

**11.05.110 Liability.**

**A. [No change]**

**B.** Every property owner shall be liable to persons injured or otherwise damaged by reason of the property owner's failure to keep ~~his/her~~the private property, sidewalks, planting strips and trees fronting or upon such private property in a safe condition so as not to be hazardous to public travel.

**C. [No change]**

**11.20.020 The Urban Forestry Commission.**

**A. [No change]**

**B.** Terms. Members will serve without compensation for terms of 4 years and may be reappointed for one additional consecutive term. After serving two consecutive terms, at least 1 year shall elapse before a member may again be reappointed to the Commission. Notwithstanding the limitations of this Section, a member of the Commission will continue to serve until ~~his or her~~the member's replacement is appointed.

**C.-E. [No change]**

**11.45.030 Procedures.**

(Amended by Ordinance No. 188278, effective April 14, 2017.)

**A.-E. [No change]**

**F. Appeals.**

**1.** Timely Filing. Appeals shall be filed on forms as prescribed by the City within 14 days from the date of the written decision. Such appeals shall specifically identify in writing how the decision-maker erred in ~~his/her~~the decision.

**2.-3. [No change]**

**11.70.080 Correcting Violations of this Title.**

(Amended by Ordinance No. 188278, effective April 14, 2017.)

**A. [No change]**

**B.** Standard remedies. Standard remedies are intended to address a wide variety of violations of this Title. Additional remedies specific to City and Street Trees, and trees in development situations are described in

Subsections C. and D. When the City determines that a violation of this Title has occurred, any or all of the standard remedies described in this Subsection, and any applicable additional remedies described in this Section may be required depending on the severity and extent of the violation.

1. **[No change]**
2. **Treatment.** For trees that are damaged but were not removed and where the City Forester concurs that the tree may still be viable, the violation will not be considered an "illegal tree removal" provided:
  - a. The property owner or responsible party contracts for the services of an arborist to assess the damage and prescribe a treatment regimen;
  - b. The property owner or responsible party enters into a contract with his/her/an arborist to complete the treatment regimen. The treatment and associated monitoring period shall be at least 1 year, but may be longer; and
  - c. The arborist shall provide the City with updates on the services performed, when they were performed, and the status of the tree's condition at intervals determined by the original treatment regimen. If the tree dies at any time during the treatment and monitoring period, the property owner or responsible party shall remove and replace the tree subject to the tree replacement requirements described in Subsection B.3.
  - d. In lieu of the treatment regimen and monitoring period described above, the City Forester may instead accept a performance guarantee per Chapter 11.10. The performance guarantee shall be sufficient to cover the cost of removing the tree plus the cost of tree replacement as described in Subsection B.3. When the property owner or responsible party selects this option, death of the tree within the 3 year timeframe may be deemed prima facie evidence that the damage was the sole cause of the tree's death.

**3.-5. [No change]**

**C.-E. [No change]**

**24.10.050 Organization.**

(Amended by Ordinance No. 176955, effective October 9, 2002.)

- A. [No change]
- B. Director to enforce Title. General. The Director is hereby authorized and directed to enforce all provisions of this Title. For such purpose ~~he~~the Director shall have the powers of a law enforcement officer.
- C. Deputies. The Director may appoint officers, inspectors, and assistants and other employees. ~~He~~The Director may also deputize employees as may be necessary to carry out the duties of the Bureau of Development Services.
- D. Right of Entry. Whenever an inspection is necessary to enforce any of the provisions of this Title, or whenever the Director or ~~his~~the Director's duly authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises substandard as defined within this Title, or upon presentation of a lawfully issued warrant, the Director may enter such building or premises at all reasonable times to inspect or to perform any imposed duty and shall have recourse to every remedy provided by law to secure entry.

#### 24.10.060 Enforcement.

(Amended by Ordinance Nos. 168340, 176955 and 187432, effective December 4, 2015.)

