

Introduction

OAR 918-020-0080 Delegation of Building Inspection Programs

The State of Oregon 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 ORS455.153 & OAR 918-020-0090.

This operating plan was developed to comply with the above revised statute and administrative rule. The plan is on file with the State of Oregon Building Codes Division (BCD). A copy of the City of Lebanon Building & Inspection Services Operating Plan is available at www.ci.lebanon.or.us and upon request at the Community Development Department or by calling (541) 258.4906.

This plan reflects the standards, policies, procedures and services administered and offered through the City of Lebanon Building & Inspection Services. 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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Building Official

City of Lebanon Building & Inspection Services

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Office Location and Hours of Operation

Building & Inspection Services is located in the Community Development Department at 925 Main Street, Lebanon, Oregon. Office hours are from 7:00 am to 5:00 pm Monday through Thursday and 7:00 am to 1:00 pm. on Friday, excluding holidays. Permit applications are accepted through the Oregon ePermitting program. Permit applications are also accepted in person, via email, mail and fax.

Administrative Standards

Funds

Building & Inspection Services operates through a dedicated fund. All plan review and permit revenues are deposited into this fund. Expenditures relating to the administration and enforcement of the building inspection program are from this fund.

All building permit and plan review fees charged by the Building & Inspection Services have been approved by the Lebanon City Council through a public hearing. In addition, all fees were

modified, effective January 1, 2009, and approved by the BCD to reflect the consistent fee methodology and forms per OAR 918-050-100.

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 might include, but is not limited to, open office spaces, vehicles for inspections, cellular phones, personal protection equipment, code and code related publications, business and identification cards, and networked personal computers.

Staff Authority and Responsibility

Building Official:

Lebanon Municipal Code Section 15.04.12 – Building Official – Powers and Duties

- A. The building official is hereby authorized and directed to enforce all the provisions of this chapter. For such purposes, the building official shall have the powers of a law enforcement officer.
- B. In addition to any other authority and power granted to the building official, and except where inconsistent with other provisions of law, the building official may enforce the provisions of this chapter against any person regardless of whether a permit, certificate, license or other indicia of authority have been issued.
- C. The building official shall not issue a permit if the proposed work would be in violation of local, state or federal laws.
- D. Inspections and Investigations.
 1. The building official may make any inspection, any investigation, order corrective action and may issue an order to stop all or any part of the work under the applicable provision of this chapter.
 2. The building official may cause a building to be reinspected to determine compliance with this chapter.
 3. Special Investigation. Whenever any work for which a permit is required by this chapter has been commenced without first obtaining said permit, a special investigation may be made before a permit is issued for such work. If an investigation is conducted, an investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or is subsequently issued. The minimum investigation fee shall be the same as the minimum investigation fee set forth in the fee schedule adopted by the city of Lebanon city council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter or from any penalty prescribed by this chapter or other law.
- E. Right of Entry Onto Property to Make Inspections and Investigations.

Whenever necessary to make any inspection or any investigation to determine compliance with or to enforce any of the provisions of this chapter, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or ordinance or code violation which makes such building or premises unsafe, dangerous or hazardous, the building official may enter such building or premises at reasonable times to inspect the same or to perform any duty imposed upon the building official by this chapter, provided that if such building or premises be

occupied, the building official shall first present proper credentials and request entry; and if such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

F. Issuance of Stop Work Orders.

Whenever any work is being done contrary to the provisions of this chapter, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing of such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

For the purposes of this chapter, a stop work order shall be deemed served on any and all persons engaged in the doing or causing work to be done if it has been posted on the job in a location visible to persons entering or working on the site.

G. Occupancy Violations.

Whenever any building or equipment therein is regulated by this chapter and is being used contrary to the provisions of this chapter, the building official may order such use discontinued and the building, or portion thereof vacated by notice given to the owner.

H. Cooperation of Other Officials and Officers.

The building official may request, and shall receive so far as is required, in the discharge of any duties of the building official duties, the assistance and cooperation of other officials of this jurisdiction.

