

MID-COLUMBIA BUILDING CODES SERVICES

Building Codes Compliance Program

Operating Plan

07/01/14

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INTRODUCTION

OAR 918-020-0080 Delegation of Building Inspection Programs

The state Building Codes Division and every municipality that administers and enforces a building inspection program or desires to assume responsibility to administer and enforce a building inspection program shall prepare an operating plan that describes the manner in which the municipality or the division will do so. The operating plan shall establish specific goals consistent with the program standards described in ORS 455.153 and OAR 918-020-0090.

This operating plan was developed to comply with the above administrative rule. The plan is on file with the State of Oregon Building Codes Division, has been distributed to surrounding jurisdictions, and is available through this office upon request.

This plan reflects the standards, policies, procedures and services administered and offered through the Mid-Columbia Council of Governments (MCCOG) doing business as Mid-Columbia Building Codes Services (MCBCS). The plan will be updated as necessary to reflect service changes.

Any questions related to this plan should be directed to:

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DELEGATION OF AUTHORITY

The Mid-Columbia Council of Governments assumed enforcement and administration of the Oregon State Structural Specialty Code, Mechanical Specialty Code, Residential Specialty Code, Electrical Specialty Code, Plumbing Specialty Code and Manufactured Home Specialty Code programs on July 1, 2007, under the authority of ORS 455.153 and 479.855. MCBCS offers the electrical master permit program as per OAR 918-309-0100. The building inspection program encompasses all areas defined by Wasco, Sherman, Gilliam and Wheeler Counties.

Additionally, MCBCS provides enforcement and administration of the plumbing and electrical programs in Hood River County via an inter-governmental agreement (IGA).

The State Building Code was adopted locally by MCCOG under Ordinance 07-300, which was repealed and replaced with Ordinance No. 10-001. The inspection program is known as Mid-Columbia Building Codes Services (MCBCS). The fees associated with the inspection program are consistent with state fee guidelines.

ADMINISTRATIVE STANDARDS

FUNDS

MCBCS accounts for all revenues collected and expenditures made, in connection with the administration and enforcement of the building inspection program. The revenues are deposited in a dedicated fund as designated by ORS 455.210 (3) (c). All plan review and permit revenues are deposited in this fund and all department expenditures are from this fund. A list of receivables and expenditures is available upon request. Electrical program revenues and expenditures, including those through the IGA with Hood River County is accounted for separately.

MCCOG has established a Cost Allocation Plan (CAP) that distributes indirect expenses to all the programs it administers. There is not a set percentage allocated to each program, but instead, it depends on direct cost percent share. All surpluses from MCBCS revenues are maintained in a dedicated MCBCS fund. If the program should suffer a loss, funds will be taken first from the dedicated surplus fund and if it is not sufficient to cover the losses, the remainder will come from the MCCOG general fund. The general fund is not program specific and the funds are unrestricted – these are membership dues from the MCCOG 5 counties (Wasco, Hood River, Sherman, Gilliam, and Wheeler) as well as Fee-for-Service programs conducted by MCCOG.

EQUIPMENT

All staff members are provided with the equipment and other resources needed to complete their work in an efficient and service-oriented manner. Such equipment includes, but is not limited to, office space, vehicles for inspections, cellular telephones, personal protection equipment, code and code-related publications, business and identification cards, and computers.

STAFF AUTHORITY AND RESPONSIBILITIES

MCBCS has established a building code enforcement department (including person(s) certified to act as agent to perform as Building Official, inspectors and plans examiners) under the administrative and operational control of the MCCOG Executive Director.

MCCOG Ordinance 10-001 states as follows:

- 1) The building official is authorized and directed to enforce all the provisions of the Building Code and Ordinance No. 10-001.
- 2) The building official shall have the power to render written and oral interpretations of the Building Code and shall adopt and enforce administrative procedures in order to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformance with the intent and purpose of the Building Code.
- 3) The Building Official may appoint deputies and other employees to carry out functions of Mid-Columbia Building Codes Services. References to the Building Official shall include the Building Officials appointed deputies and other employees of the agency.

