

## **Exhibit C**

# **Title 26 Electrical Regulations**

## **Chapter 26.01 Title and Scope**

### **26.01.010 Title.**

This Title is known as Title 26, Electrical Regulations and will be referred to in this Title as “this Title.”

### **26.01.020 Purpose.**

The purpose of this Title is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of all electrical systems within the City’s area of regulatory responsibility.

### **26.01.030 Code Adoption.**

The provisions of the State of Oregon Electrical Specialty Code, 2023 Edition, as published by the National Fire Protection Association (NFPA) and known as the NFPA 70, National Electrical Code (NEC) 2023 Edition and amended by the Building Codes Division of the Oregon Department of Consumer and Business Services, including the appendices and Electrical Standards adopted by the State of Oregon, are adopted by this reference.

These codes and standards are on file in the Development Services Center. This Title will prevail except where specifically prohibited by the Oregon Revised Statutes and the Oregon Administrative Rules.

## **Chapter 26.02 Definitions**

### **26.02.010 General.**

For the purpose of this Title, certain terms, phrases, words, and their derivatives must be construed as specified in this Chapter. Words used in the singular include the plural and the singular. Words used in the masculine gender include the feminine and the feminine the masculine. Terms, words, phrases and their derivatives used in this Title but not specifically defined in this Chapter have the meanings commonly accepted in the community.

### **26.02.020 Approved.**

**Approved** means electrical installations, equipment, product or materials acceptable under ORS 479 to the City, Portland Permitting & Development.

#### **26.02.030 Portland Permitting & Development.**

**The Bureau** means Portland Permitting & Development, which may be referred to in this Chapter as “the Bureau,” may be represented by any duly authorized employee.

#### **26.02.040 Building Official.**

**Building Official** means the building official for the City or a duly authorized representative charged with the administration and enforcement of the Electrical Code. The Building Official serves as the authority having jurisdiction over the Electrical Code.

#### **26.02.050 Electrical Code.**

**The Electrical Code** means the current State of Oregon Electrical Specialty Code, (including appendices and Electrical Standards) as adopted by the State of Oregon.

#### **26.02.060 Electrical Inspection Supervisor.**

**Electrical Inspection Supervisor** means the supervisor of Portland Permitting & Development's Commercial Electrical Section.

#### **26.02.070 Emergency Electrical Work.**

**Emergency electrical work** is an acute, unplanned and immediate need for electrical repair or replacement involving an existing electrical installation or product or both.

#### **26.02.080 Inspector.**

**Inspector** means a person certified by the State of Oregon as competent in electrical code regulation and employed by the Bureau.

#### **26.02.090 OAR.**

**OAR** means the Oregon Administrative Rules.

#### **26.02.100 ORS.**

**ORS** means the Oregon Revised Statutes.

#### **26.02.110 Owner.**

**Owner** is the person whose name and address is listed as the owner of the property by the County Tax Assessor on the County Assessment and Taxation records.

### **26.02.120 Supervising Electrician.**

**Supervising Electrician** is a person possessing a valid general or limited supervising electrician's license issued by the State of Oregon.

### **26.02.130 Unanticipated Electrical Work.**

**Unanticipated electrical work** is electrical work, including a new installation, requested by a customer where the timing of a request for commencement of work does not reasonably allow the contractor time to obtain an electrical permit before starting the work. Unanticipated electrical work includes, but is not limited to, additional work assigned at the work site as well as preassigned work when the customer requests service at an unplanned date or time. Unanticipated electrical work does not include electrical work where a permit already exists covering all or part of the work.

## **Chapter 26.03 Organization and Enforcement**

### **26.03.010 Organization.**

The City Administrator is responsible for the enforcement of this Title except to the extent the Building Code, as that term is defined in Subsection 24.10.075 A.1., empowers and requires the Building Official to act. The City Administrator appoints technical officers, certified inspectors and other employees necessary to enforce this Title. The City Administrator may render interpretations of this Title and the Electrical Code and adopt and enforce supplemental regulations in order to clarify the application of requirements. Such interpretations, rules and regulations will be in conformance with the intent and purpose of the Electrical Code.

### **26.03.020 Right of Entry.**

The City Administrator may enter and inspect any building or premises when:

- A.** It is necessary to enforce the requirements of this Title; or,
- B.** There is reasonable cause to believe a dangerous, hazardous or unsafe condition exists that is in violation of this Title.

The City Administrator may inspect occupied buildings or premises at reasonable times by presenting credentials to the occupant(s) and requesting entry. To request entry to and inspect unoccupied buildings or premises, the City Administrator will first make a reasonable effort to locate the owner or other persons controlling the property. If entry is

refused or if the owner or persons controlling the property cannot be located, the City Administrator will have recourse to the remedies provided by law to secure entry.

