

**ORDINANCE No. 187432**

Amend Chapter 3.30 to add administrative review of stop work orders; amend Titles 24 - 27 to add administrative appeal provisions, revise external Appeal Board provisions to conform to the State Building Codes, add term limits to all external Boards, delete obsolete provisions, and make other technical changes (Ordinance; amend Code Chapter 3.30 and Titles 24-27)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. Chapter 3.30 of the Portland City Code outlines BDS' authority. BDS has the authority to issue stop work orders to obtain compliance with any of the provisions of the State Building Code, City Code and other rules and regulations that BDS administers. This ordinance amends Section 3.30.080 to add a provision allowing administrative appeals of stop work orders to the Code Hearings Officer in accordance with Chapter 22.10 of the Portland City Code.
3. BDS administers the following Portland City Code (PCC) titles: Title 24, Building Regulations; Title 25, Plumbing Regulations; Title 26, Electrical Regulations; and Title 27, Heating and Ventilating Regulations.
4. This ordinance amends the stop work order provisions in Titles 24 – 27 so they are consistent with the new language in Section 3.30.080 and within each of these titles.
5. As part of its administrative duties and as required by the State of Oregon Building Codes as codified in Oregon Revised Statutes Chapter 455, BDS is required to provide an administrative appeal process for permit applicants who are aggrieved by a decision of BDS acting as the Building Official related to the interpretation or administration of the Building Codes or who want to request a modification to the strict interpretation of the Building Codes or consideration of an alternate material, design or method of construction or equipment.
6. BDS currently has an Administrative Appeal Board that consists of a BDS employee who is a licensed Oregon Building Official, along with other BDS staff who have expertise in reviewing the issues presented to the administrative Appeal Board. This ordinance codifies the scope of authority of the Administrative Appeal Board and procedures for filing appeals to the Administrative Appeal Board in Titles 24 - 27.

7. BDS also has four external Boards of Appeal (Building Code Appeal Board; Plumbing Code Appeal Board; Electrical Code Appeal Board; and Mechanical Code Appeal Board) that consist of community members with expertise in the relevant Code who hear appeals of decisions rendered by the Administrative Appeal Board. The provisions of Titles 24 – 27 governing the external Boards of Appeal are outdated and need to be revised to conform to the State Building Codes. This ordinance also contains provisions that add term limits for the external Appeal Board members and to the Structural Engineering Advisory Committee.
8. The State Building Codes allow permit applicants to obtain “minor labels” for minor construction work. The provisions in Titles 24 – 27 governing the BDS minor label program are outdated. This ordinance revises the minor label provisions in Titles 24 – 27 to be consistent with current State Building Codes and BDS practices.
9. All of the provisions in Chapter 24.35, Historic Buildings, are either obsolete or currently covered in Title 33. Therefore, Chapter 24.35 is being rescinded in its entirety.
10. In addition to the above, this ordinance deletes obsolete provisions and makes minor language changes to correct technical errors and improve internal consistency in Titles 24 – 27.

NOW, THEREFORE, the Council Directs:

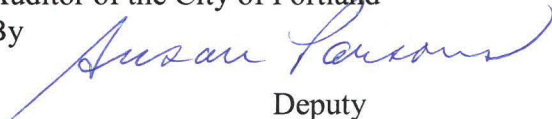
- a. City Code Chapter 3.30 (Bureau of Development Services) is amended as set forth in Exhibit A.
- b. City Code Title 24 (Building Regulations) is amended as set forth in Exhibit B.
- c. City Code Title 25 (Plumbing Regulations) is amended as set forth in Exhibit C.
- d. City Code Title 26 (Electrical Regulations) is amended as set forth in Exhibit D.
- e. City Code Title 27 (Heating and Ventilating Regulations) is amended as set forth in Exhibit E.

Passed by the Council:

NOV 04 2015

Commissioner Dan Saltzman  
Prepared by: Nancy Thorington, BDS  
Date Prepared: October 28, 2015

**Mary Hull Caballero**  
Auditor of the City of Portland  
By

  
Deputy

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v.140

Agenda No. **187432**  
**ORDINANCE NO.**  
Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Dan Saltzman</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>D. Saltzman</i></p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Development Services Bureau Head: Paul L. Scarlett <i>P. Scarlett</i></p> <p>Prepared by: Leanne Torgerson Date Prepared: 10/13/15</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances <i>Toni</i></p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>Deborah Walters</i></p> <p>Council Meeting Date <b>10/28/15</b></p>	<p>CLERK USE: DATE FILED <b>OCT 23 2015</b></p> <p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p><b>OCT 28 2015 PASSED TO SECOND READING NOV 04 2015 9:30 A.M.</b></p>
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**AGENDA**

**TIME CERTAIN**   
Start time: \_\_\_\_\_

**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed: 15 minutes**  
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	