

## **TITLE 26 - ELECTRICAL REGULATIONS**

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# **TITLE 26 - ELECTRICAL REGULATIONS**

(Title replaced by Ordinance No. 171978, effective March 1, 1998.)

# **TITLE 26**

## **ELECTRICAL REGULATIONS**

### **CHAPTER 26.01 - TITLE AND SCOPE**

#### **Sections:**

- 26.01.010 Title
- 26.01.020 Purpose
- 26.01.030 Code Adoption

#### **26.01.010 Title.**

This Title shall be known as Title 26, Electrical Regulations and will be referred to herein 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 of Portland’s area of regulatory responsibility.

#### **26.01.030 Code Adoption.**

(Amended by Ordinance Nos. 174891, 176956, 177414, 179125, 182370, 185545, 186932 and 188781, effective January 24, 2018.) The provisions of the State of Oregon Electrical Specialty Code, 2017 Edition, as published by the National Fire Protection Association (NFPA) and known as the NFPA 70, National Electrical Code (NEC) 2017 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 hereby adopted by reference.

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

**CHAPTER 26.02 - DEFINITIONS**

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26.02.110	Owner
26.02.120	Supervising Electrician
26.02.130	Unanticipated Electrical Work

**26.02.010      General.**

For the purpose of this Title, certain terms, phrases, words, and their derivatives shall be construed as specified herein. 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, but not specifically defined in this Title, or if not herein defined, shall have the meanings commonly accepted in the community.

**26.02.020      Approved.**

(Amended by Ordinance No. 176955, effective October 9, 2002.) Approved means electrical installations, equipment, product or materials acceptable under ORS 479 to the City of Portland, Bureau of Development Services.

**26.02.030      Bureau of Development Services.**

(Amended by Ordinance No. 176955, effective October 9, 2002.) The Bureau shall mean the City of Portland Bureau of Development Services, hereinafter referred to as “the Bureau,” which may be represented by any duly authorized employee.

**26.02.040      Director.**

(Amended by Ordinance No. 176955, effective October 9, 2002.) Director shall mean the Director of the Bureau of Development Services or a duly authorized representative of the Director. The Director serves as the Building Official and the authority having jurisdiction for enforcement of this Title.

**26.02.050      Electrical Code.**

(Amended by Ordinance Nos. 179125 and 182370, effective November 26, 2008.) The Electrical Code shall mean the current State of Oregon Electrical Specialty Code, (including appendices and Electrical Standards) as adopted by the State of Oregon.

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

(Amended by Ordinance No. 176955, effective October 9, 2002.) Electrical Inspection Supervisor shall mean the supervisor of the Bureau of Development Services' 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 for enforcement of this Title.

#### **26.02.090 OAR.**

The OAR shall mean the Oregon Administrative Rules.

#### **26.02.100 ORS.**

The ORS shall mean the Oregon Revised Statutes.

#### **26.02.110 Owner.**

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.**

A 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**

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**26.03.010      Director.**

(Amended by Ordinance No. 176955, effective October 9, 2002.) The Director of the Bureau of Development Services serves as the Building Official and will be referred to herein as the Director. The Director shall be responsible for the enforcement of this Title. The Director shall appoint technical officers, certified inspectors and other employees necessary to enforce this Title. The Director shall have the power to render interpretations of this Title and the Electrical Code and to adopt and enforce supplemental regulations in order to clarify the application of requirements. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of the Electrical Code.

**26.03.020      Right of Entry.**

The Director 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 which is in violation of this Title.

The Director 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 Director shall 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 Director shall have recourse to the remedies provided by law to secure entry.

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#### **26.03.030 Conformity Required.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) Any electrical equipment, product or material used or intended to be used under the scope this Title must be approved under ORS 479. To be accepted by the Bureau, such equipment, product or material shall 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 which 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 the Code of the City of Portland.

Any portion of any installation, construction, alteration, renovation, or repair made in violation of this Title shall 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 Director may require tests as proof of compliance. All tests shall 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 shall be made at no expense to the City. Test methods shall 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 Director shall determine test procedures. Reports of such tests shall be retained by the Director 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 shall 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 license(s), and/or registration(s) shall be shown to the Director.

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

(Amended by Ordinance No. 187432, effective December 4, 2015.)

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

- 1.** It shall be unlawful for any person to fail to comply with the provisions of this Title.
- 2.** It shall be unlawful for any person to remove correction notices, proceed with electrical work, or cover defective work prior to approval by the Bureau.



