

Chapter 24.10 Administration and Enforcement

1. Amend Code Section 24.10.040 Codes.

24.10.040 Codes.

A. [No changes.]

B. [No changes.]

C. [No changes.]

D. Residential Code. The provisions of the State of Oregon, Residential Specialty Code, 2021~~3~~ Edition, as adopted effective October 1, 2021~~3~~ and published by the International Code Council, and known as the International Residential Code, 2018~~21~~ Edition, and amended by the Building Codes Division of the Oregon Department of Consumer and Business Services, including the appendices and standards adopted by the State of Oregon, is hereby adopted by reference. The Residential Specialty Code is on file in the Development Services Center of the City of Portland.

E. [No changes.]

2. Amend 24.10.075 Bureau of Development Services Administrative Appeal Board.

24.10.075 Bureau of Development Services Administrative Appeal Board.

A. [No changes.]

B. [No changes.]

C. Reconsideration of Final Decisions and Appeals to the Building 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 Building Code Board of Appeal in accordance with Section 24.10.080 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 Building Code Board of Appeal. The Building 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 Building Code Board of Appeal.

D. [No changes.]

3. Amend Code Section 24.10.080 Building Code Board of Appeal.

24.10.080 Building Code Board of Appeal.

A. Appointment of Building Code Board of Appeal. In order to hear appeals of final decisions of the Building Official made under Section 24.10.075, there has been created a Building 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 Building Code and building construction. At least one member and one alternate member must be competent builders who have engaged in the construction business in the City for at least 2 years immediately preceding their appointments, and at least one member and one alternate member shall be competent architects who have practiced their profession for at least 3 years. The River Community Advisory Committee, see Section 28.03.015, may appoint a subject matter expert to advise on subjects specific to floating structures.

2. Building Code Board of Appeal appointments shall be for 3-year terms. Appeal Board members may serve no more than two ~~complete~~ 3-year terms. Board members may serve a third term if their board has not convened during the board member's first two terms, or, 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. 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 a 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 Building Code Appeal Board shall comply with the State ethics laws applicable to public officials.
5. Members of the Building Code Appeal Board shall serve in a voluntary capacity and without pay.

B. [No changes.]

C. [No changes.]

4. Amend Code Section 24.10.087 Alternative Technology Advisory Committee.

24.10.087 Alternative Technology Advisory Committee Reviews.

A. Purpose. ~~It shall be the duty of the Alternative Technology Advisory Committee to advise the Bureau of Development Services on new or innovative sustainable building technologies and products.~~

B. Membership. ~~The Alternative Technology Advisory Committee shall consist of a minimum of three and a maximum of seven members. The committee members will be appointed by the Mayor and approved by the City Council. The committee shall consist of design professionals, construction contractors, and persons associated with a university with an engineering school. In addition, two designees from the Bureau of Development Services familiar with building code review shall be ex-officio members of the committee.~~

C. Appointment and Terms.

~~1. Appointment to the Alternative Technology Advisory Committee shall be for a three-year term. Committee members may be appointed to no more than two consecutive, complete terms, unless the Director recommends approval of a longer term, and the Mayor and City Council approve the extended appointment. If a position is vacated during a term, it shall be filled for the unexpired term.~~

~~2. Any member of the committee may be removed from the committee by the Mayor for malfeasance in office.~~

~~3. The committee shall elect a chairperson, adopt rules of procedure, and set the time and place for regular meetings. Written minutes of all meetings shall be kept.~~

~~**D. Compensation.** Alternative Technology Advisory Committee members shall serve without compensation.~~

~~**A.** The Bureau of Development Services will determine which of the following boards of appeal to consult with regarding new or innovative sustainable building technologies and products:~~

~~1. Building Code Board of Appeal~~

~~2. Mechanical Code Board of Appeal~~

~~3. Electrical Code Board of Appeal~~

~~4. Plumbing Code Board of Appeal~~

~~**E. B. Other.** The Alternative Technology Advisory Committee Review serves only in an advisory capacity to the City. Subsequent action taken by the City as a result of the applicable board of appeal's review committee's advice shall be the sole responsibility of the City.~~