### **26.03.030 Conformity Required.**

Any electrical equipment, product or material used or intended to be used under the scope this Title must be approved under ORS Chapter 479. To be accepted by the Bureau, such equipment, product or material must be installed, constructed, altered, renovated, repaired and maintained in compliance with the requirements of this Title.

Nothing in this Title is intended to permit the design, construction, installation, quality of materials, location, operation and maintenance of equipment that is not in accordance with any applicable sections of Title 24 (Building Regulations), Title 25 (Plumbing Regulations), Title 27 (Heating and Ventilating Regulations), Title 28 (Floating Structures) and Title 32 (Signs and Awnings) of this Code.

Any portion of any installation, construction, alteration, renovation, or repair made in violation of this Title must be removed or corrected to comply with the requirements of this Title.

Whenever there is insufficient evidence of compliance with any of the requirements of this Title or evidence that any equipment, product, material or construction does not conform to the requirements of this Title, the City Administrator may require tests as proof of compliance. All tests must be made by an agency approved by the State of Oregon Electrical and Elevator Board as meeting the testing standard requirements for electrical safety as required by ORS 479.510 through 479.855 and Oregon Administrative Rules. The tests must be made at no expense to the City. Test methods must be as specified by the Electrical Code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed equipment, product, material, or construction, the City Administrator may determine test procedures. Reports of such tests will be retained by the City for the period required for the retention of public records.

### **26.03.040 Qualifications Required.**

Any person, other than the owner, performing any electrical work regulated by this Title must possess appropriate State of Oregon electrical license(s) and/or registration(s) indicating qualifications appropriate to the type of work involved. If requested, the required licenses and registrations must be shown to the City Administrator.

### **26.03.050 Violations and Penalties.**

#### **A. Violations.**

1. It is unlawful for any person to fail to comply with the provisions of this Title.

- 2.** It is unlawful for any person to remove correction notices, proceed with electrical work, or cover defective work prior to approval by the Bureau.
- 3.** It is unlawful for any person to continue unauthorized work after issuance or posting of a stop work notice unless authorized by the City Administrator.
- 4.** It is unlawful for any person to reconnect power to any structure, installation or equipment after issuance of a notice to disconnect or after such power was disconnected by the City Administrator, unless authorized by the City Administrator.
- 5.** It is unlawful for any person to remove, alter or destroy any notice to stop work or to disconnect power.
- 6.** It is unlawful for any person to overfuse any conductor, motor or apparatus in excess of the amount allowed by this Title. It is unlawful for any person to install any substitute for an approved fuse or circuit breaker or to interfere with or alter any circuit or automatic device so as to remove or reduce the required factor of safety as identified in OAR 918.251 through 918.311.
- 7.** Electrical equipment that was unlawful at the time of installation and that would be unlawful under this Title if installed after the effective date of this Title constitutes a continuing violation of this Title.

**B. Penalties.**

- 1.** In the event the property owner or permit holder, or the agent of the owner or permit holder, fails or neglects to carry out any requirement, or fails to correct any noted violations of this Title, the City Administrator may gain compliance by any of the remedies outlined in Chapter 3.30 of this Code.
- 2.** Any person, firm or corporation found guilty of violating any of the requirements of this Title is subject to civil penalties. Penalty amounts are those established in ORS, OAR, or this Code.
- 3.** When electrical work requiring a permit under this Title is commenced prior to obtaining a permit, the City Administrator may conduct an investigation and may issue a stop work order in accordance with Section 26.03.080. (Exceptions to permit requirements are found in Chapter 26.04.) The investigation may involve inspecting the site for violations, checking Bureau files, and notifying applicable parties. The City Administrator may charge an investigation fee equal to the average or actual additional cost incurred by the City of ensuring that the work done without benefit of a permit is in conformance with the Electrical Code and this Title. The City Administrator will conduct an investigation before any permit is issued for the work. The City Administrator's investigation may include determining the nature and extent of the work, checking the work for compliance

with the Electrical Code and this Title, checking City records and notifying applicable parties of the investigation results, including required corrections. An investigation and investigation fee is required for any work done under a temporary permit when an electrical permit application and fee are not received or mailed within the time lines set in Section 26.04.070.

### **26.03.055 Severability Clause.**

If any provision of this Title, or its application to any person or circumstance, is held invalid by any court, the remainder of this Title and its application to other persons and circumstances, other than that which has been held invalid, will not be affected by such invalidity, and to that extent the provisions of this Title are declared to be severable.

