall provide a program of specialty code administration, including plan checking, permit issuing and inspection, as provided by the state regulations for building code administration and this ordinance, for structural and mechanical work but not for plumbing and electrical work, which shall be administered by other governmental agencies in cooperation with the city building department.

Section 4. Building Permit Fees

Section 304(a), Building Permit Fees, of the Uniform Building Code hereinabove adopted by reference is hereby amended and supplemented by adding thereto the following subparagraph:

"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. Violations and Penalties

The penalties provided by the 1979 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, or by imprisonment for not more than 180 days, or by both such fine and imprisonment."

Section 6. The Oregon State Plumbing Code as enacted and provided for by ORS 447.010 to 447.140 (except 447.090 and 447.091), as now in effect or as may hereafter be adopted or amended, and the code and regulations now prescribed and published by the Department of Commerce or as may hereafter be adopted by the Department of Commerce, pursuant to ORS 447.020, is adopted by the City of Sherwood. Three copies of said regulations shall be maintained at all times in the office of the City Recorder of Sherwood or of the city building official.

Section 7. 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 is 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 8. Applications for permits 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 9. 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 or other assigned governmental agency, 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 10. 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 premises provided 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 11. If the building official or plumbing inspector 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 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 12. The building official or plumbing inspector shall inspect all work authorized by permit for the purpose of determining whether such work conforms to the requirements of this ordinance.

Wherever the building official or plumbing inspector 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 he shall request that the defective work be removed or reinstalled 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 reinstalled, as the case may be.

Section 13. 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 a permit issuance fee in the amount scheduled for the work for which application is made in the schedule of fees for plumbing permits for the unincorporated area of Washington County by the Washington County Building Department.

Section 14. Penalties. Any person, firm, corporation, or entity violating any of the provisions of the foregoing Sections 6 through 12, or the lawful rules and regulations issued by the State Department of Commerce pursuant to ORS 447.010 to 447.140 with respect to plumbing, or any lawful order issued by the state, county or municipal health officer pursuant to ORS 447.010 to 447.190, 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.

Conviction of any and each of such violations shall constitute conviction of a Class B misdemeanor and as such shall be punishable by a fine of not more than \$500 or by imprisonment for not more than 180 days, or by both such fine and imprisonment.

Section 15. Ordinance 644, enacted February 13, 1973, be and the same is hereby repealed; and any portions of any other ordinances which may be inconsistent herewith be and the same are hereby likewise repealed.

Section 16. Whereas the Sherwood building codes have not been revised since 1973 and it is necessary that modifications contained in the revisions to the uniform codes adopted hereby become immediately effective to preserve the public health and safety, an emergency is hereby declared to exist and this ordinance shall become effective from and after the date of its passage by the council and approval by the mayor.

ENACTED:

By the Council by unanimous vote of all council members present, after being read by caption three times, this 10 day of June, 1981.

Polly Blankenbaker  
City Recorder

APPROVED:

By the Mayor, this 10 day of June, 1981.

Clyde R. Fitz  
Mayor