

City of Happy Valley

Building Inspection Program

Operating Plan

City of Happy Valley Building Division Operating Plan

Introduction

OAR-918-020-0080 Delegation of Building Inspection Programs

The state Building Codes Division and every municipality that administers and enforces a building inspection program or desires to assume responsibilities to administer and enforce a building inspection program shall prepare an operating plan that describes the manner in which the municipality or the division will do so. The operating plan shall establish specific goals, consistent with the program standards described in OAR-918-0200-0090.

This operating plan is on file with the state of Oregon Building Codes Division and is available through the City of Happy Valley Building Division upon request. It is also available at www.happyvalleyor.gov

This revised Operating plan is dated 01/19/2022. The previous update was 10/16/2012.

This plan reflects the standards, policies, procedures and services administered and offered through the City of Happy Valley Building Division. The plan will be updated as necessary to reflect service changes.

Any questions relating to this plan should be directed to:

Mark Ennis, Building Official
marke@happyvalleyor.gov
16000 SE Misty Drive
Happy Valley, Or 97086
(503) 783-3800

CITY OF HAPPY VALLEY BUILDING DIVISION
INSPECTION/PLAN REVIEW OPERATING PLAN

ADMINISTRATIVE STANDARDS

- **Operational Plan**

As required by OAR 918-020-0090, the following is the City of Happy Valley Building Inspection Operating Plan. Copies of the Divisions operational plan are available to the public by calling (503) 783-3800, or coming to our customer service counter located in Happy Valley City Hall at 16000 SE Misty Drive, Happy Valley OR. 97086 or at www.happyvalleyor.gov

- **Revenues and Expenditures**

The Building Division operates within the City's General Fund. It is a division within the Economic and Community Development Department. Building Division revenues including all plan review and permit revenues are accounted for in the General Fund as separate line items. Building Division personnel and expenditures are accounted for within the Economic and Community Development Department within the General Fund. To determine the total Building Division expenditures, an amount of calculated overhead is added to the Division's expenditures in the City's accounting software system. The total amount of expenditures is netted against the associated Building Division revenues to determine the balance for the division. The City's policy is to dedicate the resources necessary for administration and enforcement of a building inspection program regardless of the Building Division balance.

- **Fees**

The Building Division charges building permit fees for construction, reconstruction, alteration, and/or repair of prefabricated structures and of other buildings and/or structures. The fees are based on the valuation published by the International Code Council (ICC) Building Valuation Data Table, or as set by the applicant, whichever is higher. The valuation is then used in the fee schedule adopted by the City of Happy Valley

Fees charged for plumbing, mechanical installations, or manufactured homes shall be equal to the fee schedules adopted by the City of Happy Valley (Ordinance 15.04.110) and updated per resolution # 96-05. The minimum fee for plumbing and mechanical permits is \$95.00. The minimum fee for structural permits is \$95.00. There are no plan review or additional administrative fees charged for residential plumbing or mechanical permits. There is a 12% surcharge to the State of Oregon for all permits.

Fees collected by the Oregon Building Codes Division in connection with the administration and enforcement of building inspection programs shall be used for the administration and enforcement of those programs, as distributed through the General Fund. Fees shall not exceed that which is reasonable and necessary to carry out the effective administration and enforcement of the respective inspection programs.

- **Retention and Retrieval of Records**

The Happy Valley Building Codes Division will maintain plans, plan review notices and inspection records in the State's ePermitting system and Laserfiche. All permits are submitted and processed through the State of Oregon ePermitting system. Information for a permit can be obtained by visiting BuildingPermits.Oregon.gov, or by calling (503) 783-3800.

Approved plans, plan review notices, and permit files with final inspections are retained as follows:

One and Two Family Dwellings:

- (1) Permit application—life of structure
- (2) Building engineering—2 years after Certificate of Occupancy
- (3) Final inspection—life of structure
- (4) Site plan—life of structure
- (5) Plans—2 years after Certificate of Occupancy

Public owned:

- (1) All information—Life of structure

All others:

- (1) Permit application—life of structure
- (2) Building engineering—life of structure
- (3) Plans—10 years past completion

Copies of files for closed permits are generally available within five working days from receipt of written request and payment of nominal fee.

- **Equipment**

Inspectors will be supplied with equipment reasonably necessary to administer and enforce the state specialty codes in an efficient, effective and timely manner. Such equipment shall include, but not be limited to, vehicles, personal protection equipment, office space and equipment, desktop computers, iPads, cellular phones, code books, inspection report forms, business cards, and other material required to carry out their inspection responsibilities.

- **Public Inquiries, Comments and Complaints**

Public inquiries, comments and complaints are handled by phone or e-mail between the hours of 8:00 am and 4:00 pm, Monday through Friday. Voice messages will be returned usually no later than the next working day. Inquiries, comments and complaints will be referred to the appropriate staff member for review and resolution.