Plans Examiners:

As per administrative rules, plans examiners review plans for compliance with the City Building Code ordinance at the level for which the plans examiner is certified by the State of Oregon and International Code Council.

Structural, Mechanical and Plumbing Inspectors:

As per administrative rule, inspectors conduct inspections of work covered by the specialty code and the level certified by the State of Oregon and International Code Council.

Local Appeals Process

Any person aggrieved by a decision of a plans examiner or inspector may appeal to the Building Official. The appeal must be made in writing on forms provided by the City. There is no cost for this initial appeal. A decision is generally rendered within one business day of the request.

Any person aggrieved by a decision of the Building Official may appeal to the City of Lebanon Board of Appeals established by City of Lebanon Municipal Code Chapter 15.20. The appeal must be made in writing on forms provided by the City. The written appeal must be determined to be complete by the Building Official and submitted along with the appropriate fee.

As per ORS 455.690, any person aggrieved by the final decision of the City of Lebanon Board of Appeals may within 30 days after the date of the decision, appeal to the appropriate state advisory board.

As per ORS 455.475, a person aggrieved by a decision of the Building Official may appeal the decision to the BCD. The decision will be reviewed by the appropriate specialty code chief.

Accounting

Building & Inspection Services operates through a dedicated fund. All plan review and permit revenues are deposited into this fund. Expenditures relating to the administration and enforcement of the building inspection program are from this fund. Losses and surpluses are carried forward and shown as a beginning balance.

Records Retention and Referral

The Building & Inspection Services maintains permits, plans and inspection records at its office located in City Hall at 925 Main Street, Lebanon. Permits, plans and inspection records are retained at least for the minimum time outlined by OAR 166-200-0025.

Operating Plan

A copy of the City of Lebanon Building & Inspection Services Operating Plan is available at www.ci.lebanon.or.us and upon request at the Community Development Department or by calling (541) 258.4906.

Comments and Complaints

Comments and complaints may be submitted verbally via phone or in person or in writing via in person, email, mail and fax. Comments and complaints received will be referred to the appropriate staff member for review and resolution. Response to customer comments and complaints are generally conducted on the same day they are received, but not later than one business day after the receipt.

Public Inquiry Process

Building & Inspection Services is located in the Community Development Department at 925 Main Street, Lebanon, Oregon. Office hours are from 7:00 am to 5:00 pm Monday through Thursday and 7:00 am to 1:00 pm on Friday.

Customers may visit the Community Development Department or phone during office hours to inquire on matters related to permitting, plan review or inspection processes. Customers may email, mail, or fax inquiries of this nature at any time.

Responses to customer inquiries are generally conducted on the same day they are received, but not later than one business day after the receipt.

Jurisdictional Boundaries

A map of the jurisdictional boundaries is maintained at the Community Development Department. Building & Inspection Services provides all permit and inspection services, excluding electrical, within the city limits of Lebanon. Linn County is responsible for the Electrical Program within the city limits of Lebanon.

Notifications

All notices issued pursuant to OAR 918-020-07700 though -0220 shall be sent to the city of Lebanon Building Official.

Permitting Standards

Office Location and Hours of Operation

Building & Inspection Services is located in the Community Development Department at 925 Main Street, Lebanon, Oregon. Office hours are from 7:00 am to 5:00 pm Monday through Thursday and 7:00 am to 1:00 pm on Friday. Permit applications are accepted through the Oregon ePermitting program. Permit applications are also accepted via in person, email, mail and fax.

Application Procedures

Applications for permits are made on forms provided by the Building & Inspection Services. Permit applications received in person are checked for completeness before the customer leaves. Permit applications received through other means are checked on the day of receipt for completeness; if necessary information is lacking, the customer is contacted immediately.

Over the Counter Permit Procedures

Permits not involving a plan review are generally issued over-the-counter. Temporary permits are also issued over-the-counter. Emergency permits can be issued over-the-counter or, with the approval of the Building Official, via any reasonable means (i.e. via phone, email, mail or fax).