- A. [No change]
- B. The Director, upon notification from the permit holder or his agent, shall either approve of those portions of the construction requiring inspection or shall notify the permit holder, or ~~his~~the permit holder's agent, in writing, wherein the same fails to comply with the provisions of this Title.
- C.-D [No change]
- E. If an unoccupied structure or structure under construction is open or unattended, the Director may enter to determine if a hazardous condition exists. If such a condition exists, ~~he~~the Director shall notify the owner of the condition and order the structure immediately secured against the entry of unauthorized persons.

- F. [No change]

#### 24.10.070 Application for Permits.

(Amended by Ordinance. Nos. 162100, 163908, 165678, 169905, 171773, 174880, 176783, 176955, 180330 and 187432, effective December 4, 2015.)

- A.-J. [No change]

- K. Life of Permit Limited. If no inspection approval has taken place within six months after permit issuance, the permit shall become void, and no further work shall be done at the premises until a new permit has been secured and a new fee paid. Each time an inspection approval is granted, the permit shall be deemed to be automatically extended for six months, until final approval is granted. The Building Official may extend a permit for one period of six months upon finding that the permittee was unable to commence or continue work for reasons beyond ~~his or her~~ the permittee's control Extension requests shall be in writing and shall be received by the Director before the permit expiration date. If an inspection approval has not been granted within this extended time period, the permit shall be void. A permit that has been expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. No permit may be renewed if it has been expired for more than six months. A permit may be renewed only once. If an inspection approval has not been granted within the time period of permit renewal the permit shall be void. The renewal fee shall be one half the amount required for a new building permit.

**24.10.085 Structural Engineering Advisory Committee.**

(Added by Ordinance No. 162056; amended by Ordinance No. 187432, effective December 4, 2015.)

A. [No change]

B. Any member of the board may be removed from office by the Mayor for malfeasance in office or neglect of duty at any time during ~~his or her~~ the member's tenure.

C.-E [No change]

**24.20.030 General Duties of the Special Inspector.**

A.-B. [No change]

C. The Special Inspector/Inspection Agency shall submit a final signed summary report stating whether the work requiring special inspection was, to the best of ~~his/her~~ their knowledge, in conformance with the approved plans and specifications and the applicable workmanship provisions in the State Building Code.

**24.25.020 Permit Information Required.**

The applicant shall file with the Director an application for a permit to move the structure, it shall be signed by the owner or ~~his~~ the owner's authorized agent, and shall contain a description of the building to be moved, the location where it is to be moved, and the use and occupancy proposed, in addition to the information



required by Section 24.10.070 of this Title regarding foundation or other work at the final location.

#### **24.70.120 Grading Inspection.**

##### **A.-B. [No change]**

- C. Engineered grading requirements. For engineered grading, it shall be the responsibility of the civil engineer who prepares the approved grading plan to incorporate all recommendations from the soil engineering and engineering geology reports into the grading plan. ~~He~~The civil engineer shall also be responsible for the professional inspection and approval of the grading within ~~his~~the civil engineer's area of technical specialty. This responsibility shall include, but need not be limited to, inspection and approval as to the establishment of line, grade, and drainage of the development area. The civil engineer shall act as the coordinating agent in the event that need arises for liaison between the other professionals, the contractor, and the Director. The civil engineer shall also be responsible for the preparation of revised plans and the submission of as-graded grading plans upon completion of the work. The grading contractor shall submit in a form prescribed by the Director a statement of compliance to said as-graded plan.

Soil engineering and engineering geology reports shall be required as specified in Section 24.70.050. During grading all necessary reports, compaction data, and soil engineering and engineering geology recommendations shall be submitted to the civil engineer and the Director by the soil engineer and the engineering geologist. The soil engineer's area of responsibility shall include, but need not be limited to, the professional inspection and approval concerning the preparation of ground to receive fills, testing for required compaction, stability of all finish slopes, and the design of buttress fills, where required, incorporating data supplied by the engineering geologist.