- Jurisdictional boundaries

Maps can be found at www.happyvalleyor.gov and at the City Hall located at 16000 SE Misty Drive Happy Valley, OR 97086

GENERAL

Staff Authority and Responsibilities

- **Building Official**

The Building Official has authority to administer and enforce the Oregon Specialty Codes per Happy Valley City Municipal Code 15.04.070. This authority grants the Building Official with the power to appoint deputies, as required, to assist in the enforcement of the code. The Building Official has specific authority to issue stop work orders per City Municipal Code 15.04.070. The city has adopted the Oregon Specialty Codes per City Municipal Code 12.08.010. Building Official is required to possess certifications as per OAR 918-098-1010

- **Plans Examiners**

As per OAR 918-098-1010, Plans Examiners review plans for compliance with the City of Happy Valley Building Ordinance and State Specialty Codes at the level for which the Plans Examiner is certified by the State of Oregon or the International Code Council.

- **Inspectors**

As per OAR 918-098-1010, Inspectors conduct inspections of work covered by the specialty code and the level certified by the State of Oregon or the International Code Council.

- **Permit Technicians**

Permit technicians take in permit applications, answer phone inquiries on procedures; notifies applicants when permits are available for issuance. Permit technicians issue permits, produce monthly, quarterly and annual reports, maintain permit records and administer building division computer system.

- **Building Division Staff**

A roster of the plan review and inspection staff, including certifications and continuing education records, is available upon request to any interested party.

- **Local Appeals Process**

Any appeal of a Plans Examiners decision is reviewed by the Building Official. The appeal may be verbal or in writing. There is no cost for this initial appeal. A decision is generally rendered within 24 hours of request.

Any appeal of an inspector decision is reviewed by the Building Official. The appeal may be verbal or in writing. There is no cost for the initial appeal. A decision is generally rendered within 24 hours of the request.

As per ORS 455.475 and the City of Happy Valley Ordinance 153, any person aggrieved by the final decision of the Building Official may, within 30 days after the date of the decision, appeal to the appropriate State Advisory Board.

As per ORS 455.690, any person aggrieved by the final decision of the Building Official may appeal to the appropriate Specialty Code Chief Inspector. The Plans Examiner may be the designee in the absence of the Building Official. Upon a written decision by the Building Official to the aggrieved person, information for alternate appeals procedure (OAR 918-001-0130) will be included with the decision.

- **Type of Permits Sold and Hours of Operation**

The City of Happy Valley Building Division reviews residential, commercial and industrial plans and issues structural, mechanical, plumbing, manufactured dwellings, grading/fill and demolition permits between 8:00 am 4:00pm, Monday - Friday (excluding holidays).

For questions regarding Plan review, call (503) 783-3800, email to billh@happyvalleyor.gov

- **Permitting Standards**

Building permits may be purchased through the State ePermitting system or at City Hall located at 16000 SE Misty Drive, Happy Valley OR, 97086.

An applicant shall use the City of Happy Valley permit application forms when applying for permits. When an applicant applies to build a single-family dwelling, the applicant is provided with a checklist for information that is needed to determine if the complete application has been submitted. The applicant will be notified within three (3) working days, whether the application is complete and whether or not the submitted single-family dwelling is simple or complex and what time frame the applicant can reasonably expect the structural plan review to be completed in. If information is missing, the plan review may be delayed until the information has been provided, then the process starts over.

If the application is complete and considered simple, the plans examiner will determine whether or not the structural plan review process can be completed within ten (10) working days from the time the complete application was submitted. If the plan review process cannot be completed within 10 days, the applicant will be given the names of three “registered” companies, which are approved by this jurisdiction to provide plan reviews. An administrative fee of 10% of the normal plan review fee (\$95.00 minimum) shall be assessed for processing plans approved by

“registered” companies. Complete dwelling applications not deemed “simple” shall be considered “complex” and will be completed within 2-4 weeks, depending on the complexity of the dwelling.

Residential building permits which have other permits (plumbing, mechanical, etc.) associated with the building permit will not be issued until all related permit applications have been completed and fees have been paid.

Complete commercial applications will generally be reviewed within 2-4 weeks, depending on the complexity of the project and the completeness of the plans.

All permit applications must include proof of licensing and registration with the State of Oregon Construction Contractors Board, or the reason for exemption from licensing requirements.

Permit Applications Not Requiring a Plan Review

Permit applications not requiring a plan review will be reviewed by staff immediately upon receipt. If additional information is required, the applicant will be advised of exactly what is needed to complete the application. If the application is deemed complete, the requested permit will be issued immediately upon payment of fees. Applicants who upload complete permit applications through the State's ePermitting system will generally be issued within 24 hours.

When permit applications are found to be incomplete, staff will email the contact or applicant within 24 hours and advise them of what is needed to complete the permit application.

Permit Applications Requiring Plan Review

If plans are required, applications will not be processed until the plans are uploaded into the ePermitting system. Plans received are generally reviewed within three working days by support staff to verify that appropriate information and materials are included. Once accepted, tasks are assigned to the Plans Examiner, Building Official, and the Planning Division.

Minor Plumbing Labels

Minor labels are available online through the Building Codes Division in lots of 10.

