

HOUSE AMENDMENTS TO HOUSE BILL 2200

By COMMITTEE ON BUSINESS AND LABOR

April 2

- 1 On page 1 of the printed bill, line 2, after “ORS” insert “455.148, 455.150,”.
- 2 On page 5, line 22, delete “480.165” and insert “460.165”.
- 3 On page 9, after line 39, insert:
- 4 “(4)(a) Beverage service tanks that have a product volume of five cubic feet or less are exempt
- 5 from ORS 480.510 to 480.670.
- 6 “(b) Except as provided in paragraph (c) of this subsection, beverage service tanks that have a
- 7 product volume of more than five cubic feet are exempt from ORS 480.510 to 480.670, except as to
- 8 provisions relating to installation permits and installation inspections. The installation permit fee
- 9 for a beverage service tank is \$50.
- 10 “(c) All portable beverage tanks are exempt from ORS 480.510 to 480.670.”.
- 11 In line 40, delete “(4)” and insert “(5)”.
- 12 On page 10, line 1, delete “(5)” and insert “(6)”.
- 13 In line 20, delete “(4)” and insert “(5)”.
- 14 On page 12, delete lines 7 through 45.
- 15 On page 13, delete lines 1 through 8 and insert:
- 16 “**SECTION 17.** ORS 480.595 is amended to read:
- 17 “480.595. (1) The Department of Consumer and Business Services may adopt rules [*establishing*
- 18 *procedures and requirements regarding operating permits, including but not limited to the term for*
- 19 *which an operating permit is valid.*] **regarding installation permits and operating permits. The**
- 20 **rules may include, but need not be limited to, rules creating standardized forms, establishing**
- 21 **operating permit fees, establishing permit cycles and setting terms and conditions for permit**
- 22 **validity.**
- 23 “(2) **Upon timely receipt of an installation permit fee, the department may issue an in-**
- 24 **stallation permit, perform an installation inspection and issue a temporary operating au-**
- 25 **thorization.**
- 26 “[2] (3) Upon timely receipt of an operating permit fee, the department may issue or renew an
- 27 operating permit **and may perform a periodic inspection if required during the operating per-**
- 28 **mit cycle.**
- 29 “[3] *Operating permit fees shall be prescribed by the Board of Boiler Rules with approval of the*
- 30 *Oregon Department of Administrative Services, and may be prorated.*]
- 31 “(4) **Except as provided in ORS 480.525 and 480.600, installation permit fees are as follows:**
- 32 “(a) **For boilers, \$175.**
- 33 “(b) **For pressure vessels, \$125.**
- 34 “[4] (5) **Except as provided in ORS 480.600, maximum operating permit fees [*shall be deter-***
- 35 **mined] per year are as follows:**

| | | |
|----|---|--------------|
| 1 | (a) Boilers of 15 horsepower | |
| 2 | or less | \$ 65 |
| 3 | (b) Boilers greater than 15 | |
| 4 | horsepower to 100 horsepower | \$ 85 |
| 5 | (c) Boilers greater than 100 | |
| 6 | horsepower to 500 horsepower | \$100 |
| 7 | (d) Boilers greater | |
| 8 | than 500 horsepower | \$110 |
| 9 | (e) Cast iron boilers | \$ 65 |
| 10 | (f) Pressure vessels having | |
| 11 | a product volume of | |
| 12 | 20 cubic feet or less | \$ 55 |
| 13 | (g) Pressure vessels having | |
| 14 | a product volume | |
| 15 | greater than 20 cubic feet | \$ 75] |
| 16 | (a) Power boilers of 15 horsepower | |
| 17 | or less | \$110 |
| 18 | (b) Other boilers of 15 horsepower | |
| 19 | or less | \$ 55 |
| 20 | (c) Power boilers greater than 15 | |
| 21 | horsepower to 100 horsepower | \$110 |
| 22 | (d) Other boilers greater than 15 | |
| 23 | horsepower to 100 horsepower | \$ 55 |
| 24 | (e) Power boilers greater than 100 | |
| 25 | horsepower to 500 horsepower | \$110 |
| 26 | (f) Other boilers greater than 100 | |
| 27 | horsepower to 500 horsepower | \$ 55 |
| 28 | (g) Power boilers greater | |
| 29 | than 500 horsepower | \$110 |
| 30 | (h) Other boilers greater | |
| 31 | than 500 horsepower | \$ 55 |
| 32 | (i) Notwithstanding paragraphs | |
| 33 | (a) to (h) of this subsection, | |
| 34 | all cast iron boilers | \$ 55 |
| 35 | (j) Pressure vessels having | |
| 36 | a product volume of | |
| 37 | 20 cubic feet or less | \$ 50 |
| 38 | (k) Pressure vessels having | |
| 39 | a product volume | |
| 40 | greater than 20 cubic feet | \$ 50 |

