

REPEALED BY NO. 9

ORDINANCE NO. 4

AN ORDINANCE CREATING A BUILDING CODE TO REGULATE THE REECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, MOVING AND OCCUPANCY OF BUILDINGS OR STRUCTURES WITHIN THE CITY OF DUNES, AND TO REQUIRE AND TO PROVIDE FOR CONSTRUCTION PERMITS, AND THE COLLECTION OF FEES THEREFORE, AND TO ADOPT THE UNIFORM BUILDING CODE.

THE City of Dunes Ordains as follows:

This Ordinance shall be known and cited as the City of Dunes Building Code.

SECTION 1. PURPOSE. The purpose of this Ordinance is for

- a. Advise those building concerning State and City regulations regarding water supply, sanitary sewage disposal, electric wiring, etc.
- b. Inform persons and organizations building concerning setbacks for road widening as may be established by ordinance from time to time.
- c. Create better living conditions and protect and improve the sanitary conditions of the City.
- d. Provide for an orderly method of health inspection for the County Health Office.
- e. Provide for the proper appraisal and assessment of new or altered structures by the Lane County Assessor.
- f. Provide for a Uniform Building Code for the City.

SECTION 2. Scope. The regulations and required permits established by this ordinance shall:

- a. Apply to the erection, construction, reconstruction, alteration, moving and occupancy of any building or structure in the City of Dunes, the value of which is \$100.00 or more, including labor and material.
- b. Apply to any initial construction for or conversion to a dwelling, regardless of cost.
- c. Apply to the changing of sewage disposal for any building or structure.
- d. Apply to the parking and use of a house trailer as a living unit for a period in excess of seven (7) days on any sites other than an authorized house trailer park.

SECTION 3. Adoption of Uniform Building Code. The Uniform Building Code, 1957 Edition, published by the Pacific Coast Building Officials Conference is hereby adopted as a part of the Dunes City building code. Any provision of the Uniform Building Code in conflict with the Ordinances of the City shall not be effective. The following terms appearing in the Uniform Building Code shall apply to Dunes City as described:

- a. Building department shall mean the office of the Lane County Zoning and Building Inspector.
- b. Building Official shall mean Building Inspector.

SECTION 4. Establishment of Office of Zoning and Building Inspector.

The Office of Dunes City Zoning and Building Inspector is hereby established as a department under the jurisdiction of the Lane County Health Officer. He shall have the power and duties of the Building Official as set forth in the "Uniform Building Code". The person who is, from time to time, the Lane County Health Officer is hereby appointed as the Dunes City Zoning and Building Inspector, and Plumbing Inspector, and he shall have the power to employ deputies.

SECTION 5. Construction Permits

- a. No person, firm or corporation shall erect, construct, reconstruct, alter or move any building or structure as specified under Section 2 of this ordinance or change the sewage disposal (if other than to a municipal service), or cause any of such things to be done, without first obtaining a separate permit so to do for each building or structure or change from the Dunes City Building Inspector.
- b. If the Building Inspector discovers any person, firm or corporation doing any of the acts prohibited in the first paragraph of this section, he shall notify the violator to cease such act or acts, and such violator shall cease such acts until a building permit is secured and such violator shall pay for such permit, twice the amount of the fees hereinafter provided.
- c. Information to be furnished: The owner or builder applying to the Building Inspector for a permit shall furnish to such official or his delegated assistant, a sketch showing the dimensions of the property and the locations of the building and/or structures to be covered by the permit. Said sketch shall also show the location or proposed location of any well or water source, if other than a public water supply, and the location or proposed location of any septic tank and leaching lines. Other information as requested on the application or permit or by the Building Inspector shall be furnished in full.
- d. Responsibility for Issuing Permits: The Dunes City Building Inspector is hereby authorized and directed to issue the permits referred to in this ordinance upon property application being made; provided, however, that such permits shall be denied when proposed building sites requiring subsurface disposal fields do not meet the conditions as required by the "Regulations Governing Disposal of Domestic Sewage and Other Household Waste" adopted by the Oregon State Board of Health January 13, 1953, and filed with the Secretary of State January 30, 1953, and such permit shall also be denied where such applicant, in relation to such property, has not complied with other state laws regarding setbacks, sanitation, or where the property covered by the application for a building permit does not front or abutt on a public street or does not have access to such street over a private street or easement approved by the Common Council and recorded with the County Clerk, or where the proposed construction or work as stated in the sketch or information submitted to the Building Inspector would not, if completed, comply with existing state law or other city ordinances.
- e. Duration of Permits: Permits issued shall cover only the work specified thereon. A portion of said work shall be started within 60 (sixty) days after the issuance of the permit and all work completed within one year. If work is not started within sixty days or not completed within one year, the permit becomes invalid unless renewed by the Dunes City Building Inspector.
- f. Fees for Permits: A fee based on the value of the proposed structure or work shall be charged for each building permit. Fees are payable to the General Fund of Lane County.