The engineering geologist's area of responsibility shall include, but need not be limited to, professional inspection and approval of the adequacy of natural ground for receiving fills and the stability of cut slopes with respect to geological matters, and the need for subdrains or other ground water drainage devices. ~~He~~The engineering geologist shall report ~~his~~the findings to the soil engineer and the civil engineer for engineering analysis.

The Director shall inspect the project at the various stages of work requiring approval and at more frequent intervals necessary to determine that adequate control is being exercised by the professional consultants.

##### **D.-F. [No change]**

**24.70.130 Completion of Work.**

A. Final reports. Upon completion of the rough grading work and that final completion of the work the Director may require the following reports and drawings and supplements thereto:

1. An as-graded grading plan prepared by the civil engineer including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and locations and elevations of all surface and sub-surface drainage facilities. ~~He~~The civil engineer shall provide approval that the work was done in accordance with the final approved grading plan.
2. A Soil Grading Report prepared by the soil engineer including locations and elevations of field density tests, summaries of field and laboratory tests and other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. ~~He~~The soil engineer shall provide approval as to the adequacy of the site for the intended use.
3. A Geological Grading Report prepared by the engineering geologist including a final description of the geology of the site including any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. ~~He~~The engineering geologist shall provide approval as to the adequacy of the site for the intended use as affected by geological factors.

B. [No change]

**25.03.030 Inspector's Right of Entry.**

Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or ~~his~~the Building Official's authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or Code violation which makes such building or premises unsafe, dangerous, or hazardous, the Building Official or ~~his~~the Building Official's authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this Code; ~~provided that if~~ provided that if such building or premises ~~be~~are occupied, ~~he shall first present proper credentials and~~shall be presented with a request for entry; ~~and if~~ and if such building or premises ~~be~~are unoccupied, ~~he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and~~shall be made to request entry. If such entry is refused, the Building Official or ~~his~~the Building Official's authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official or ~~his~~the Building Official's authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care, or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or ~~his~~the Building Official's authorized representative for the purpose of inspection and examination pursuant to this Code.

**25.04.050 Owner May Perform Plumbing Work.**

(Amended by Ordinance No. 170576, effective November 1, 1996.) The Plumbing Inspector has authority to issue a permit for work regulated by this Title to a bona fide owner of a single-family residential structure. In issuance of the permit, ~~he~~the Plumbing Inspector shall consider where:

**A.-C. [No change]**

- D. Such other factors as will aid the Plumbing Inspector may condition the issuance of the permit upon such conditions and factors as ~~he~~the Plumbing Inspector deems appropriate including, but not limited to, requiring an owner to post a bond to assure prompt and safe completion in compliance with the provision of the permit and this Title. Said bond shall be in form approved by the City Attorney and shall provide for completion or correction of the work from the proceeds of the bond.

Whenever an owner receives this privilege, the word "owner" shall be substituted for the word "plumber" on the plumbing permit application and permit.

**25.05.050 Life of Permit Limited.**

(Replaced by Ordinance No. 174880; amended by 178578, effective September 1, 2004.) If no inspection approval has taken place within six months after permit issuance, the permit shall become void, and no further plumbing work shall be done at the premises until a new permit has been secured and a new fee paid. Each time an inspection approval is granted, the permit shall be deemed to be automatically extended for six months, until final approval is granted. The Director may extend a permit for one period of six months upon finding that the permittee was unable to commence or continue work for reasons beyond ~~his or her~~the permittee's control. Extension requests shall be in writing and shall be received by the Director before the permit expiration date. If an inspection approval has not been granted within this extended time period, the permit shall be void. A permit that has been expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. No permit may be renewed if it has been expired for more than six months. A permit may be renewed only once. If an inspection approval has not



been granted within the time period of permit renewal the permit shall be void. The renewal fee shall be as specified in the Council adopted fee schedule.