41 “[(5) A reinspection fee shall be charged at the maximum rate of \$60 per hour for travel and in-
42 spection time to defray the cost of a reinspection when deviations from the minimum safety standards
43 are found during any inspection.]

44 “(6) For a reinspection, the fee is \$75.

45 “(7) For the submission of plans and other pertinent data when required, for each boiler

1 **or pressure vessel, the fee is \$78.”.**

2 On page 16, after line 1, insert:

3 **“SECTION 23.** ORS 455.148 is amended to read:

4 “455.148. (1)(a) A municipality that assumes the administration and enforcement of a building
5 inspection program shall administer and enforce the program for all of the following:

6 “(A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
7 this subsection.

8 “(B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and
9 446.230.

10 “(C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

11 “(D) Park and camp programs regulated under ORS 455.680.

12 “(E) Tourist facilities regulated under ORS 446.310 to 446.350.

13 “(F) Manufactured dwelling alterations regulated under ORS 446.155.

14 “(G) Manufactured structure accessory buildings and structures under ORS 446.253.

15 “(H) Boilers and pressure vessels described in rules adopted under ORS 480.525 [(4)] (5).

16 “(b) A building inspection program of a municipality may not include:

17 “(A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described
18 in rules adopted under ORS 480.525 [(4)] (5);

19 “(B) Elevator programs under ORS 460.005 to 460.175;

20 “(C) Amusement ride regulation under ORS 460.310 to 460.370;

21 “(D) Prefabricated structure regulation under ORS chapter 455;

22 “(E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
23 the administration and enforcement of federal manufactured dwelling construction and safety stan-
24 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
25 Standards Act of 1974;

26 “(F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
27 chapter 446, 447, 455, 479 or 693; or

28 “(G) Review of plans and specifications as provided in ORS 455.685.

29 “(2) A municipality that administers a building inspection program as allowed under this section
30 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
31 rules to adjust time periods for administration of a building inspection program to allow for vari-
32 ations in the needs of the department and participants.

33 “(3) When a municipality administers a building inspection program, the governing body of the
34 municipality shall, unless other means are already provided, appoint a person to administer and
35 enforce the building inspection program, who shall be known as the building official. A building of-
36 ficial shall, in the municipality for which appointed, attend to all aspects of code enforcement, in-
37 cluding the issuance of all building permits. Two or more municipalities may combine in the
38 appointment of a single building official for the purpose of administering a building inspection pro-
39 gram within their communities.

40 “(4)(a) By January 1 of the year preceding the expiration of the four-year period described in
41 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
42 Department of Consumer and Business Services and, if the municipality is not a county, notify the
43 county whether the municipality will continue to administer and enforce the building inspection
44 program after expiration of the four-year period.

45 “(b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the di-

1 rector and the municipality and, if the municipality is not a county, the county may by agreement
2 extend that date to no later than March 1.

3 “(5) If a city does not notify the director, or notifies the director that it will not administer the
4 building inspection program, the county or counties in which the city is located shall administer and
5 enforce the county program within the city in the same manner as the program is administered and
6 enforced outside the city, except as provided by subsection (6) of this section.

7 “(6) If a county does not notify the director, or notifies the director that it will not administer
8 and enforce a building inspection program, the director shall contract with a municipality or other
9 person or use such state employees or state agencies as are necessary to administer and enforce a
10 building inspection program, and permit or other fees arising therefrom shall be paid into the Con-
11 sumer and Business Services Fund created by ORS 705.145 and credited to the account responsible
12 for paying the expenses thereof. A state employee may not be displaced as a result of using contract
13 personnel.