Fees for Permits shall be as follows:

STRUCTURAL FEES:

No fee for construction permit for work, the valuation of which is less than \$100.00 including labor and materials except that the initial construction or establishment of a dwelling regardless of cost or the changing of water supply or sewage disposal (if other than to a municipal service) shall be covered by a permit.

Two (\$2.00) Dollars for construction, the valuation of which is not more than One Thousand (\$1,000.00) Dollars.

Two (\$2.00) Dollars for each additional one thousand (\$1,000.00) dollars or fraction thereof of total valuation to and including Fifteen Thousand (\$15,000.00) Dollars.

One (\$1.00) Dollar per thousand (\$1,000.00) Dollars or fraction thereof over Fifteen thousand (\$15,000.00) dollars up to and including fifty thousand (\$50,000.00) dollars of total valuation.

Fifty (.50) cents per one thousand (\$1,000.00) dollars or fraction thereof over fifty thousand (\$50,000.00) dollars of total valuation.

PLUMBING FEES

One dollar (\$1.00) septic tank and leaching field

One dollar (\$1.00) sewer tap (this is in addition to the sewer connection required.

Fifty cents (\$.50) pit privy (where permitted)

One Dollar (\$1.00) each sanitary and waste connection.

TRAILER PARKING:

Two dollars for parking more than seven days.

MOVING BUILDINGS:

\$10.00 (ten dollars) for moving any building from one site to another other than accessory buildings as defined in the Lane County Comprehensive Zoning Code.

SECTION 6. Inspection by Building Inspector: The Dunes City Building Inspector, or a delegated assistant, is authorized to go upon the property of an applicant for a permit to determine whether or not a permit should properly be issued.

SECTION 7. Inspection of Sewage Disposal System - occupancy requirements: Septic tanks and sewage disposal fields must have the approval of the Dunes City Building Inspector before backfilling, provided, however, inspection must be made by the Building Inspector within three days after the builder has notified him that the construction is ready for inspection.

No residence shall be occupied until facilities for sewage disposal equal to the minimum standard of the State Board of Health have been installed and approved by the Building Inspector. Failure to receive approval of the sewage system before occupancy of any new residence shall be considered a violation of the Building Code and subject to the penalties hereinafter provided.

The Plumbing Inspector shall cause a stop work order to be posted on all plumbing noted to be in violation of any of the provisions of Chapter 447 ORS (State Plumbing Code) and said plumbing shall not be covered or used until inspected and found to meet the requirements of Chapter 447 ORS. At such time a permit to cover shall be posted and shall release the plumbing in question from the stop work order. Inspection must be made by the Plumbing Inspector within three days after the builder has notified the Building Inspector that the plumbing is ready for inspection.

SECTION 8. Certification of Plans: The plans of all buildings submitted to the Building Inspector for a permit, must be certified by and bear the seal of an

architect or engineer registered in the State of Oregon; provided that such certification and seal will not be required for one and two story single family and two family dwellings and the necessary smaller structures pertaining thereto and to one story commercial and industrial buildings without basements and under four thousand square feet in area not including places of assembly and dention.

SECTION 9. Penalties:

- a. Violation of any provision of this ordinance or amendments thereto is punishable, upon conviction, by:
1. A fine of not more than \$100 or each day of violation, where the offense is a continuing offense, but such fine shall not exceed \$1,000.
 2. A fine of not more than \$500 where the offense is not a continuing offense.
- b. The erection, construction, reconstruction, alteration, moving or occupancy of any building or structure as specified in Section 2, in violation of this ordinance or amendments thereto shall be deemed to be a nuisance.

In case any building or structure as specified in Section 1 is proposed to be erected, constructed, reconstructed, altered, moved or occupied in violation of this ordinance or amendments thereto, any person whose interest in real property in Dunes City is or may be affected by the violation, may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or any other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or remove the unlawful erection, construction, reconstruction, alteration, moving or occupancy.

SECTION 10. Appeals: Any person who feels that an injustice has been done him by an order or ruling of the Building Inspector may appeal therefrom to the Common Council, whose decision shall be limited to an interpretation of the Code.

SECTION 11. Validity - Interpretation: If any section, sub-section, sentence, clause or phrase of this ordinance shall be declared invalid by the decision of any court of competent jurisdiction, such decision shall not effect the ordinance as a whole or any part thereof, except the specific part held invalid.

This ordinance shall be liberally construed so as to bring about the results stated in Section 1 of this ordinance.

Passed by the Council this 6th day of January, 1964.


P. Jones, Recorder

Approved this 6th day of January, 1964.


Philip Harnel, Mayor