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3. It shall be unlawful for any person to continue unauthorized work after issuance or posting of a stop work notice unless authorized by the Director.
4. It shall be 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 Director, unless authorized by the Director.
5. It shall be unlawful for any person to remove, alter or destroy any notice to stop work or to disconnect power.
6. It shall be unlawful for any person to overfuse any conductor, motor or apparatus in excess of the amount allowed by this Title. It shall be 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 which was unlawful at the time of installation, and which would be unlawful under this Title if installed after the effective date of this Title, shall constitute 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 Director may gain compliance by any of the remedies outlined in Chapter 3.30 of the Code of the City of Portland.
2. Any person, firm or corporation found guilty of violating any of the requirements of this Title shall be subject to civil penalties. Penalty amounts shall be those established in ORS, OAR and/or the Code of the City of Portland.
3. When electrical work requiring a permit under this Title is commenced prior to obtaining a permit, the Bureau shall 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 Bureau 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 Bureau will conduct an investigation before any permit is issued for the work. The Bureau's

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investigation may include determining the nature and extent of the work, checking the work for compliance with the Electrical Code and this Title, checking Bureau records and notifying applicable parties of the investigation results, including required corrections.

An investigation and investigation fee shall be 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.

#### **26.03.060 Bureau of Development Services Administrative Appeal Board.**

(Replaced by Ordinance No. 187432, effective December 5, 2015.)

**A. Appointment of Administrative Appeal Board.** The Bureau of Development Services Administrative Appeal Board consists of the Building Official and Bureau staff members appointed by the Director. In appointing staff members, the Director 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 Bureau related to the application and interpretation of the Electrical Code or this Title 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 Bureau decision being appealed; provided, however, the Electrical Code in effect at the time the Bureau decision was made shall 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

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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. 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 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 shall be 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.**

(Amended by Ordinance No. 187432, effective December 4, 2015.)

- 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 has been created an Electrical Code Board of Appeal, consisting of three members and three alternates 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 shall be Oregon licensed journeymen electricians whose experience and training provide expertise on matters contained in the Electrical Code and this Title. One member and one alternate member shall 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 and one alternate member shall be electrical contractors experienced in electrical design and construction subject to requirements of the Electrical Code and this Title.

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2. Electrical Code Board of Appeal appointments shall be for 3-year terms. Appeal Board members may serve no more than two complete 3-year terms, unless the Director 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.
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 shall comply with the State ethics laws applicable to public officials.
5. Members of the Electrical Code Board of Appeals shall 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 or Director related to the application and interpretation of this Title or the Electrical Code. The Electrical Code appeal will be limited to the facts and record reviewed by the Administrative Appeal Board, Building Official or Director 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 or Director did not correctly apply or interpret this Title or 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.

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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.**

(Replaced by Ordinance No. 187432, effective December 4, 2015.) When it is necessary to obtain compliance with this Title, the Director 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 Director issues a stop work order, activity subject to the order may not be resumed until such time as the Director gives specific approval in writing. The stop work order will be in writing, except when an emergency condition exists, the Director may issue a stop work order orally, followed by a written stop work order. All stop work orders will conform to the requirements of City Code Section 3.30.080. Any person subject to a stop work order may seek review of the order by the Director and may appeal the Director's determination in accordance with City Code Section 3.30.080.

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

(Amended by Ordinance Nos. 180917 and 187432, effective December 4, 2015.)

A. The Director 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 Director shall provide written notice to the property owner and the person(s) affected by the power disconnection. The notice shall 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 Director may cut or disconnect any conductor(s) necessary to remove such hazard. As soon as practical, the Director shall provide written notice to the property owner and the person(s) affected by the power disconnection.

C. The Director shall thereupon attach a notice, 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 shall not be removed by any person except the Director.

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

#### **26.03.100 Maintenance.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) All existing electrical installations shall be maintained in a safe condition. All required devices or safeguards shall be maintained in conformance with the Electrical Code and this Title. To determine compliance with this Section, the Director may inspect any electrical installation.

#### **26.03.110 Electrical Fences.**

(Amended by Ordinance No. 187432, effective December 4, 2015.)

- A. Where Permitted.** Locations in industrial use categories as defined in Title 33 may have electrically charged fences if the installation meets the requirements of the Electrical Code and this Title. Electrical fences and obstructions are prohibited at all other locations.
- B. Standards for Electrical Fences.** Electrical fences shall comply with the following standards:
- 1.** The product shall be listed by a State of Oregon approved testing laboratory.
  - 2.** The product shall be installed and used in accordance with the testing laboratory listing.
  - 3.** Electrical permits and inspections shall be required for the installation.
  - 4.** Warning signs which notify individuals of a dangerous fence shall be posted on the fence, at intervals not to exceed 50 feet. The statement, DANGER - Electrified Fence, (or an equivalent statement) shall be on the warning signs.