Plans Examiners - Plans examiners review plans for compliance with the State Building Codes at the level for which the plans examiner is certified by the State of Oregon. Mid-Columbia Building Services employs "A" Level and Fire and Life Safety certified Plan Reviewers.

Inspectors - Inspectors inspect work covered by the specialty code and the level certified by the State of Oregon. Mid-Columbia Building Codes Services employs "A" Level Structural, "A" Level Mechanical, "A" Level Plumbing and "A" Level Electrical Inspectors. *Under no circumstances* will persons not holding the appropriate certification from the Building Codes Division conduct an inspection on behalf of MCBCS.

Detailed job descriptions for all staff members are available upon request.

LOCAL APPEALS PROCESS

Any appeal of an inspectors' decision is reviewed by the Building Official. The appeal may be verbal or in writing with no cost for this initial appeal. A decision is generally rendered within twenty-four (24) hours of the receipt of the appeal.

Any person aggrieved by the final decision of the Building Official may file an appeal with the State Building Codes Division, in accordance with their rules.

RECORDS RETENTION AND RETRIEVAL

All records are retained for at least the minimum time outlined by the Oregon State Archivist.

MCBCS has subscribed the Building Code Division's E-Permitting system

AVAILABILITY OF OPERATING PLAN

The MCBCS operating plan is available to any interested party upon request. A copy can be supplied in electronic format if desired.

PUBLIC COMMENT/COMPLAINT PROCESS

Public comments or complaints may be submitted in writing (via fax, mail, or personal delivery). Comments or complaints related to code provisions will be processed by the most appropriate staff member. Comments or complaints related to employee behavior will be processed by the employee's supervisor as per MCCOG's personnel policies. If the comment or complaint becomes an appeal, procedures outlined above will be followed.

OFFICE LOCATION AND HOURS OF OPERATION

MCBCS maintains office hours Monday through Thursday from 7:30 a.m. – 12:00 p.m. and 1:00 p.m. – 4:00 p.m., and Friday 7:30 a.m. – 12:00 p.m. and 1:00 p.m. – 2:00 p.m. Telephones are answered by administrative staff and permits are issued during office hours. Permit applications are also accepted via mail and fax.

Customers may visit our public service counter to inquire on matters related to permitting, plan review, or inspection processes during the above office hours. Customers may mail or fax inquiries of this nature at any time.

- Phone (541) 298-4461.
- Toll Free (866) 520-6206.
- Fax (541) 298-2667.
- Inspection request (541) 298-4461.

PUBLIC INQUIRY PROCESS

Responses to customer inquiries are generally conducted on the same day they are received, but not later than 24 hours of receipt.

CUSTOMER SERVICE INFORMATION

The jurisdiction of MCBCS covers all Wasco, Sherman, Gilliam and Wheeler Counties, along with service in Hood River County for electrical and plumbing through an IGA. A map of the jurisdictional boundaries is maintained at the public service counter.

MCBCS is a "full service" jurisdiction. Permits for work governed by each specialty code are available through this office.

PERMITTING STANDARDS

APPLICATION PROCEDURES & FEES

Applications for permits are made on forms provided by MCBCS. Permit applications received via mail or fax, are checked for completeness. Permit applications received via mail are checked on the day of receipt for completeness, and, if some necessary information is lacking, the customer is contacted immediately.

MCBCS permit and plan review fee schedules are available upon request.

APPLICATION & PERMITTING TIME FRAMES

One and Two Family Dwelling Code Structural Permits:

Structural permit applications for work regulated by the One and Two Family Dwelling Code are not normally issued over-the-counter, although they will be if no plan review is required. If the permit requires plan review, MCBCS will notify the applicant within ten (10) days of any plan deficiencies for simple residential plans IAW ORS 455.467. Complex residential plans will be processed as promptly as possible, but are not limited to the 10-day time frame. See OAR 918-020-0090 (4)–(6) for definition of ‘simple’ plans. MCBCS has adopted a One and Two Family Dwelling intake checklist and plan review checklist for compliance

Manufactured Dwelling Permits:

Permit applications for work regulated by the Oregon Manufactured Dwelling Standards are normally issued over-the-counter when a complete application is submitted. If the permit requires in-depth review and cannot be issued over-the-counter, staff generally issues the permit within ten (10) days from the date the complete application and plan information are received.