Master permits are issued only after receiving a written application describing various aspects of the program. Building & Inspection Services has a form letter explain the required information.

Plumbing and Mechanical permits are available online through the Oregon ePermitting program.

Verification of Licenses and Registrations

Prior to the issuance of any permit, staff verifies that the applicant meets the licensing and registration requirements of ORS Chapters 446, 447, 455, 479, 693 and 701.

Plan Review Standards

Compliance with Specialty Codes

Plan review staff are certified by the State of Oregon and International Code Council in all codes administered by Building & Inspection Services. The plans examiners review and approved structural, mechanical, plumbing, fire/life safety, energy, disabled access, and manufactured dwelling plans. Plan review staff assure compliance with all applicable specialty codes and all interpretive rulings adopted by the BCD.

Building & Inspection Services contracts with three plan review firms to assist on an as needed basis.

A roster of the plan review staff, including current certifications and continuing education records, is available upon request.

Availability of Checklists/Brochures

Building & Inspection Services has created a variety of informational brochures and application checklists to assist the public in the permit application process. Copies are available at www.ci.lebanon.or.us and upon request at the Community Development Department or by calling (541) 258.4906.

Pre-Application Meetings

Pre-application meetings are provided upon request for commercial and industrial projects. This meeting is used to answer questions and help customers determine the information that will be needed for compliance with state and local regulations. These meetings are scheduled with design professionals, building owners, plan reviewers, emergency services, and land use planners. There is no fee for this service.

Complete Application

When possible, permits for work regulated by the Residential Specialty Code and the Oregon Manufactured Dwelling Standards are issued over-the-counter. If the permit cannot be issued over-the-counter, staff will notify the applicant within three business days whether or not the application is complete. Staff generally approves the permit within ten business days from the date the complete application and plan information are received. A complete application includes City Engineering and Planning approvals.

If deficiencies are found that require correction, the permit issuance timeline will be extended for the period that the review is halted awaiting submittal of corrections. If Building & Inspection Services is not able to complete the plan review within ten days of the receipt of a complete application, the applicant will be informed that they may select a reviewer from a list of persons licensed by the BCD and approved by the Building Official.

Phased Permitting and Deferred Submittals

Building & Inspection Services accepts applications for phased permits and deferred submittals. A written policy to effectively process these applications is available at www.ci.lebanon.or.us and upon request at the Community Development Department or by calling (541) 258.4906.

Verification of Stamp by Design Professionals

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

One and Two Family Dwelling Certification Exemption

Building & Inspection Services accepts plans for one and two family dwellings that are of conventional light frame construction (as defined by the BCD) that are designed and stamped by a professional engineer or architect. The engineer or architect must be certified by the Department of Consumer and Business Services to examine one and two family dwelling plans.

Building & Inspection Services has adopted an appropriate fee for this submittal.

One and Two Family Dwelling Certification Exemption

OAR 918-098-1010 allows individuals not to possess a plan review certification for reviewing permit applications as part of their permit issuance responsibilities for the following as they relate to one and two family dwellings:

- A. First floor decks attached to a dwelling that:
 - 1. Extend not more than 12 feet from the dwelling but not closer than three feet to a property line;
 - 2. Are not more than 8 feet above grade;
 - 3. Will not exceed a 70 PSF live load and not a combined live and dead load of 80 PSF; and
 - 4. Are not in excess of a 2 horizontal 1 vertical ground slope.
- B. Carports with a single slope that:
 - 1. Have a rafter span extending not more than 12 feet from a dwelling;
 - 2. Are attached to the dwelling for the full length not to exceed 30 feet;
 - 3. Have a maximum overhang of two feet that is not closer than three feet to a property line; and
 - 4. Will not exceed a combined 80 PSF live and dead load.
- C. Patio covers that:
 - 1. Have a single slope roof;
 - 2. Have a rafter span extending not more than 12 feet from the dwelling;
 - 3. Are attached to the dwelling the full length not to exceed 30 feet;
 - 4. Have a maximum overhang of two feet that is not closer than three feet to a property line; and
 - 5. Will not exceed a combined 80 PSF live and dead load.
- D. Fences not greater than 8 feet in height.
- E. Garage conversions as an accessory to a one- or two-family dwelling with no new cut openings in the existing wall.
- F. Window, door, or bathroom remodels where there are no load-bearing or lateral-bracing wall penetrations.
- G. Pole or manufactured steel structures with a maximum of 3,000 square feet that:
 - 1. Have a maximum 14-foot eave height;
 - 2. Are not closer than three feet to the property line and at least 6 feet from all other buildings on the same lot; and
 - 3. Fully engineered, including foundation where applicable.
- H. Mechanical equipment for the purposes of determining setback requirements have been met.

