

Enrolled House Bill 3097

Sponsored by COMMITTEE ON BUSINESS, LABOR AND CONSUMER AFFAIRS (at the request of Oregon State Building and Construction Trade Council, National Electrical Contractors Association, Plumbing and Mechanical Contractors Association, Sheetmetal and Air Conditioning Contractors National Association)

CHAPTER

AN ACT

Relating to state building code; creating new provisions; amending ORS 455.842 and 455.844 and sections 1 and 2, chapter 336, Oregon Laws 2003; and repealing section 4, chapter 336, Oregon Laws 2003.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 455.842 is amended to read:

455.842. (1) The Department of Consumer and Business Services shall establish and staff a Tri-County Building Industry Service Center to make available to licensed contractors and their employees, local governments and the public the resources and services described in ORS 455.844 (1).

(2) The Director of the Department of Consumer and Business Services may adopt by rule a reasonable fee schedule for the purpose of recovering the costs incurred by the department and the service center in providing services under ORS 455.844 (1). Fees adopted and imposed under this section shall be in addition to the total building permit fees otherwise imposed in Clackamas, Multnomah and Washington Counties. A municipality shall collect fees adopted and imposed under this section and remit the fees to the department.

SECTION 2. ORS 455.844 is amended to read:

455.844. (1) **In operating the Tri-County Building Industry Service Center**, the Department of Consumer and Business Services shall:

[(1)] (a) Develop and administer an installation label program for minor installations under the state building code, including but not limited to electrical installations under ORS 455.627, 479.540 and 479.570 and plumbing installations under ORS 447.076;

[(2)] (b) Develop standard application forms and procedures for use by municipalities in Clackamas, Multnomah and Washington Counties when issuing structural, mechanical, electrical, plumbing and other permits when [*such*] **those** permits do not require a review of building plans;

[(3)] (c) Develop standard application forms and procedures for issuing building permits and recording inspections;

[(4)] (d) Develop standard forms and procedures for reviewing building plans;

[(5)] (e) Establish standardized criteria and methodology for determining fee amounts for permits that are required under the state building code established under ORS 455.030;

[(6)] (f) Maintain and make available to the public the names of persons certified to review building plans;

[(7)] (g) Maintain and make available to the public the names of persons certified to perform technical inspections;

[(8)] (h) Administer prepaid building permit cost accounts;

[(9)] (i) Establish sufficient resources to assist local building officials in interpreting the state building code;

[(10)] (j) Establish a process to facilitate consistent application of the state building code for the area served by the Tri-County Building Industry Service Center; and

[(11)] (k) Develop a process for resolving disputes between local building officials and contractors or developers regarding site-specific application of one or more provisions of the state building code.

(2) The department may use the resources of the service center to:

(a) Assist local building officials in the administration and enforcement of the state building code; and

(b) Establish a process to facilitate the consistent application of the state building code throughout the state.

SECTION 3. Section 1, chapter 336, Oregon Laws 2003, is amended to read:

Sec. 1. [(1)] The Department of Consumer and Business Services may identify the resources necessary to develop a system or network that provides electronic access to building codes information and services for all building code jurisdictions in the state. The department may explore the availability of alternative means for establishing a statewide system or network for building codes information and services, including but not limited to developing resource sharing arrangements with private industry, obtaining foundation grants and obtaining federal funding.

[(2) *The department shall complete any identification and exploration work described in subsection (1) of this section and report on the results of any such work to the Seventy-third Legislative Assembly on or before January 31, 2005.*]

SECTION 4. Section 2, chapter 336, Oregon Laws 2003, is amended to read:

Sec. 2. [(1)] The Department of Consumer and Business Services, in cooperation with local jurisdictions, may develop and implement a [pilot] program that provides electronic access to building codes information [and services in Clackamas, Washington and Multnomah Counties]. The building codes information and services available through the [pilot] program may include, but need not be limited to:

[(a)] (1) Licensing, permit, inspection and other relevant information;

[(b)] (2) Provision for the electronic submission of permit applications;

[(c)] (3) The electronic issuance of minor label or other appropriate permits;

[(d)] (4) Access to other permit and inspection processes; and

[(e)] (5) Scheduling of inspections, tracking of corrections and granting of approvals.

[(2) *The department shall report to the Seventy-third Legislative Assembly on or before January 31, 2005, regarding any implementation and administration of a pilot program under this section.*]

SECTION 5. The Department of Consumer and Business Services shall report to the Seventy-fourth Legislative Assembly on or before January 31, 2007, regarding any implementation and administration of a program under section 2, chapter 336, Oregon Laws 2003.

SECTION 6. Section 4, chapter 336, Oregon Laws 2003, is repealed.

Passed by House March 28, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate April 27, 2005

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President of Senate

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State