

8. Oregon Manufactured Dwelling and Installation Specialty Code.
9. Oregon Zero Energy Ready Commercial Code

Section 3. ENFORCEMENT AND STOP WORK ORDERS

1. The Building Official shall administer and enforce this Ordinance.
2. The Building Official is authorized to render written and oral interpretations of this Ordinance and the Codes adopted herein and to 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 this Ordinance and the applicable Code.
3. Whenever any work to which the Codes in Section 2 apply is being done contrary to the provisions of this Ordinance or the applicable 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.
4. Right of Entry. Where it is necessary to make an inspection to enforce the provisions of the Oregon Specialty Codes, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by said codes, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused or the owner or owners' representative cannot be reached, the building official shall have recourse to the remedies provided by the Union County Enforcement Ordinance.

Section 4. FEES

Fees for permits issued by the County may be set by Resolution of the Board of Commissioners; or in the case no Resolution is in effect, then the maximum fee allowed by the State of Oregon shall be charged.

Section 5. APPLICATION

This Ordinance shall apply to all buildings and structures within the jurisdiction of Union County unless specifically exempted herein.

Section 6. LOCAL INTERPRETATION

In addition to the provisions of Section 101.2 of the Oregon Structural Specialty Code and similar provisions of other Specialty Codes, the Building Official is requiring permits for the following items:

1. Demolition of buildings and structures.
2. Retaining Walls greater than 4' in height or supporting a surcharge.
3. Cellular phone, radio, television and other telecommunication and broadcast towers that are not attached to or supported by a regulated building.
4. Signs not attached to or supported by a regulated building.
5. Flagpoles and light poles exceeding 25 feet in height.
6. In addition to the provisions of the Oregon Structural Specialty Code and similar provisions of other Specialty Codes, the Building Official is adopting the following:

1. Oregon Structural Specialty Code Section 112 Service Utilities.

Section 7. APPEALS

An appeal of a decision of the Building Official unrelated to Code provisions is reviewed by the Administrative Authority. Any person aggrieved by a decision of the Building Official related to Code provisions may appeal that decision by filing a written notice of appeal with the Administrative Authority, a copy of which shall be provided to the Building Official. The notice shall specify the nature of the decision appealed, the date of the decision, and shall specifically set out each and every allegation or error. The appeal notice shall be signed by the appellant. Within ten (10) days of receiving a notice of appeal, the Administrative Authority shall convene a five (5) person Appeals Board, comprised of members who are qualified by experience and training to make decisions in connection with issues pertaining to building construction and who are not employees of the jurisdiction, to meet and decide on the appeal. The Building Official shall be an ex officio member of, and shall act as secretary to, the Board, but shall not vote on any matter before the Board. The Board of Appeals shall be appointed by the Board of Commissioners, and its members shall hold office at the Boards pleasure.

1. No member of the Board of Appeals shall render a decision on an appeal of a matter in which they may have a conflict of interest.
2. The board may adopt such procedural rules as it deems necessary to conduct its business, including the designation of testimony of witnesses and accepting evidence.
3. The Board of Appeals shall have no authority relative to interpretations of the administrative provisions of this Code, nor shall the Board be empowered to waive requirements of this Code.
4. As per ORS 455.690, any person aggrieved by the final decision of a Municipal Appeals Board may, within thirty (30) days after the date of the decision, appeal to the appropriate State advisory board.

Section 8. Penalties

1. A person shall not:
 - a. Violate or procure, aid or abet in the violation of a final order concerning application of the State Building Code and this Code in a particular case made by any local Building Inspector, Official, or Appeals Board.
 - b. Engage in or procure, aid or abet any other person to engage in an activity for which a permit, certificate, label, or other formal authorization is required by any specialty Code or other regulation established by this Ordinance, without first obtaining such permit, certificate, label or other formal authorization (ORS 455.450).
2. A violation of subsection "a." of this Section shall be subject to a civil penalty not to exceed \$5,000 for each offense or, in the case of a continuing offense, not more than \$1,000 for each day of the offense. (ORS 455.895)
3. The civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the department or the appropriate advisory board considers proper and consistent with the public health and safety. In any judicial review of a civil penalty imposed under this section, the court may, in its discretion, reduce the penalty.

Section 9. SEVERABILITY

If any section, subsection, provision, clause or paragraph of this Ordinance is declared for any reason to be invalid or unconstitutional by a court of competent authority, it shall not affect the validity of the Ordinance as a whole nor any of the remaining sections or subsections; and they shall remain in full force and effect.

Section 10. REPEAL

Any ordinance or part of ordinance in conflict with this ordinance is hereby repealed.

Section 11. EFFECTIVE DATE

This Ordinance shall become effective upon approval by the Board of Commissioners.

FIRST READING this _____ day of _____, 2020.

SECOND READING AND ADOPTION this _____ day of _____, 2020.

Paul Anderes, CHAIR

Donna Beverage, COMMISSIONER

R. Matthew Scarfo, COMMISSIONER