

75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session
STAFF MEASURE SUMMARY
Senate Committee on Business and Transportation

MEASURE: SB 915 A
CARRIER: Sen. Morse

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: George, Schrader, Starr, Metsger

Nays: -

Exc.: Verger

Prepared By: Jim Stembridge, Administrator

Meeting Dates: 3/30, 4/20, 4/22

WHAT THE MEASURE DOES: Requires municipal building inspection penalties to be assessed as civil penalties. Requires that notice be provided to civil penalty recipient. Specifies content of notice. Limits amount of municipal civil penalty to no more than amount authorized in the state building code.

ISSUES DISCUSSED:

- Criminal vs. civil procedure in local building code enforcement
- Specifics of 1998 Corvallis enforcement case, including grading and landscaping aspects
- Legislative Counsel opinion
- Alleged violation of the Americans with Disabilities Act (ADA) resulting from action of city officials
- Local deviations from state building code
- Appeal process in the City of Portland
- Use of certificate of occupancy in enforcing building codes, land use, and other aspects of building permit agreements
- Local jurisdiction ability to enforce local building code; City of Portland procedures

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: The Building Codes Division (BCD) of the Department of Consumer and Business Services provides building code development, administration, inspection, plan review, and building permit services. The BCD conducts building construction inspections and enforcement where local entities do not. After a 2003 statute changes, BCD required all building code enforcement jurisdictions to use standard, statewide-approved citation forms and filing procedures when issuing citations for violations.

4/24/2009 2:07:00 PM

This summary has not been adopted or officially endorsed by action of the committee.

Committee Services Form – 2009 Regular Session