### **26.03.060 Portland Permitting & Development Administrative Appeal Board.**

**A.** Appointment of Administrative Appeal Board. The Portland Permitting & Development Administrative Appeal Board consists of the Building Official and Bureau staff members appointed by the City Administrator. In appointing staff members, the City Administrator will consider the issues presented by the appeal, and what particular expertise will be helpful in addressing those issues. The staff will act in an advisory capacity to the Building Official. The Administrative Appeal Board may:

1. review appeals of the Bureau's application and interpretation of this Title and the Electrical Code;
2. review requests for modifications to the strict application of the Electrical Code; and
3. review requests to use an alternative method.

**B.** Appeals to the Administrative Appeal Board and Final Decisions. Any person aggrieved by a decision of the Building Official related to the application and interpretation of the Electrical Code or who wants to request consideration of an alternative method may file an appeal with the Administrative Appeal Board. Such an appeal must be filed within 180 days of the decision being appealed; provided, however, the provisions of the Electrical Code in effect at the time the decision was made will be applied to the administrative appeal. The Administrative Appeal Board may:

1. grant an appeal if the Administrative Appeal Board finds that the Electrical Code was not correctly interpreted or applied;
2. grant requests for modifications to the strict application of the Electrical Code where it is assured that the modification provides equivalent safety; or

3. approve an alternative method if the Administrative Appeal Board finds that any such alternative complies with the intent of the Electrical Code and that the method offered is, for the purpose intended, at least the equivalent of that prescribed in the Electrical Code in safety. The Administrative Appeal Board may not waive the requirements of the Electrical Code. The Administrative Appeal Board review will culminate in a final decision by the Building Official. The Administrative Appeal Board meeting is not open to attendance by the appellant or the public. The Bureau will provide final decisions to the appellant by publication of the decision on the Bureau's website within 10 calendar days of the hearing, provided the Bureau has received all required information from the applicant.

**C. Reconsideration of final decisions and appeals to the Electrical Code Board of Appeal.** Any person aggrieved by a final decision of the Building Official made under Subsection B. above may either file a reconsideration of that decision within 180 days of the decision based on new or revised information or appeal the decision to the Electrical Code Board of Appeal in accordance with Section 26.03.070 within 90 days of the final decision being appealed. The appeal package may not be altered from the administrative hearing. There is no additional fee for the first reconsideration of an Administrative Appeal Board decision or for an appeal to the Electrical Code Board of Appeal. The provisions of this Title and the Electrical Code in effect at the time of the final decision being reconsidered or appealed will be applied to the reconsideration or subsequent appeal to the Electrical Code Board of Appeal.

**D. Fees for appeals.** The fees for administrative appeals are as stated in the Fee Schedule adopted by the City Council. The current approved Fee Schedule is available at the Development Services Center and on the Bureau's website.

## **26.03.070 Electrical Code Board of Appeal.**

**A. Appointment of Electrical Code Board of Appeal.** In order to hear appeals of final decisions of the Building Official made under Section 26.03.060, there is an Electrical Code Board of Appeal, consisting of three members and one alternate appointed by the Mayor and approved by the City Council.

1. Each member and alternate member must be qualified by experience and training to make decisions pertaining to the Electrical Code. One member and one alternate member must be Oregon licensed signing supervisor journeymen electricians whose experience and training provide expertise on matters contained in the Electrical Code and this Title. One member must be Oregon registered electrical engineers with substantial experience in electrical design and construction subject to the requirements of the Electrical Code and this Title. One member must be electrical contractors experienced in electrical design and construction subject to requirements of the Electrical Code and this Title.

**2.** Electrical Code Board of Appeal appointments are for a three-year term. Appeal Board members may serve no more than two three-year terms. However, board members may serve a third term if their board hasn't convened in the board member's first two terms, or unless the City Administrator recommends approval of a longer term, and the Mayor and City Council approve the extended appointment. Vacancies occurring prior to the end of a term for whatever cause may be filled by qualified persons through appointment by the Mayor for the remainder of the term. If a board member does not convene in one of their first two terms, they are automatically rolled into a third term. Board members may opt out of the third term at their discretion.

**3.** Any member may be removed by the Mayor for incompetence, dereliction of duty, incapacity or other sufficient cause.

**4.** Members of the Electrical Code Board of Appeal must comply with the State ethics laws applicable to public officials.

**5.** Members of the Electrical Code Board of Appeals must serve in a voluntary capacity and without pay.

**B.** Appeals to the Electrical Code Board of Appeal. The Electrical Code Board of Appeal may review Administrative Appeal Board decisions or any other final decision of the Building Official related to the application and interpretation of the Electrical Code. The Electrical Code appeal will be limited to the facts and record reviewed by the Administrative Appeal Board and the Building Official related to the decision being appealed. A hearing will be held within 45 days after an interested party submits a written appeal to the Electrical Code Appeal Board. A panel of three Electrical Code Board of Appeal members will hear each appeal. The Board may, by a majority vote, affirm, annul, or modify the decision.