14 “(7)(a) The governing body of a municipality may commence responsibility for the administration
15 and enforcement of a building inspection program beginning July 1 of any year by notifying the di-
16 rector no later than January 1 of the same year and obtaining the director’s approval of an as-
17 sumption plan as described in subsection (11)(c) of this section.

18 “(b) Notwithstanding paragraph (a) of this subsection, a municipality may not assume responsi-
19 bility for administering and enforcing a building inspection program within the municipality unless:

20 “(A) Prior to the assumption, the municipality is subject to ORS 455.150; or

21 “(B) Responsibility for the program is being assumed from the department.

22 “(8) The department shall adopt rules to require the governing body of each municipality as-
23 suming or continuing a building inspection program under this section to submit a written plan with
24 the notice required under subsection (4) or (7) of this section. If the department is the governing
25 body, the department shall have a plan on file. The plan must specify how cooperation with the State
26 Fire Marshal or a designee of the State Fire Marshal will be achieved and how a uniform fire code
27 will be considered in the review process of the design and construction phases of buildings or
28 structures.

29 “(9) A municipality that administers and enforces a building inspection program pursuant to this
30 section shall recognize and accept the performances of state building code activities by businesses
31 and persons authorized under ORS 455.457 to perform the activities as if the activities were per-
32 formed by the municipality. A municipality is not required to accept an inspection, a plan or a plan
33 review that does not meet the requirements of the state building code.

34 “(10) The department or a municipality that accepts an inspection or plan review as required
35 by this section by a person licensed under ORS 455.457 has no responsibility or liability for the ac-
36 tivities of the licensee.

37 “(11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
38 building inspection programs that municipalities assume on or after January 1, 2002. Regulation
39 under this subsection shall include but not be limited to:

40 “(a) Creating building inspection program application and amendment requirements and proce-
41 dures;

42 “(b) Granting or denying applications for building inspection program authority and amend-
43 ments;

44 “(c) Requiring a municipality assuming a building inspection program to submit with the notice
45 given under subsection (7) of this section an assumption plan that includes, at a minimum:

1 “(A) A description of the intended availability of program services, including proposed service
2 agreements for carrying out the program during at least the first two years;

3 “(B) Demonstration of the ability and intent to provide building inspection program services for
4 at least two years;

5 “(C) An estimate of proposed permit revenue and program operating expenses;

6 “(D) Proposed staffing levels; and

7 “(E) Proposed service levels;

8 “(d) Reviewing procedures and program operations of municipalities;

9 “(e) Creating standards for efficient, effective, timely and acceptable building inspection pro-
10 grams;

11 “(f) Creating standards for justifying increases in building inspection program fees adopted by
12 a municipality;

13 “(g) Creating standards for determining whether a county or department building inspection
14 program is economically impaired in its ability to reasonably continue providing the program
15 throughout a county, if another municipality is allowed to provide a building inspection program
16 within the same county; and

17 “(h) Enforcing the requirements of this section.

18 “(12) The department may assume administration of a building inspection program:

19 “(a) During the pendency of activities under ORS 455.770;

20 “(b) If a municipality abandons or is no longer able to administer the building inspection pro-
21 gram; and

22 “(c) If a municipality fails to substantially comply with any provision of this section or of ORS
23 455.465, 455.467 and 455.469.

24 “(13) A municipality that abandons or otherwise ceases to administer a building inspection pro-
25 gram that the municipality assumed under this section may not resume the administration or
26 enforcement of the program for at least two years. The municipality may resume the administration
27 and enforcement of the abandoned program only on July 1 of an odd-numbered year. Prior to re-
28 suming the administration and enforcement of the program, the municipality must follow the notifi-
29 cation procedure set forth in subsection (7) of this section.

30 “**SECTION 24.** ORS 455.148, as amended by section 5, chapter 549, Oregon Laws 2007, is
31 amended to read:

32 “455.148. (1)(a) A municipality that assumes the administration and enforcement of a building
33 inspection program shall administer and enforce the program for all of the following:

34 “(A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
35 this subsection.

36 “(B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and
37 446.230.

38 “(C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

39 “(D) Park and camp programs regulated under ORS 455.680.

40 “(E) Tourist facilities regulated under ORS 446.310 to 446.350.

41 “(F) Manufactured dwelling alterations regulated under ORS 446.155.

42 “(G) Manufactured structure accessory buildings and structures under ORS 446.253.

