

Repealed by
Ord 97-1028
Am

City of Sherwood, Oregon
Ordinance No. 93-958

AN ORDINANCE ADOPTING THE 1993 EDITIONS OF THE SPECIALTY CODES FOR STRUCTURAL AND MECHANICAL; CREATING A BOARD OF APPEALS; PROVIDING PENALTIES; REPEALING ORDINANCE NO. 90-912; AND DECLARING AN EMERGENCY.

WHEREAS, The City's building codes have not been revised since 1990 and it is necessary that modifications be adopted to conform with the 1993 State Building Standards.

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Standards Applicable to Building. In addition to compliance with this and other ordinances of the City, building and related activities shall comply with the following additional requirements:

- (1) The 1993 edition of the Structural Specialty Code as adopted by the Administrator of the State Building Codes Agency.
- (2) The 1993 edition of the Mechanical Specialty Code, as adopted by the Administrator of the State Building Codes Agency.
- (3) The 1992 edition of the Manufactured Dwelling Administrative Rules, as adopted by the Administrator of the State Building Codes Agency.
- (4) The January 1990 Administrative Rules governing mobile home parks, as adopted by the Administrator of the State Building Codes Agency.
- (5) The 1990 edition of the One and Two Family Dwelling Specialty Code as adopted by the Administrator of the State Building Codes Agency.
- (6) The 1990 edition of the Plumbing Specialty Code as adopted by the Administrator of the State Building Codes Agency.

No person shall conduct building or related activities without compliance with these standards.

Section 2. City Code Administration. The City shall provide for the administration of a plan checking, building permit, and inspection program for structural, plumbing and mechanical work, but not for electrical work. This City program is applicable to public buildings, including State buildings, as well as private building.

Section 3. Excavation and Grading. Chapter 70, Excavation and Grading, an appendix to the 1993 edition of the Uniform Building Code published by the International Conference of Building Officials, shall be in effect in the City.

Section 4. Local Interpretation. In addition to the provisions of Section 106 of the Structural Specialty Code and similar provisions of other specialty codes, the Building Official may approve a material or a method of construction not specifically prescribed by this ordinance, provided he or she finds that the proposed design is satisfactory and that the material, method of work offered is for the purpose intended at least the equivalent of that specifically prescribed by this ordinance in quality, effectiveness, fire resistance, durability, safety, and energy conservation, and the Administrator of the State Building Codes Agency has not issued a report disapproving the material or method for the purpose. The Building Official may refer the proposed design to the City Board of Appeals as provided in Section 204 (a) of the Structural Specialty Code and a person affected by a ruling of the Building Official may appeal such ruling to the Board of Appeals within 30 days of the date of the ruling. The provisions of this section shall not be interpreted to preclude a person from requesting a ruling from the Administrator of the State Building Codes Agency prior to submitting an application to the City for a permit or after withdrawing a previously submitted application.

Section 5. Unsafe Buildings. The law referred to in Section 203 of the Structural Specialty Code is the ordinance of the City providing for the abatement of unsafe buildings, structures, or other nuisances as defined by that section.

Section 6. Underground utility and cable TV Service. Any application for a building permit for a structure or facility which requires new electrical, telephone, or cable TV service shall provide that the electrical, telephone, or cable TV service will be underground from the property line to the structure or facility to be served. Where there is an existing utility easement with overhead lines, the service shall be undergrounded from the edge of the easement to the structure or facility to be served. When cable TV service is added to buildings or structures currently being served by overhead electrical and telephone lines, cable TV service shall be underground.

Section 7. Board of Appeals. For application in the City, Subsection (a) of Section 204 of the Structural Specialty Code and Subsection (a) of Section 203 of the Mechanical Specialty Code are replaced with the following:

In order to determine the suitability of alternate materials

and methods of construction and to provide for reasonable interpretations of the provisions of standards applicable to building and related activities administered through this City, there is created a Board of Appeals consisting of five voting members who are qualified by experience and training to pass upon matters pertaining to building and related activities, provided however that one Board member shall be a member of the City Council, and one Board member shall be a member of the City Planning Commission. The Building Official or his or her designee shall be an ex officio nonvoting member and shall act as secretary of the Board. The Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the applicant. The Administrator of the State Building Codes Agency shall be furnished copies of decisions interpreting State Building Code requirements.

Section 8. Violations and Penalties. It shall be unlawful and civil infraction 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 punished by a fine of not more than five hundred dollars (\$500.00).

Section 9. Repeal. Ordinance No. 90-912, enacted June 13, 1990 is hereby repealed; and any portions of any other ordinances which may be inconsistent herewith are hereby likewise repealed.

Section 10. Effective Date. Whereas the City's building Codes have not been revised since 1990 and it is necessary that modifications contained in the revisions to the codes adopted hereby become immediately effective in order to remain consistent in code enforcement with the Oregon State Building Codes Agency and 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.

Duly passed by the City Council this 24th day of March, 1993.

Approved by the Mayor this 24th day of March, 1993.

Walter Hitchcock

Walter Hitchcock, Mayor

Attest:

Polly Blankenbaker
Polly Blankenbaker, City Recorder

	<u>AYE</u>	<u>NAY</u>
Boyle	✓	—
Cottle	✓	—
Hitchcock	✓	—
Kennedy	✓	—
Shannon	absent	—