**C.** Powers and limitations of authority of the Electrical Code Board of Appeal. The Electrical Code Board of Appeal may provide reasonable interpretations of the requirements of the Electrical Code and may grant an appeal if the Board finds one of the following:

**1.** the Building Official did not correctly apply or interpret the Electrical Code;

**2.** grant requests for modifications to the strict application of the Electrical Code where it is assured that the modification provides equivalent safety; or

**3.** approve an alternative method if the Electrical Code Board of Appeal finds that any such alternative complies with the intent of the Electrical Code and that the method offered is, for the purpose intended, at least the equivalent of that prescribed in the Electrical Code in safety. The Electrical Code Board of Appeal may not waive the requirements of the Electrical Code.



Any person aggrieved by a final decision of the Electrical Code Board of Appeal may, within 30 days after the date of the decision, appeal to the appropriate advisory board of the State of Oregon Department of Consumer and Business Services.

### **26.03.080 Stop Work Orders.**

When it is necessary to obtain compliance with this Title, the City Administrator may issue a stop work order requiring that all work, except work directly related to elimination of the violation, be immediately and completely stopped. If the City Administrator issues a stop work order, activity subject to the order may not be resumed until such time as the City Administrator gives specific approval in writing. The stop work order will be in writing, except when an emergency condition exists, the City Administrator may issue a stop work order orally, followed by a written stop work order. All stop work orders will conform to the requirements of Portland City Code Section 3.30.080. Any person subject to a stop work order may seek review of the order by the City Administrator and may appeal the City Administrator's determination in accordance with Portland City Code Section 3.30.080.

### **26.03.090 Electrical Power Disconnect.**

**A.** The City Administrator may order the person or entity who controls the electrical power to disconnect the power to the structure, installation, portions of the installation, or product if the Bureau determines that an electrical installation or product:

1. Fails to comply with minimum safety standards; or,
2. Was installed without an electrical permit; or,
3. Is not in accordance with the requirements of the Electrical Code or this Title.

Prior to the power disconnection, the City Administrator will provide written notice to the property owner and the person(s) affected by the power disconnection. The notice will contain a proposed disconnection date.

**B.** If the condition of an electrical installation or product constitutes an immediate hazard to life or property, personnel authorized by the City Administrator may cut or disconnect any conductor(s) necessary to remove such hazard. As soon as practical, the City Administrator will provide written notice to the property owner and the person(s) affected by the power disconnection.

**C.** The City Administrator will attach a notice to the structure, in writing, that the conductors or product will be (or have been) disconnected because the installation or product is unsafe to life or property. The notice of disconnection may not be removed by any person except the City Administrator.

**D.** When any wiring or product in any building has been disconnected or ordered disconnected by the City Administrator or Portland Fire & Rescue, the wiring or product may not be reconnected until placed in a safe and secure condition, and inspected and approved by the City Administrator. Unauthorized reconnection of power may result in penalties as outlined in this Title.

### **26.03.100 Maintenance.**

All existing electrical installations must be maintained in a safe condition. All required devices or safeguards must be maintained in conformance with the Electrical Code and this Title. To determine compliance with this Section, the City Administrator may inspect any electrical installation.

### **26.03.110 Electrical Fences.**

#### **A.** Where permitted.

- 1.** Locations in industrial use categories as defined in Portland City Code Title 33 may have hardwired electrically charged fences if the installation meets the requirements of the Electrical Code and this Title.
- 2.** Hardwired electrical fences and obstructions are prohibited at all other locations.
- 3.** Battery-charged fences may be located on property not zoned or used for residential use per conditions outlined in ORS 195.870.
- 4.** Battery-charged fences are prohibited on property zoned or used for residential use.

#### **B.** Standards for hardwired electrical fences. Hardwired electrical fences must comply with the following standards:

- 1.** The product must be listed by a State of Oregon approved testing laboratory.
- 2.** The product must be installed and used in accordance with the testing laboratory listing.
- 3.** Electrical permits and inspections are required for the installation.
- 4.** Warning signs that notify individuals of a dangerous fence must be posted on the fence, at intervals not to exceed 50 feet. The statement, "DANGER - Electrified Fence," or an equivalent statement must be on the warning signs.