#### **26.03.120 Liability.**

The Director acting in good faith and without malice in the discharge of the duties required by this Title, shall not thereby 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 Director or duly authorized representative of the Director 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 shall be defended by the City until final termination of such proceedings, and any judgement resulting therefrom shall be assumed by the City.

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This Title shall 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 shall 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.

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#### **CHAPTER 26.04 - PERMITS**

##### **Sections:**

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26.04.050	Permit Issuance
26.04.060	Partial Permits
26.04.070	Temporary Permits
26.04.080	Life of Permit Limited
26.04.090	Permit Suspension or Revocation

##### **26.04.010 Permit Required.**

- A.** An electrical permit shall 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).



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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 shall be made on forms furnished by the Bureau. For one and two family dwellings, the electrical subcontractor inspection sticker shall be considered part of the application form. The applicant shall provide all information required in a complete and legible manner. The application shall be signed by the appropriate person as required by OAR. Permit fees and/or plan review fees shall 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.**

(Amended by Ordinance No. 179125, effective April 1, 2005.) 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 shall be installed in accordance with the Electrical Code and this Title.
- B. All work done under such permit shall 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 Director determines that the property is offered for sale, exchange, lease or rent within 6 months of final approval of permitted work, this shall 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 Director 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.

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

(Amended by Ordinance Nos. 176955, 179125 and 181359, effective November 16, 2007.)

- A. Installations Requiring Plan Review.** Plans and specifications shall be submitted to the Director 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 Director shall be filed with the Electrical Section, Bureau of Development Services. Plans shall be of sufficient clarity to indicate the location, nature and extent of the work proposed.

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

When the Director 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 Bureau shall issue an electrical permit to the applicant. All permits issued shall be subject to the following conditions:

- A.** Plans, specifications and other data approved at permit issuance shall not be altered without the Director's authorization.
- B.** All work shall be done in accordance with approved plans.
- C.** The issuance of a permit and/or approval of plans and specifications shall not prevent the Director 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 Director may authorize the issuance of a partial permit before the entire plans and specifications are submitted or approved. Adequate information shall 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, shall 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.

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### **26.04.070 Temporary Permits.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) The Bureau will 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 7 days.

When work is done under a temporary permit, the permit application and fees must either be received by the Bureau within 7 calendar days of the start of work, or, if mailed, be postmarked within 7 calendar days of the start of work.

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

(Replaced by Ordinance No. 174880; amended by Ordinance Nos. 187432 and 188647, effective November 17, 2017.) 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 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.

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

The Director 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.

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#### **CHAPTER 26.05 - FEES**

##### **Sections:**

26.05.010 Permit Fees.

26.05.020 Refund of Fees.

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

(Replaced by Ordinance No. 174721, effective August 21, 2000.) 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.**

(Replaced by Ordinance No. 174721, effective August 21, 2000.) 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 shall be retained to cover the cost of plan review or inspections actually performed and 20% of the amount remaining. State surcharge fees are only refundable when a permit was issued in error. Refund requests shall be made within 6 months of payment or permit issuance, whichever is later. Refunds shall be made to the same person or firm who paid the fee. Fees will be refunded within 3 months of receipt of the refund request. Exceptions to the above requirements may be made by the Director.

##### **26.05.030 Investigation Fees.**

(Repealed by Ordinance No. 174721, effective August 21, 2000.)

##### **26.05.040 Permit Fees.**

(Repealed by Ordinance No. 174721, effective August 21, 2000.)

##### **26.05.050 Electrical Master Permit (Industrial Plant) Program Fees and Master Permit/Annual Facilities Program Fees.**

(Repealed by Ordinance No. 174721, effective August 21, 2000.)

##### **26.05.060 Refund of Fees.**

(Repealed by Ordinance No. 174721, effective August 21, 2000.)

**CHAPTER 26.06 - INSPECTIONS**

**Sections:**

- 26.06.010 Required Inspections.
- 26.06.020 Other Inspections.
- 26.06.030 Scope of Inspectors' Duties.
- 26.06.040 Inspection Requests.
- 26.06.050 Notice of Inspection Results and Corrections.
- 26.06.060 Electrical Connections.
- 26.06.070 Electrical Reconnections.
- 26.06.080 Reinspection.
- 26.06.090 Inspections in Other Jurisdictions of Custom-Built Electrical Products.

