



April 4, 2013

Senate Committee on Rural Communities &
Economic Development
Oregon State Capitol Building
900 Court St NE
Salem, Oregon 97301

RE: Opposition to SB 582(-1) – Relating to the State Building Code

Hon. Chair Roblan and Committee Members:

The City of Hillsboro strongly opposes the passage of SB 582 in its current form as it would create uncertainty and confusion for our City in delivering building safety services, would make it more difficult for Hillsboro to enforce the statewide building code, and would create delays and added expense for Hillsboro's customers. Additionally, it grants the State Building Codes Division a level of municipal oversight that it already possesses over Hillsboro's personnel and programs.

SB 582 would create a great deal of uncertainty for Hillsboro, because it gives contractors and developers the ability to, without cause, bypass the City's building safety program. With several million dollars of building department personnel and infrastructure needed to support Hillsboro's valuable customers, the result of this bill would be devastating to Hillsboro's ability to predict future workloads and retain the quality staff and services that are so critical to keeping our customers on-time and on-budget. Hillsboro would have a limited say, if at all, in when or how the State would agree to assume authority over any of the many projects being built in our city, with no opportunity for Hillsboro to predict this loss of revenue and loss of local control, and no opportunity to appeal the State's decision.

SB 582 will make it difficult for Hillsboro to enforce the statewide building code. Hillsboro's ability to enforce building safety, efficiency, and accessibility requirements is largely dependent upon the fact that Oregon has a uniform, statewide minimum building code for all new construction. SB 582 removes the valuable consistency provided by a single statewide set of expectations that apply to everyone, and communicates to stakeholders in the code development process that collaborative consensus decisions may be unilaterally overturned at any time by the Building Codes Director. Code officials already have clear authority to allow alternate methods and materials when it makes sense to do so – an option regularly used by Hillsboro – and customers already have multiple avenues to appeal local interpretations, making the authority granted to the State by this bill unnecessary and redundant.

SB 582 would create delays and added expense to the development process. The City of Hillsboro is able to attract and retain job-creating businesses to our city in part because the City provides streamlined and expedited development services to our customers. By giving customers the ability to self-select State building safety services, this bill would take away the ability for the City of Hillsboro to continue providing streamlined services for projects that greatly benefit from this local coordination. The result of sending building safety oversight to the State would ultimately be counter to the goals and objectives of this bill: projects would take much longer to be approved and would cost more to build.

SB 582 is redundant and overly burdensome in that it authorizes the State Building Codes Division a level of oversight that it already possesses. Hillsboro Building Department employees hold certifications and licensure that are subject to oversight by the State Building Codes Division, and Hillsboro assumed its local building safety program only after following the State's rigorous program assumption process and conforming to State rule and law in administering our local program. Should the State determine that Hillsboro's Building Department is not delivering the customer service and code flexibility that Hillsboro's customers expect and deserve, there are adequate mechanisms already in place to correct our course.

The City of Hillsboro would welcome the opportunity to engage in discussion about the expectations our customers and stakeholders have of our Building Department, and the consequences that should be imposed on Hillsboro and other municipal building programs for failure to deliver efficient and effective services at the municipal level. SB 582, however, is not the appropriate mechanism to resolve these concerns. For these reasons, the City of Hillsboro cannot support this bill.

Thank you for considering this testimony.

Respectfully submitted:

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