### **26.03.120 Liability.**

The City Administrator, acting in good faith and without malice in the discharge of the duties required by this Title, will not be rendered personally liable for any damage that may occur to persons or property as a result of any act or by reasons of any act or omission in the discharge of such duties. Any suit brought against the City Administrator because of such act in the scope of their duties or omission performed by them in the enforcement of any provision of this Title or other pertinent laws or ordinances implemented and enforced by the City will be defended by the City until final termination of such proceedings, and any judgement resulting therefrom will be assumed by the City.

This Title may not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any electrical installation equipment or product for any damages to persons or property caused by defects, nor will the Bureau or City be held as assuming any such liability by reason of the inspections authorized by this Title or any permits or certificates issued under this Title.

## **Chapter 26.04 Permits**

### **26.04.010 Permit Required.**

**A.** An electrical permit must be obtained prior to commencing any work for which an electrical permit is required.

Exception: Emergency or unanticipated electrical work may be started under a temporary permit provided the nature of the work, and the procedure followed by the contractor, meet the requirements of ORS 479.550 and OAR 918-309-0080.

**B.** Electrical permits are not required for the following electrical installations:

- 1.** Work performed under a valid electrical Master Permit (Industrial Plant) Program in accordance with OAR Chapter 918 and Chapter 26.08 of this Title;
- 2.** Work defined as a minor installation in OAR Chapter 918 for which a minor label has been obtained from the Bureau;
- 3.** Repair or replacement of light fixtures, light switches, lighting ballast, electrical outlets or smoke detectors in a building used for housing purposes that is owned, leased, managed or operated by a housing authority;
- 4.** Repair, alteration or replacement of existing electrical products at an industrial plant, a commercial office building, a building that is owned, leased, managed or operated by the state or a local government entity or other facilities designated by the Electrical and Elevator Board when the owner, operating manager or electrical contractor of the facility who meets the provisions of ORS 479.630(1) and (2) obtains a master permit for inspection under ORS 479.560(3).

5. Replacing light bulbs, fluorescent tubes, or approved fuses, or connecting approved portable electrical equipment to permanently installed and properly wired receptacles;
6. Experimental electrical work or testing of electrical products in testing laboratories of electric shops, educational institutions, industrial plants, or recognized testing laboratories;
7. Installing heating, ventilating, air conditioning and/or refrigeration components exempted by OAR 918-261-0020, Exemption for HVAC/R Electrical Components.
8. Any other work exempted from permit requirements under ORS and OAR.

#### **26.04.020 Electrical Permit Application.**

Applications for electrical permits must be made on forms furnished by the Bureau. For one- and two-family dwellings, the electrical subcontractor inspection sticker will be considered part of the application form. The applicant must provide all information required in a complete and legible manner. The application must be signed by the appropriate person as required by OAR. Permit fees and/or plan review fees must be paid at the time of application. Failure to properly complete the permit application may result in a delay or prevention of permit issuance until required information has been submitted.

Exception: Any jurisdiction's electrical permit application may be used for temporary permits (see Section 26.04.070) as long as fees are paid in accordance with Title 26.

#### **26.04.030 Permit to Owner.**

A permit to perform electrical work in or about a residential or farm building may be issued to the owner of that building, subject to the following conditions:

- A.** All wiring must be installed in accordance with the Electrical Code and this Title.
- B.** All work done under such permit must be performed by the owner or by a member of the immediate family of the owner as defined in the OAR.
- C.** The owner does not intend to sell, exchange, lease or rent the property. If the City Administrator determines that the property is offered for sale, exchange, lease or rent within six months of final approval of permitted work, this will create a rebuttable presumption that the owner intended to offer the property for sale, exchange, lease or rent at the time the permit was issued. In such case the City Administrator may assess a penalty of up to \$500.

D. If any of the above conditions are not met, the permit may be revoked in accordance with Section 26.04.090.

#### **26.04.040 Plans and Specifications.**

A. Installations requiring Plan Review. Plans and specifications must be submitted to the City Administrator for all complex structures as set forth in OAR 918-311-0040 (1), cert ef. 10-01-06.

B. Submittal requirements. When plan review is either required or requested, prior to the issuance of a building permit, two sets of electrical plans and specifications providing the information as prescribed by the City Administrator must be filed with the Electrical Section, Portland Permitting & Development. Plans must be of sufficient clarity to indicate the location, nature and extent of the work proposed.

#### **26.04.050 Permit Issuance.**

When the City Administrator finds that the work described in the permit application, plans and specifications and other data filed therewith conforms to all requirements of this Title, that the electrical permit application has been signed as required, and that the specified fees have been paid, the City Administrator may issue an electrical permit to the applicant. All permits issued will be subject to the following conditions:

A. Plans, specifications and other data approved at permit issuance may not be altered without the City Administrator's authorization.