**26.06.010 Required Inspections.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) All electrical installations requiring an electrical permit shall be subject to inspection. Work shall not be covered prior to inspection. The Bureau 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.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) In addition to the required inspections specified in Section 26.06.010, the Director 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.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) 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.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) 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 shall ensure access and means for the Bureau to perform the required inspection. Neither the Director nor the City shall 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.**

(Amended by Ordinance No. 187432, effective December 4, 2015.)

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- A.** The Bureau shall 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 shall 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 Chapter 3.30; or,
  - 2.** Revoking the permit.
- B.** If the premises affected become vacant, the premises shall not be occupied for dwelling purposes until necessary permits are obtained, corrections are completed, and the corrections are inspected and approved by the Bureau.

#### **26.06.060 Electrical Connections.**

(Amended by Ordinance No. 187432, effective December 4, 2015.) Connecting electrical installations to an electrical supply source shall be done only after approval by the Bureau. Such inspection approval is identified by the City of Portland Electrical Inspection Record initialed by the Director 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 6 months, the Director shall inspect the building prior to reconnection of power. A reconnection permit fee shall 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:

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- A.** Access to the work to be inspected is unobtainable or denied upon arrival of the Director; or,
- B.** Unapproved installation has been covered in a manner which prevents the Director from determining compliance with this Title; or,
- 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 shall meet the requirements of this Title even when fabricated in another jurisdiction. The Director 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 Director shall be paid by the product fabricator prior to Bureau authorization for product use within the City.

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**CHAPTER 26.07 - REGISTRATION OF  
ELECTRICAL CONTRACTORS**

(Chapter is repealed by Ordinance No. 187432,  
effective December 4, 2015.)



**CHAPTER 26.08 - ELECTRICAL MASTER  
PERMIT (INDUSTRIAL PLANT) PROGRAM**

**Sections:**

- 26.08.010 Program.
- 26.08.020 Application Requirements.
- 26.08.030 Application Form.
- 26.08.040 License Requirements.
- 26.08.050 No Separate Permit Required.
- 26.08.060 Registration Suspension and Termination.
- 26.08.070 Appeal of Suspension or Termination Order.

**26.08.010 Program.**

The Bureau shall conduct an Electrical Master Permit (Industrial Plant) Program as identified in OAR 918-309-0100. This program shall regulate repair, alteration or replacement of existing electrical products in qualified facilities and electrical installations which 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 shall be the owner, building operations manager or electrical contractor responsible for all electrical installations in the facility. Each registration shall be limited to a single facility,

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which may be more than one building in a complex of buildings. Applicants with multiple facility locations on non-contiguous lots shall obtain a registration for each facility.

#### **26.08.030 Application Form.**

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

#### **26.08.040 License Requirements.**

Electrical work shall 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 shall 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 shall be installed by appropriately licensed electricians and shall be inspected by the Bureau.

#### **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 shall be corrected and made to comply with the requirements of this Title. A new registration shall 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 shall be given not less than 15 calendar days notice of the hearing. The Board shall proceed to hear and determine the

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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 shall be final.

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#### **CHAPTER 26.09 - MINOR INSTALLATION LABEL PROGRAM**

##### **Sections:**

- 26.09.010      General.
- 26.09.020      Requirements for Minor Labels.
- 26.09.030      Inspection and Enforcement Authority.
- 26.09.040      Violations.

##### **26.09.010      General.**

(Amended by Ordinance No. 179125, effective April 1, 2005.) 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.**

(Added by Ordinance No. 179125, effective April 1, 2005.) 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.**

(Added by Ordinance No. 179125, effective April 1, 2005.) The Bureau, in accordance with Oregon Administrative Rule 918-100-0060, shall conduct inspections and issue necessary correction notices for labels issued by the Tri-County Service Center.

##### **26.09.040      Violations.**

(Added by Ordinance No. 179125, effective April 1, 2005.) 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 Section 3.30.040.

**CHAPTER 26.10 - CERTIFIED ELECTRICAL  
PRODUCT REQUIREMENTS**

**Sections:**

- 26.10.010      Electrical Products to be Approved.
- 26.10.020      Exempt Product Inspections.

**26.10.010      Electrical Products to be Approved.**

No person, firm, or corporation shall sell, transfer or otherwise dispose of any electrical product, material or device which 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 shall inspect the installation of any exempt product to ensure that Electrical Code requirements are met.