43 “(H) Boilers and pressure vessels described in rules adopted under ORS 480.525 [(4)] (5).

44 “(b) A building inspection program of a municipality may not include:

45 “(A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described

1 in rules adopted under ORS 480.525 [(4)] (5);

2 “(B) Elevator programs under ORS 460.005 to 460.175;

3 “(C) Amusement ride regulation under ORS 460.310 to 460.370;

4 “(D) Prefabricated structure regulation under ORS chapter 455;

5 “(E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
6 the administration and enforcement of federal manufactured dwelling construction and safety stan-
7 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
8 Standards Act of 1974;

9 “(F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
10 chapter 446, 447, 455, 479 or 693; or

11 “(G) Review of plans and specifications as provided in ORS 455.685.

12 “(2) A municipality that administers a building inspection program as allowed under this section
13 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
14 rules to adjust time periods for administration of a building inspection program to allow for vari-
15 ations in the needs of the department and participants.

16 “(3) When a municipality administers a building inspection program, the governing body of the
17 municipality shall, unless other means are already provided, appoint a person to administer and
18 enforce the building inspection program, who shall be known as the building official. A building of-
19 ficial shall, in the municipality for which appointed, attend to all aspects of code enforcement, in-
20 cluding the issuance of all building permits. Two or more municipalities may combine in the
21 appointment of a single building official for the purpose of administering a building inspection pro-
22 gram within their communities.

23 “(4)(a) By January 1 of the year preceding the expiration of the four-year period described in
24 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
25 Department of Consumer and Business Services and, if the municipality is not a county, notify the
26 county whether the municipality will continue to administer and enforce the building inspection
27 program after expiration of the four-year period.

28 “(b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the di-
29 rector and the municipality and, if the municipality is not a county, the county may by agreement
30 extend that date to no later than March 1.

31 “(5) If a city does not notify the director, or notifies the director that it will not administer the
32 building inspection program, the county or counties in which the city is located shall administer and
33 enforce the county program within the city in the same manner as the program is administered and
34 enforced outside the city, except as provided by subsection (6) of this section.

35 “(6) If a county does not notify the director, or notifies the director that it will not administer
36 and enforce a building inspection program, the director shall contract with a municipality or other
37 person or use such state employees or state agencies as are necessary to administer and enforce a
38 building inspection program, and permit or other fees arising therefrom shall be paid into the Con-
39 sumer and Business Services Fund created by ORS 705.145 and credited to the account responsible
40 for paying the expenses thereof. A state employee may not be displaced as a result of using contract
41 personnel.

42 “(7) The governing body of a municipality may commence responsibility for the administration
43 and enforcement of a building inspection program beginning July 1 of any year by notifying the di-
44 rector no later than January 1 of the same year and obtaining the director’s approval of an as-
45 sumption plan as described in subsection (11)(c) of this section.

1 “(8) The department shall adopt rules to require the governing body of each municipality as-
2 suming or continuing a building inspection program under this section to submit a written plan with
3 the notice required under subsection (4) or (7) of this section. If the department is the governing
4 body, the department shall have a plan on file. The plan must specify how cooperation with the State
5 Fire Marshal or a designee of the State Fire Marshal will be achieved and how a uniform fire code
6 will be considered in the review process of the design and construction phases of buildings or
7 structures.

8 “(9) A municipality that administers and enforces a building inspection program pursuant to this
9 section shall recognize and accept the performances of state building code activities by businesses
10 and persons authorized under ORS 455.457 to perform the activities as if the activities were per-
11 formed by the municipality. A municipality is not required to accept an inspection, a plan or a plan
12 review that does not meet the requirements of the state building code.

13 “(10) The department or a municipality that accepts an inspection or plan review as required
14 by this section by a person licensed under ORS 455.457 has no responsibility or liability for the ac-
15 tivities of the licensee.