B. All work must be done in accordance with approved plans.

C. The issuance of a permit and/or approval of plans and specifications will not prevent the City Administrator from thereafter requiring the correction of errors or omissions in plans, specifications, other data, actual electrical work or installations when in violation of this Title or other laws and ordinances.

#### **26.04.060 Partial Permits.**

The permit for an electrical installation requiring plan review will not be issued, nor may work proceed, until the plans are approved by an electrical plan examiner. However, the City Administrator may authorize the issuance of a partial permit before the entire plans and specifications are submitted or approved. Adequate information must be submitted showing the areas of work to be covered by the partial permit and compliance with pertinent portions of the Electrical Code. Applicants will be notified in writing of which portions of the work may proceed and of the conditions under which work may proceed. Issuance of a partial permit, or authorization to commence an installation, will not constitute assurance to the applicant that a permit on the entire installation will be issued, or that corrections will not be required on the portions of the installation granted preliminary authorization.

## **26.04.070 Temporary Permits.**

The City Administrator may issue temporary permits for emergency electrical work or unanticipated electrical work as those terms are defined in and pursuant to OAR 918-309-0080, provided all of the requirements in OAR 918-309-0080 are met. Temporary permits will only be issued to licensed electrical contractors. Temporary permits are valid for seven days.

When work is done under a temporary permit, the permit application and fees must either be received by the Bureau within seven calendar days of the start of work, or, if mailed, be postmarked within seven calendar days of the start of work.

## **26.04.080 Life of Permit Limited.**

### **A. Permit applications.**

1. Initial permit application. A permit application that is inactive for a period of 180 days will be deemed abandoned. If an abandoned permit application is not reactivated within 180 days of abandonment, the permit application will be void. If a permit application is void, a new permit application is required for the subject work.
2. Extensions. The City Administrator may extend a permit application for up to 180 days, with justifiable cause, as determined in the City Administrator's sole discretion. Extension requests must be in writing and must be received by Portland Permitting & Development before the scheduled permit abandonment date.
3. Reactivations. The City Administrator may reactivate a permit application that has been abandoned for less than 180 days, with justifiable cause as determined in the City Administrator's sole discretion. Reactivation requests must be in writing and received by Portland Permitting & Development within 180 days after permit abandonment date. If no activity occurs within 180 days after a permit application is reactivated, the permit application will be deemed abandoned. A permit application may be reactivated only once.

### **B. Issued permits.**

1. Initial issued permit. If no inspection is approved within 180 days after permit issuance, the permit will expire. If an expired permit is not reactivated within 180 days of expiration, the permit will be void. If a permit is void, a new permit is required for the subject work.
2. Extensions. Each time an inspection is approved, the permit will automatically be extended for 180 days. The City Administrator may also extend a permit for a period of up to 180 days with justifiable cause, as determined in the City

Administrator's sole discretion. Extension requests must be in writing and must be received by Portland Permitting & Development before the scheduled permit expiration date. If no inspection is approved within the extended time period, the permit will expire.

**3. Reactivations.** The City Administrator may reactivate a permit that has been expired for less than 180 days, provided no changes have been made to the scope of work, and with justifiable cause as determined in the City Administrator's sole discretion. A void permit may be reactivated provided there have been no changes to the scope of work and only the final inspection remains unapproved. Reactivation requests must be in writing and received by Portland Permitting & Development within 180 days after permit expiration. If no inspection is approved within 180 days of reactivation, the permit will expire. A permit may be reactivated only once.

**C. Fees.** When a new permit is required, a new permit application must be submitted and new fees must be paid based on the current adopted Portland Permitting & Development fee schedule. Portland Permitting & Development will adopt policies for fee refunds or credits of previously submitted permits. Fees for permit extensions and reactivations may also be charged as adopted in the Portland Permitting & Development fee schedule.

#### **26.04.090 Permit Suspension or Revocation.**

The City Administrator may, in writing, suspend or revoke a permit issued under requirements of this Title whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any law, ordinance, or requirement of this Title.

### **Chapter 26.05 Fees**

#### **26.05.010 Permit Fees.**

All required fees are stated in the Fee Schedule adopted by City Council. Fees will be updated annually or on an as needed basis. The approved Fee Schedule will be available at the Development Services Center.

#### **26.05.020 Refund of Fees.**

When permit or plan review fees were paid incorrectly due to an error on the part of the City, permit and plan check fees will, as a general rule, be refunded in full when the services covered by the fees have not commenced. When a permit applicant requests a refund, but the City was not at fault in accepting payment, fees will be retained to cover the cost of plan review or inspections actually performed and 20 percent of the amount remaining. State surcharge fees are only refundable when a permit was issued in error.

