

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means
Vote:	5 - 0 - 0
Yeas:	Baertschiger, Burdick, Close, Prozanski, Roblan
Nays:	0
Exc.:	0
Prepared By:	Racquel Rancier, Administrator
Meeting Dates:	3/21, 4/4, 4/18

WHAT THE MEASURE DOES: Requires director of Department of Consumer Business Services (DCBS) to give special consideration to needs of rural and remote regions when adopting state building code. Clarifies that building official determines if structure meets building code standards regarding fire and life safety and shall consider advice provided by State Fire Marshall or fire official. Authorizes DCBS employee to provide plans and specifications for structures exempt from engineering and architect statutes and metal or wood frame Use and Occupancy Classification Group U structures. Authorizes building official or inspector to provide plans and specifications for exempt structures. Allows DCBS, at request of affected municipalities, to enter into agreement, combine resources, and share fee revenue with local government for DCBS to assist local government to administer and enforce all or part of building inspection program for specified period or project. Authorizes Director to take action necessary to ensure efficient and responsive state building code system, including utilizing and hiring municipal or DCBS personnel and expending resources for purposes of carrying out administrative and enforcement duties according to agreement. Provides for use of moneys from surcharges to pay costs of administration or enforcement as provided by agreement. Allows DCBS to charge fee adopted by municipality when DCBS assumes administration and enforcement of a building inspection program surrendered or abandoned by municipality. Requires DCBS to consult with advisory boards at least annually and report annually to Legislative Assembly regarding DCBS activities and any projected need for increased resources. Allows applicant to appeal in writing to DCBS and then to appeal for judicial review, matters regarding administration and enforcement of state building code (ORS Chapter 455) and not included in existing appeals process for comprehensive municipal and selective building inspection programs (ORS 455.148 and 455.150) and building plan reviews (ORS 455.467). Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Application of urban building codes in rural areas and need for different codes
- Decision-making regarding conditions necessary for firefighters to access property and water supply
- Challenges to provide services in rural and remote parts of the state
- Partnership agreements as a means to combine and leverage resources
- Requirements for professional engineers to stamp and sign documents to help protect public safety
- Role of state and local building code programs

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: The Building Codes Division (BCD) of DCBS is responsible for developing and enforcing uniform standards for building safety throughout Oregon. With the advice of seven statutory boards, BCD adopts building codes that are used by cities and counties across the state. In addition, the BCD provides inspection, plan review, licensing, and permit services to the construction industry. Staff are located in five regions around the state and assist local governments with other services such as e-permitting, best practices, and dispute resolution. When a local provider chooses or is unable to execute plan review or permit services, the BCD provides these services.

Senate Bill 582 A contains several semi-independent provisions: (1) clarifies decision-making between fire and building officials; (2) authorizes specified building officials to provide plans and specifications for certain structures; (3) allows and establishes processes for DCBS to enter into agreements with local government to assist with building inspection program; (4) authorizes DCBS to charge fees when assuming administration of abandoned or surrendered building inspection program; and (5) allows person to appeal parts of administration and enforcement of state building code (ORS Chapter 455) not currently appealable to DCBS.