16 “(11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
17 building inspection programs that municipalities assume on or after January 1, 2002. Regulation
18 under this subsection shall include but not be limited to:

19 “(a) Creating building inspection program application and amendment requirements and proce-
20 dures;

21 “(b) Granting or denying applications for building inspection program authority and amend-
22 ments;

23 “(c) Requiring a municipality assuming a building inspection program to submit with the notice
24 given under subsection (7) of this section an assumption plan that includes, at a minimum:

25 “(A) A description of the intended availability of program services, including proposed service
26 agreements for carrying out the program during at least the first two years;

27 “(B) Demonstration of the ability and intent to provide building inspection program services for
28 at least two years;

29 “(C) An estimate of proposed permit revenue and program operating expenses;

30 “(D) Proposed staffing levels; and

31 “(E) Proposed service levels;

32 “(d) Reviewing procedures and program operations of municipalities;

33 “(e) Creating standards for efficient, effective, timely and acceptable building inspection pro-
34 grams;

35 “(f) Creating standards for justifying increases in building inspection program fees adopted by
36 a municipality;

37 “(g) Creating standards for determining whether a county or department building inspection
38 program is economically impaired in its ability to reasonably continue providing the program
39 throughout a county, if another municipality is allowed to provide a building inspection program
40 within the same county; and

41 “(h) Enforcing the requirements of this section.

42 “(12) The department may assume administration of a building inspection program:

43 “(a) During the pendency of activities under ORS 455.770;

44 “(b) If a municipality abandons or is no longer able to administer the building inspection pro-
45 gram; and

1 “(c) If a municipality fails to substantially comply with any provision of this section or of ORS
2 455.465, 455.467 and 455.469.

3 “(13) A municipality that abandons or otherwise ceases to administer a building inspection pro-
4 gram that the municipality assumed under this section may not resume the administration or
5 enforcement of the program for at least two years. The municipality may resume the administration
6 and enforcement of the abandoned program only on July 1 of an odd-numbered year. Prior to re-
7 suming the administration and enforcement of the program, the municipality must follow the notifi-
8 cation procedure set forth in subsection (7) of this section.

9 “**SECTION 25.** ORS 455.150 is amended to read:

10 “455.150. (1) Except as provided in subsection (14) of this section, a municipality that assumes
11 the administration and enforcement of a building inspection program prior to January 1, 2002, may
12 administer and enforce all or part of a building inspection program. A building inspection program:

13 “(a) Is a program that includes the following:

14 “(A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
15 this subsection.

16 “(B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and
17 446.230.

18 “(C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

19 “(D) Park and camp programs regulated under ORS 455.680.

20 “(E) Tourist facilities regulated under ORS 446.310 to 446.350.

21 “(F) Manufactured dwelling alterations regulated under ORS 446.155.

22 “(G) Manufactured structure accessory buildings and structures under ORS 446.253.

23 “(H) Boilers and pressure vessels described in rules adopted under ORS 480.525 [(4)] (5).

24 “(b) Is not a program that includes:

25 “(A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described
26 in rules adopted under ORS 480.525 [(4)] (5);

27 “(B) Elevator programs under ORS 460.005 to 460.175;

28 “(C) Amusement ride regulation under ORS 460.310 to 460.370;

29 “(D) Prefabricated structure regulation under ORS chapter 455;

30 “(E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
31 the administration and enforcement of federal manufactured dwelling construction and safety stan-
32 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
33 Standards Act of 1974;

34 “(F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
35 chapter 446, 447, 455, 479 or 693; and

36 “(G) Review of plans and specifications as provided in ORS 455.685.

37 “(2) A municipality that administers a building inspection program as allowed under this section
38 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
39 rules to adjust time periods for administration of a building inspection program to allow for vari-
40 ations in the needs of the department and participants.

41 “(3) When a municipality administers a building inspection program, the governing body of the
42 municipality shall, unless other means are already provided, appoint a person to administer and
43 enforce the building inspection program or parts thereof, who shall be known as the building official.
44 A building official shall, in the municipality for which appointed, attend to all aspects of code
45 enforcement, including the issuance of all building permits. Two or more municipalities may combine

1 in the appointment of a single building official for the purpose of administering a building inspection
2 program within their communities.

3 “(4)(a) By January 1 of the year preceding the expiration of the four-year period described in
4 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
5 Department of Consumer and Business Services and, if not a county, notify the county whether the
6 municipality will continue to administer the building inspection program, or parts thereof, after ex-
7 piration of the four-year period. If parts of a building inspection program are to be administered and
8 enforced by a municipality, the parts shall correspond to a classification designated by the director
9 as reasonable divisions of work.

