

ORDINANCE NO. 140

AN ORDINANCE ADOPTING THE 1993 ONE AND TWO FAMILY DWELLING CODE AND TO ADOPT THE STATE STANDARDS FOR MANUFACTURED DWELLINGS AND ACCESSORIES, MOBILE HOME PARKS, AND RECREATIONAL PARKS AND CAMPS; AND PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, PROVIDING PENALTIES AND DECLARING AN EMERGENCY.

The City of Dunes City ordains as follows;

Section 1. ADOPTION OF CODES.

The City of Dunes City adopts the following codes by reference, and each code is incorporated and made a part of this ordinance, except as specifically provided by this section.

(1) The State of Oregon 1993 Edition Structural Specialty Code (OAR 918-460-010 as of 1/1/93) including Sections 104 (d) and 203 except that Section 302 (b) and (c) are amended to read as follows:

(b) PLANS AND SPECIFICATIONS. Plans, engineering calculations, diagrams, and other data shall be submitted in one or more sets with each application for a permit. The Building Official may require plans, computations,<sup>3</sup> and specifications to be prepared and designed by an engineer or architect licensed by the State to practice as such. Submittal shall include construction inspection requirements as defined in Section 302 (c).

EXCEPTIONS: The Building Official may waive the submission of plans, calculations, construction inspection requirements, etc., if he finds that the nature of the work applied for is such that reviewing of the plans is not necessary to obtain compliance with this code.

(c) CONSTRUCTION INSPECTION. The engineer or architect in responsible charge for the structural design work shall include in the construction documents the following:

1. Special inspections required by Section 306.
2. Other structural inspections required by the engineer or architect in responsible charge of the structural design work.

(2) The State of Oregon 1993 Edition Mechanical Specialty Code (OAR 918-440-010 as of 1/1/93).

(3) The State of Oregon 1993 Edition One and Two Family Dwelling Specialty Code (OAR 918-480-000 as of 5/1/93).

(4) The State of Oregon 1992 Edition Plumbing Specialty Code (OAR 918-750-010 as of 12/23/91).

(5) Manufactured Dwelling and Cabana Installation Standards 918-Division 505.

Manufactured Dwelling and Manufactured Dwelling Accessory Building or Structure Standards 918-Division 510.

Manufactured dwelling heat-producing appliances 918-Division 520

All as of 6/15/92

(6) Mobile Home Parks. OAR 918-Division 600 as of 10/23/91.

(7) Recreational Parks and Organizational Camps. OAR 918-Division 650 as of 10/23/91.

SECTION 2. LOCAL INTERPRETATION.

(1) In addition to the provisions set forth above and similar provisions of other specialty codes administered by the City, the building official may approve a material or method of construction not specifically prescribed by this ordinance after finding that the proposed design meets the criteria for approval.

(2) In lieu of making a finding, the building official may refer the proposed design to the City Board of Appeals, which shall be the City Council.

(3) A person affected by a ruling of the building official may appeal the ruling to the Board of Appeals within 30 day of the ruling.

(4) The City recognizes that a person may request 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.

(5) Electrical Code appeals shall be processed to the city's Chief Electrical Inspector who will render a final decision. Appeals from final decisions made by the City Chief electrical inspector on electrical installations or electrical products shall be made to the Oregon State Chief Electrical Inspector according to the provisions of ORS 479.853 and OAR 918-301-030.

SECTION 3 FEES.

The fees charged by the building official shall be the same as fees that would be charged if the State was performing the enforcement. The Building official shall maintain a fee schedule.

Electrical permits and fee schedules will be maintained by the State Electrical Inspector.

SECTION 4 PENALTIES.

(1) No person shall:

(a) Violate or aid in the violation of a final order concerning the application of a building code provision in a particular case made by the City administrative officer, appeals board, building official or inspector.

(b) Engage in or aid a person in an activity for which an authorization required by specialty code or other regulation established by this ordinance without first obtaining authorization.

(2) A violation of subsection 1 is punishable by a fine not to exceed \$1,000 and/or is declared a nuisance, and may be abated pursuant to Dunes City Zoning Ordinance 51.

The election as to whether to pursue this matter as a violation or as a nuisance shall rest solely with the city. The City shall elect whether a matter is to be prosecuted as a violation or a nuisance by either filing a violation charge in a court of appropriate jurisdiction, or initiating a nuisance proceeding. City may elect to abandon prosecuting a case as a nuisance and re-file the case as a violation at the election of the city. Each seven (7) continuous days that a violation of this ordinance continues is a separate offense.

SECTION 5. SEVERABILITY.

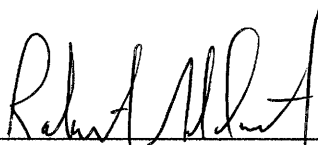
The City Council declares that should any section, paragraph, sentence, or word for this ordinance be declared for any reason to be invalid, it is the intent of the council that it would have passed all other portions of this ordinance, independent of the elimination of any such portion as may be declared invalid.

SECTION 6. EMERGENCY CLAUSE.

Whereas, it is necessary to maintain the peace, health and safety for the citizens of Dunes City, an emergency is hereby declared to exist. This ordinance therefore, shall become in force with the effective date of this Ordinance upon its passage by the Council an approved by the Mayor.

Passed by the Council of the City of Dunes City this 12th day of August, 1993.

Approved and signed by the Mayor of the City of Dunes City this 13th day of August, 1993.

  
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Robert Petersdorf, Mayor

ATTEST:

  
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Kathie Hilborn, City Recorder