State Structural Specialty Code Permits:

Permit applications for projects regulated under the Oregon State Structural Specialty Code will normally require plan review. MCBCS will notify the applicant as soon as possible (normally within three weeks) when the plans have been approved and/or any plan deficiencies.

Other Permits:

Permit applications for work regulated by the Mechanical, Plumbing, and Electrical Codes are issued over-the-counter when possible. If the permit requires plan review, MCBCS will notify the applicant as soon as possible (normally within three weeks) when the plans have been approved and/or any plan deficiencies.

Electrical and Plumbing plan reviews are required for *complex structures* as described in OAR 918-311-0040 (1) (elec) and 918-780-0040 (3) (plumbing). Mechanical plan reviews may be required for commercial systems at the discretion of the Building Official, depending on the complexity of the system.

A temporary electrical permit may be issued to a general contractor, electrical contractor or homeowner.

Master electrical inspections are performed after receiving the appropriate application and application fee. Master inspection fees are per hour and are shown in the MCBCS fee schedule.

VERIFICATION OF LICENSES AND REGISTRATIONS

Prior to the issuance of any permit, staff verifies the applicant meets the licensing and registration requirements of ORS Chapters 446, 447, 455, 479, 693 and 701. Issues which may arise from this verification process are referred to the Building Official for resolution.

PLAN REVIEW STANDARDS

COMPLIANCE WITH SPECIALTY CODES

The plan review staff are certified by the State of Oregon in all codes administered by MCBCS. The plans examiners review and approve plans for conformance with the One and Two Family Dwelling Code; Structural Specialty Code, including Fire and Life Safety; Mechanical Specialty Code, Plumbing Specialty Code and Electrical Specialty Code.

All one and two family dwelling plans are reviewed within three (3) working days to determine the complexity, and whether the plans are complete for review. If the plans are complete, simple plans will be completed within ten (10) working days. If the plans are simple and cannot be completed within ten (10) days, the owner will be given the option to have a provider, of their choice, licensed by the State of Oregon and approved by the Building Official, to perform the review.

MCBCS may contract with outside plan review/inspection businesses or have intergovernmental agreements with other jurisdictions to assist during periods of peak workload or in specialized areas. A minimum of three licensed plan reviewers, which the applicant may utilize for plan review, will be designated by the Building Official for plan review when the residential time limits on simple plans cannot be provided.

Licensed architects and engineers, who are also licensed as one and two family dwelling plan reviewers, may request a plan review exemption for one and two family dwelling plan reviews as specified in ORS 455.268. The plan review fee will be waived on these plans. The plan will be reviewed by MCBCS for site specific requirements only.

Phased permitting and deferred submittals are allowed in commercial projects as specified in OAR 918 020 0090 (3) (a) (D).

AVAILABILITY OF HANDOUTS/MEETINGS

MCBCS has created a variety of informational handouts to assist the public in the permit application process. These handouts are available at the public service counter.

MCBCS also offers optional pre-development and pre-construction meetings at no cost ~~or minimal cost~~ to the applicant. Pre-development/construction meetings provide an opportunity for the applicant to; (1) learn the application requirements to the project for review; (2) discuss any requested alternate methods or materials; (3) request interpretations; (4) a preliminary review assessment of the project; (5) determine inspection and scheduling requirements. This meeting provides an opportunity for the applicant and his/her associates to; (1) meet the inspectors and staff involved in the project; (2) discuss any unique aspects of the project; (3) clarify special inspection requirements; (4) coordinate public infrastructure issues; and/or (5) reach consensus on remaining issues identified during the review process.

VERIFICATION OF STAMP BY DESIGN PROFESSIONALS

Staff verifies plans are appropriately stamped by a registered design professional when required. Plans failing to meet this requirement will not be accepted until the appropriate stamp is provided.

INSPECTION STANDARDS

INSPECTION SCHEDULE

Inspection staff provides inspection services between 9:00 a.m. – 4:30 p.m. Monday through Thursday and 9:00 a.m. – 2:00 p.m. on Fridays. Inspections outside of these hours may be arranged with the office staff.