**25.06.020 State Registration Number Required.**

(Amended by Ordinance No. 176955, effective October 9, 2002.) The Bureau of Development Services shall not issue a plumbing permit to any plumbing contractor, or any sewer contractor, to install, construct, alter, or repair any plumbing or drainage system in the City, as defined and covered in this Title, unless such plumbing contractor or sewer contractor has been registered by the State of Oregon under the provisions of ORS 447.000 and unless ~~his~~the contractor's registration number has been filed with the Plumbing Division having jurisdiction. A journeyman plumber or plumber apprentice shall show ~~his~~a valid Oregon State certificate of competency or registration card on the request of an Inspector of the Plumbing Division, or other authorized person.

**26.04.080 Life of Permit Limited.**

(Replaced by Ordinance No. 174880; amended by Ordinance No. 187432, effective December 4, 2015.) If no inspection approval has taken place within six months after permit issuance, the permit shall become void, and no further electrical work shall be done at the premises until a new permit has been secured and a new fee paid. Each time an inspection approval is granted, the permit shall be deemed to be automatically extended for six months, until final approval is granted. The Director may extend a permit for one period of six months upon finding that the permittee was unable to commence or continue work for reasons beyond ~~his or her~~the permittee's control. Extension requests shall be in writing and must be received by the Director before the permit expiration date. If an inspection approval has not been granted within this extended time period, the permit shall be void. A permit that has been expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. No permit may be renewed if it has been expired for more than six months. A permit may be renewed only once. If an inspection approval has not been granted within the time period of permit renewal the permit shall be void. The renewal fee shall be one half the amount required for a new electrical permit.

**27.01.040 Existing Equipment.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) Heating, ventilating, comfort cooling or refrigeration systems, incinerators or other miscellaneous heat-producing appliances lawfully installed prior to the effective date of this Title may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health, or property.

All heating, ventilating, comfort cooling, or refrigeration systems, incinerators or other miscellaneous heat-producing appliances, both existing and new, and all



parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Title in heating, ventilating, comfort cooling, or refrigeration systems, incinerators or other miscellaneous heat-producing appliances when installed, altered, or repaired, shall be maintained in good working order. The owner or ~~his~~ the owner's designated agent shall be responsible for the maintenance of heating, ventilating, comfort cooling, refrigeration systems, incinerators, or other miscellaneous heat-producing appliances.

**27.03.030 Validity and Length of Permit.**

(Amended by Ordinance Nos. 150873, 162103, 174880 and 187432, effective December 4, 2015.)

**A. [No change]**

**B.** Life of Permit Limited. If no inspection approval has taken place within six months after permit issuance, the permit shall become void, and no further heating and ventilating work shall be done at the premises until a new permit has been secured and a new fee paid. Each time an inspection approval is granted, the permit shall be deemed to be automatically extended for six months, until final approval is granted. The Director may extend a permit for one period of six months upon finding that the permittee was unable to commence or continue work for reasons beyond ~~his or her~~ the permittee's control. Extension requests must be in writing and must be received by the Director before the permit expiration date. If an inspection approval has not been granted within this extended time period, the permit shall be void. A permit that has been expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. No permit may be renewed if it has been expired for more than six months. A permit may be renewed only once. If an inspection approval has not been granted within the time period of the permit renewal the permit shall be void. The renewal fee shall be one half the amount required for a new mechanical permit.

**C.-D. [No change]**

**32.62.040 Life of Permit and Registration Limited.**

(Amended by Ordinance No. 176469, effective July 1, 2002.)

**A.** Sign and awning permits.

**1. [No change]**

**2.** Extensions. The Director may extend a permit for one period of six months upon finding that the permittee was unable to commence or continue work for reasons beyond ~~his or her~~ the permittee's control.

A request for permit extension must be in writing and must be received by the Director before the permit expiration date. If an inspection approval has not been granted within this extended time period, the permit is void. A permit may be extended only once under the standards of this subparagraph.

- B.**      **3.      [No change]**  
**[No change]**