Refund requests must be made within six months of payment or permit issuance, whichever is later. Refunds will be made to the same person or firm who paid the fee. Fees will be refunded within three months of receipt of the refund request. Exceptions to the above requirements may be made by the City Administrator.

## **Chapter 26.06 Inspections**

### **26.06.010 Required Inspections.**

All electrical installations requiring an electrical permit are subject to inspection. Work may not be covered prior to inspection. The City Administrator may inspect electrical installations at such times deemed necessary to obtain compliance with the Electrical Code and this Title in accordance with OAR 918-271.

### **26.06.020 Other Inspections.**

In addition to the required inspections specified in Section 26.06.010, the City Administrator may make or require other inspections of any electrical installation to ascertain compliance with the Electrical Code and this Title.

### **26.06.030 Scope of Inspectors' Duties.**

Inspectors inspect electrical installations and provide public information on the meanings or applications of Electrical Code provisions, but do not lay out work or act as consultants for electrical contractors, property owners or users.

### **26.06.040 Inspection Requests.**

It is the responsibility of the person doing the work authorized by the permit to notify the Bureau when the work is ready for inspection. A person requesting an inspection must ensure access and means for the Bureau to perform the required inspection. The City will not be liable for expenses incurred in removing or replacing any material required to conduct any inspection.

### **26.06.050 Notice of Inspection Results and Corrections.**

**A.** The Bureau will provide notice of the inspection results and corrections required to be made to defective electrical installations in accordance with OAR 918-271-0020. Corrections of defective electrical installations must be completed and an inspection requested within 20 calendar days of the correction notice being given in accordance with OAR 918-271-0020. Extensions may be granted by the Bureau for reasonable cause. Failure to complete corrections and request an inspection within the time provided may result in the Bureau gaining compliance by:

1. Any of the remedies outlined in Portland City Code Chapter 3.30; or,



**2. Revoking the permit.**

**B.** If the premises affected become vacant, the premises may not be occupied for dwelling purposes until necessary permits are obtained, corrections are completed, and the corrections are inspected and approved by the City Administrator.

**26.06.060 Electrical Connections.**

Connecting electrical installations to an electrical supply source may be done only after approval by the City Administrator. Such inspection approval is identified by the City's Electrical Inspection Record initialed by the City Administrator and posted on the panel box or other conspicuous place.

Exceptions: An electrical installation under this Title may be legally energized prior to inspection provided:

**A.** A licensed supervising electrician qualified pursuant to ORS 479.630 (2) submits a written Request to Energize form to which the appropriate electrical permit has been attached; or,

**B.** The electrical contractor is performing minor electrical work utilizing a valid minor installation label or when the installation is under an Electrical Master Permit (Industrial Plant) Program.

**26.06.070 Electrical Reconnections.**

When a building has been vacant and the power has been off for six months, the City Administrator will inspect the building prior to reconnection of power. A reconnection permit fee must be paid prior to the inspection.

**26.06.080 Reinspection.**

A reinspection may be required, and a reinspection fee may be assessed, if any of the following conditions exist:

**A.** Access to the work to be inspected is unobtainable or denied upon arrival of the City Administrator,

**B.** Unapproved installation has been covered in a manner that prevents the City Administrator from determining compliance with this Title,

**C.** Corrections required from a previous inspection have not been completed, or

**D.** Work has not been started or is substantially incomplete.

## **26.06.090 Inspections in Other Jurisdictions of Custom-Built Electrical Products.**

Electrical products intended for use within the City must meet the requirements of this Title even when fabricated in another jurisdiction. The City Administrator may require in-plant or on-site inspection of the fabricating process to ensure acceptability of the finished fabrication for use within the City.

Such in-plant or on-site inspection costs as determined by the City Administrator must be paid by the product fabricator prior to Bureau authorization for product use within the City.

## **Chapter 26.08 Electrical Master Permit (Industrial Plant) Program**

### **26.08.010 Program.**

The Bureau will conduct an Electrical Master Permit (Industrial Plant) Program as identified in OAR 918-309-0100. This program will regulate repair, alteration or replacement of existing electrical products in qualified facilities and electrical installations that are part of a tenant remodel or construction within a covered facility involving a mechanical, plumbing or structural master permit. Electrical product replacement includes installing a product in place of another that does not exceed the capacity or design of the existing electrical system. The following types of facilities are allowed to be registered for the Master Permit (Industrial Plant) Program:

- A.** Industrial producer or servicer;
- B.** School;
- C.** Hospital;
- D.** Sewer plant;
- E.** Water plant;
- F.** Commercial office building;
- G.** Buildings owned, leased, managed or operated by a state or local government entity;
- H.** Institution;
- I.** Any other category of facility designated by the State Electrical and Elevator Board.