10 “(b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the di-
11 rector and the municipality and, if the municipality is not a county, the county may by agreement
12 extend that date to no later than March 1.

13 “(5) If a city does not notify the director, or notifies the director that it will not administer
14 certain specialty codes or parts thereof under the building inspection program, the county or coun-
15 ties in which the city is located shall administer and enforce those codes or parts thereof within the
16 city in the same manner as it administers and enforces them outside the city, except as provided
17 by subsection (6) of this section.

18 “(6) If a county does not notify the director, or notifies the director that it will not administer
19 and enforce certain specialty codes or parts thereof under the building inspection program, the di-
20 rector shall contract with a municipality or other person or use such state employees or state
21 agencies as are necessary to administer and enforce those codes or parts thereof, and permit or
22 other fees arising therefrom shall be paid into the Consumer and Business Services Fund created
23 by ORS 705.145 and credited to the account responsible for paying such expenses. A state employee
24 may not be displaced as a result of using contract personnel.

25 “(7) If a municipality administering a building inspection program under this section seeks to
26 administer additional parts of a program, the municipality must comply with ORS 455.148, including
27 the requirement that the municipality administer and enforce all aspects of the building inspection
28 program. Thereafter, the municipality is subject to ORS 455.148 and ceases to be subject to this
29 section.

30 “(8) The department shall adopt rules to require the governing body of each municipality to
31 submit a written plan with the notice required under subsection (4) of this section. If the department
32 is the governing body, the department shall have a plan on file. The plan shall specify how cooper-
33 ation with the State Fire Marshal or a designee of the State Fire Marshal will be achieved and how
34 a uniform fire code will be considered in the review process of the design and construction phases
35 of buildings or structures.

36 “(9) A municipality that administers a code for which persons or businesses are authorized un-
37 der ORS 455.457 to perform activities shall recognize and accept those activities as if performed by
38 the municipality. A municipality is not required to accept an inspection, a plan or a plan review that
39 does not meet the requirements of the state building code.

40 “(10) The department or a municipality that accepts an inspection or plan review as required
41 by this section by a person licensed under ORS 455.457 has no responsibility or liability for the ac-
42 tivities of the licensee.

43 “(11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
44 building inspection programs of municipalities assumed prior to January 1, 2002. Regulation under
45 this subsection shall include but not be limited to:

1 “(a) Creating building inspection program application and amendment requirements and proce-
2 dures;

3 “(b) Granting or denying applications for building inspection program authority and amend-
4 ments;

5 “(c) Reviewing procedures and program operations of municipalities;

6 “(d) Creating standards for efficient, effective, timely and acceptable building inspection pro-
7 grams;

8 “(e) Creating standards for justifying increases in building inspection program fees adopted by
9 a municipality;

10 “(f) Creating standards for determining whether a county or department building inspection
11 program is economically impaired in its ability to reasonably continue providing the program or part
12 of the program throughout a county, if another municipality is allowed to provide a building in-
13 spection program or part of a program within the same county; and

14 “(g) Enforcing the requirements of this section.

15 “(12) The department may assume administration of a building inspection program:

16 “(a) During the pendency of activities under ORS 455.770;

17 “(b) If a municipality abandons any part of the building inspection program or is no longer able
18 to administer the building inspection program; and

19 “(c) If a municipality fails to substantially comply with any provision of this section or of ORS
20 455.465, 455.467 and 455.469.

21 “(13) If a municipality abandons or otherwise ceases to administer all or part of a building in-
22 spection program described in this section, the municipality may not resume the administration and
23 enforcement of the abandoned program or part of a program for at least two years. The municipality
24 may resume the administration and enforcement of the abandoned program or part of a program only
25 on July 1 of an odd-numbered year. To resume the administration and enforcement of the abandoned
26 program or part of a program, the municipality must comply with ORS 455.148, including the re-
27 quirement that the municipality administer and enforce all aspects of the building inspection pro-
28 gram. Thereafter, the municipality is subject to ORS 455.148 and ceases to be subject to this
29 section.

30 “(14) A municipality that administers and enforces a building inspection program under this
31 section shall include in the program the inspection of boilers and pressure vessels described in
32 subsection (1)(a)(H) of this section.”.

33 In line 2, delete “23” and insert “26”.

34 In line 3, delete “24” and insert “27”.

35