INSPECTION POLICIES AND PROCEDURES

MCBCS inspects within five counties – Wasco, Sherman, Gilliam, Wheeler, and Hood River. Due to the large geographic area served, inspections within geographic areas are scheduled on certain days of the week.

Inspections requested *prior to* 9:00 a.m. are usually conducted on the date requested or the 1st subsequent day the particular area is scheduled. Inspection requests received *after* 9:00 a.m. will be conducted the following day or the 1st subsequent day the particular area is scheduled. Inspection requests received after 9:00 a.m. and needed on the same day, due to unforeseen issues, are possible if time and inspection schedule allows. Customers may also request inspections via fax, mail, through e-permitting or in person at the public service counter.

Approved plans are required to be available on the job site unless other arrangements have been made with the inspector.

A written report is issued by the inspector for each inspection. The report will reflect approval, conditional approval, or failure. A conditional approval allows the work to proceed until the next scheduled inspection, with certain limitations as noted on the inspection report. In the case of a failed inspection, re-inspection will be required prior to covering any of the work. In any case, an approval or list of needed corrections and code references is provided in the inspection report. A copy of the written report is left on the job site and entered into the MCBCS system.

Electrical and Plumbing inspections will be accomplished within the timeframes specified in OAR 918-271-0020 (elec) and 918-785-0220 (plumbing). Notification of inspections will be delivered as required in OAR 918-271-0020 (3) and 918-785-0220 (3)

In certain circumstances a re-inspection fee is assessed by the inspector. A department policy outlines these circumstances, and the policy is available upon request.

LISTING OF STAFF

A roster of all inspectors and plans review staff and certifications, are available upon request.

COMPLIANCE PROGRAMS

PROCESS FOR RESPONSE TO REPORTED CODE VIOLATIONS

Reports of work being performed without permit, in violation of MCBCS, and/or in violation of ORS 479.550, 479.620, 447.030, 447.040, 693.030, and 639.040 are accepted in person, mail or fax. All reports are entered into the MCBCS violations file and are investigated by the Building Official or his/her designee.

INVESTIGATION OF REPORTED VIOLATIONS

Reports, as described above, are investigated to determine whether or not a violation exists. If no violation exists, the case is closed. If a violation exists, there are several possible actions that may be taken by MCBCS, including, but not limited to; (a) stop work orders; (b) assessment of investigation fees; (c) notice of violation; (d) assessment of civil penalties; (e) citation into District Court; and/or (f) referral to the State of Oregon Building Codes Division Compliance Section. In any case, the complainant is informed of the outcome upon request.

STOP WORK ORDERS

Ordinance No. 10-001, Section 7 states as follows:

Whenever any work is being done contrary to the provisions of this code (or other pertinent laws or ordinances implemented through its enforcement), the building official may order the work stopped by notice in writing served on any person(s) engaged in the doing or causing of such work to be done. Such person(s) shall stop such work until specifically authorized by the building official to proceed thereafter.

The authority to issue stop work orders is delegated to the inspector; however, department policy requires that the inspector contact the Building Official to discuss the decision prior to issuance of the stop work order. If the Building Official is not available, the inspector may post the stop work order without Building Official consultation if he determines there is an imminent hazard to life or property, or work is being done without the required permits having been obtained.

INVESTIGATION OF ELECTRICAL AND PLUMBING VIOLATIONS

As per ORS 455.156, MCBCS acts as an agent of the respective state boards in the issuance of proposed assessments of civil penalties.

Electrical and plumbing inspectors conduct random spot checks to verify compliance with plumbing and electrical licensing and registration requirements. In cases of a violation, the inspector is provided the discretion to; (a) stop the work; (b) require all non-licensed personnel to stop work and vacate the premises; (c) file a compliance report with State Building Codes Division Enforcement Section; (d) issue a notice of proposed assessment of civil penalty; or (e) other enforcement action as approved by the inspector and building official.

Complaints received by MCBCS related to alleged violations of plumbing or electrical licensing or registration requirements may be investigated by any inspector.

NOTICES OF PROPOSED CIVIL PENALTIES

Specific violation proceeding guidelines are contained with MCCOG Ordinance 10-001, Section 20.