**26.08.020 Application Requirements.**

Applicants for registration in the Electrical Master Permit (Industrial Plant) Program must be the owner, building operations manager or electrical contractor responsible for all electrical installations in the facility. Each registration must be limited to a single facility, which may be more than one building in a complex of buildings. Applicants with multiple facility locations on noncontiguous lots must obtain a registration for each facility.

**26.08.030 Application Form.**

An application for a registration must be made on the form furnished by the Bureau. The applicant must provide all information required in a complete and legible manner. Registration fees must be paid at the time of application.

**26.08.040 License Requirements.**

Electrical work may not be done beyond the scope of the license held. Applicants with Limited Maintenance Electricians or Limited Building Maintenance Electricians on staff are not required to hold an Electrical Contractor's License or to employ a Supervising Electrician for work within the scope of these limited license categories. Before registration will be granted, applicants must either:

- A.** Employ one or more persons possessing an Oregon Limited Maintenance Electrician's License, a Limited Building Maintenance Electrician's License, or other Oregon electrical license as allowed by the OAR; or,
- B.** Contract for electrical work with a licensed electrical contractor employing a signing supervising electrician.

**26.08.050 No Separate Permit Required.**

When a facility is registered in the Electrical Master Permit (Industrial Plant) Program, no separate permit is required for repair, alteration or replacement of existing electrical products. Any electrical work not covered by the Electrical Master Permit (Industrial Plant) Program requires the completion and submission of an electrical permit application to the Bureau prior to performing such work. Any installation outside the scope of the Electrical Master Permit (Industrial Plant) Program must be installed by appropriately licensed electricians and must be inspected by the City Administrator.

**26.08.060 Registration Suspension and Termination.**

If any registrant refuses or neglects to comply with the requirements of this Title or a related regulation (all regulations pertaining to building construction, remodeling or alteration are related regulations) within 30 calendar days after the Bureau has sent the written correction notice, the Bureau may suspend or terminate the registration. In addition, the penalty provided for in this Title may be enforced, and all work must be

corrected and made to comply with the requirements of this Title. A new registration will not be issued or suspension lifted until all violations cited have been corrected.

#### **26.08.070 Appeal of Suspension or Termination Order.**

If the Bureau orders the suspension or termination of a Master Permit (Industrial Plant) registration, the registrant aggrieved may appeal, in writing, to the Electrical Board of Appeal within 15 calendar days after such order. The registrant will be given not less than 15 calendar days' notice of the hearing. The Board will proceed to hear and determine the appeal. Any suspension of a registration by the Electrical Board of Appeal may be on such conditions as the Board may order. In all cases, decisions of the Board are final.

### **Chapter 26.09 Minor Installation Label Program**

#### **26.09.010 General.**

ORS 455.155 gives the Department of Consumer and Business Services the authority to create a statewide permit and inspection system for minor construction work. The Oregon Building Codes Division under the Department of Consumer and Business Services has created a statewide minor labels program. Implementation rules are found in Oregon Administrative Rules 918-100-000 through 918-100-060. The Bureau will operate the Minor Electrical Label Program in accordance with the Oregon Administrative Rules. The Minor Installation Label Program utilizes minor labels in lieu of regular electrical permits.

#### **26.09.020 Requirements for Minor Labels.**

Minor Electrical Labels may be used in all occupancies (including commercial, industrial, apartment, multi-family and one- and two- family residence installations). As provided by Oregon law, the Tri-County Service Center sells minor electrical labels. The Bureau will refer all requests for minor electrical labels to the Tri-County Service Center.

#### **26.09.030 Inspection and Enforcement Authority.**

The Building Official, in accordance with Oregon Administrative Rule 918-100-0060, will conduct inspections and issue necessary correction notices for labels issued by the Tri-County Service Center.

#### **26.09.040 Violations.**

It is unlawful to violate the requirements of this section. Any violation of this section may be sanctioned by application of the remedies provided in Portland City Code Section 3.30.040.

## **Chapter 26.10 Certified Electrical Product Requirements**

### **26.10.010 Electrical Products to be Approved.**

No person, firm, or corporation may sell, transfer or otherwise dispose of any electrical product, material or device that is used or intended to be used in the installations regulated by this Title, unless such product, material or device has been certified or listed as per ORS 479.760.

### **26.10.020 Exempt Product Inspections.**

Some products are exempted from certification by ORS 479.540. The Bureau will inspect the installation of any exempt product to ensure that Electrical Code requirements are met.