Consultants

Building Inspection Services will contract with various code consultants to assist in the review of plans and permitting of projects which are highly complex or specialized. Consultants are used for assistance in the fields of hazardous materials, toxic gases, structural engineering, seismic engineering and geotechnical engineering.

Inspection Standards

Inspection Schedule

Inspection staff provides inspection services between 1:00 pm and 5:00 pm Monday through Thursday. Inspections outside of these hours may be arranged through the Building Official.

Inspection Policies and Procedures

Building & Inspection Services utilizes an automated interactive voice response (IVR) system and the online Oregon ePermitting program to receive inspections. Both systems are available 24 hours per day, seven days per week.

Inspections which are requested prior to 7:00 am are conducted on the same business day unless another date is requested. Inspection requests received after 7:00 am will be accomplished the following business day unless another date is requested. Inspection requests that are received after 7:00 am, but which are needed on the same day requested because of unforeseen issues, may be accomplished if approved by the Building Official.

Customers submitting inspection requests by email, mail, fax or in person are requested to utilize the IVR system or online Oregon ePermitting program in the future.

Approved plans are required to be available on the job site for all inspections unless other arrangements have been made with the Building Official.

Upon arrival at a job site, an inspector will verify that approved plans are available. Inspections will be performed based on the approved plans. After completing the requested inspection, the inspector will prepare a written inspection report, which describes all items that require correction in accordance with the applicable specialty code sections and cites the code section. A copy of the inspection report will be left with the building owner or contractor, if any, on site. If the building owner or contractor is not available at the site, a copy of the inspection report will be left at the job site. If the inspector finds that all minimum code requirements have been met, the inspector will indicate his or her approval on the inspection record located on the site.

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

Listing of Inspection Staff

A roster of the inspection staff, including current certifications and continuing education records, is available upon request.

Stop Work Orders

Lebanon Municipal Code Chapter 15.04.130 (F) states as follows:

Whenever any work is being done contrary to the provisions of this Chapter, the Building Official may order the work stopped by notice in writing served on any persons engaged in the

doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

Investigation of Plumbing Violations

Plumbing inspectors conduct random checks to verify compliance with plumbing licensing and registration requirements. In cases of a violation, the Building Official is provided the discretion to stop the work and (a) issue a warning, (b) issue a notice of proposed assessment of civil penalty, or (c) discuss alternative options, such as a citation into Municipal Court.

The Building Official investigates complaints of plumbing licensing and registration violations received by the inspectors. Licensing issues may be forwarded to the State for appropriate assistance.

Compliance Programs

Process for Response to Reported Code Violations

Reports of work being performed without a permit, in violation of the City Specialty Code, and/or in violation of ORS 479.550, 479.620, 477.030, 447.040, 693.030 and 693.040 are accepted in person or via email, mail, telephone or fax. All reports must include a contact name and phone number along with a complete description of the alleged violation and its location. All reports are filed separately in violation files and are investigated by the Building Official.

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 the Building Official, including but not limited to stop work orders, assessment of investigation fees, citation into Municipal Court, and referral to the BCD compliance Section through the process identified in ORS and OAR. In any case, the person making the report is informed of the outcome.

Notices of Proposed Civil Penalties

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

Civil penalties or violations of the Lebanon Municipal Code (LMC) Building and Construction are administered in accordance with LMC Chapter 15.04.