The permit specialist will process random inspections requested from the Building Codes Division. A minimum of three attempts to schedule an inspection with the homeowner will be made. If unsuccessful, the permit specialist will contact the service center and they will choose another site from the same lot of ten. If successful, an inspection shall be performed and if the inspection is approved, the service center will be notified and payment of \$75.00 per inspection will be paid quarterly. If the inspection fails, the service center and the contractor will be notified. A re-inspection fee will be required from the contractor.

Highly Expansive Soil

In compliance of ORS 455.440, when a site soil analysis is required as a condition of approval for issuance of building permits and the analysis reveals highly expansive soil the following shall occur:

- 1) A copy of the analysis shall be provided to the Building Division for the construction file.
- 2) It shall be recorded in the County Clerk Lien Records office in the county in which the property is located.
- 3) A notice containing (A) The legal description of the property and (B) An informational statement in substantiate the following form: “This property has been identified as having highly expansive soils. This condition may create special maintenance requirements. Before signing or accepting any instrument transferring title, persons acquiring title should check with the appropriate planning or building department”

Plan Review Process

The Building Division Plans Examiners review structural, fire and life safety, energy, mechanical, and plumbing plans to ensure compliance with applicable codes. Our support staff use checklists for commercial, industrial, multifamily and one-and-two-family dwelling, to ensure the customer has submitted all necessary information.

The Building Division employs a Building Official and certified Plans Examiners to provide consultation and advice on plan reviews.

○ Plans Complete, but Not In Compliance

When a plan has the required information, but is found to be in non-compliance with applicable codes, a plan review notice is emailed to the applicant. The plan review notice identifies the areas of non-compliance with a request for corrections and additional information. The plan is placed “on hold” until corrections are uploaded.

○ Plans Complete and In Compliance

When a plan is deemed complete and is in compliance with applicable codes, it will be stamped “reviewed” by the plans examiner of record and a permit will be processed for the applicant. Plan review and approval for complex residential, light commercial and heavy commercial projects can take from 2-4 weeks once all necessary information is received. All plans are approved prior to issuing permits.

When an applicant submits a State Approved “Master Plan” or a plan exempt from plan review under OAR 918-020-0090, the plans examiner will review the plan for conformance with submission requirements and the permit specialist will enter the information into the permitting software and route the plans to other departments for review. A fee will be charged consisting of one hour for the plans examiner and one hour for the permit specialist based on the fee schedule in effect at time of submission.

Partial permits may be issued when approved by the Building Official.

A plan examiner is generally available from 8:00 am to 4:00 pm, Monday through Friday (Excluding Holidays) to answer questions. Appointments are necessary for all preliminary consultations with plans examiners.

- **Inspection Services**

Inspectors cover field inspections Monday-Friday (Excluding Holidays) from 8:30am to 4:00 pm.

- **Expired Permits**

When a permit is issued, the applicant is notified that abandonment of the project for a period of 180 days will constitute an expiration of the permit. “Active” is entered in the permitting program and the date of issuance is recorded. When inspections are performed, the date of the last inspection is entered in the program. When no more inspections are required, “Final” is entered. A search will be completed once a month for all “Active” permits. If an inspection has not been recorded within the last 150 days, the department contacts the permit holder by phone or mail and notifies them that the permit will expire within the next 30 days and notifies them of the process to final out or extend their permit.

- **Inspection Process**

Persons with valid approved permits may request inspections by:

Online: www.happyvalleyor.gov; <https://aca-oregon.accela.com/oregon/Default.aspx>

Inspections requests must be received before 6:00 am, to have same day inspection.

Inspection requests shall include:

Type of inspection, permit number, job address, contractor, cell phone number, AM/PM

Lock box and access codes if applicable. (Inspectors will not enter an occupied home without someone at least eighteen years of age to accompany them.)

Upon arriving at a job site, an inspector will verify that an address has been posted. If the address is not posted, the inspection may not take place.

After completing the required inspection, the inspector will prepare a written report, which describes all items that require correction in accordance with the applicable specialty code, citing the appropriate code section. A copy of the inspectors report will be online and also emailed to the contractor. If the inspector finds that all minimum code requirements have been met, the inspector will indicate his or her approval on the inspection report. Inspectors will perform license enforcement inspections as part of routine installation inspections.

- **Electrical Program**

When changes are made to the City of Happy Valley's Electrical Operating Plan administered by Clackamas County is updated as required by OAR 918-308-0190. A copy is on file at the Building Codes Division, located at 1535 Edgewater NW, Salem, OR 97310 and is available to any interested party during regular business hours

- **Stop Work Orders**

Section 15.04.070 (D) of the City of Happy Valley ordinance states as follows:

Whenever any work is being done contrary to the provisions of this chapter (or other pertinent laws or ordinances implemented through its enforcement), the building official may order work stopped by notice in writing served on any person(s) engaged in the doing or causing of such work to be done. Such person(s) shall stop such work until specifically authorized by the building official to proceed thereafter.

The authority to issue stop work orders is delegated to the inspection staff; however, Building Division policy requires that the inspector contact the Building Official to discuss the decision prior to issuance of the stop work order.

COMPLIANCE PROGRAMS

- **Process for Response to Reported Code Violations**

Reports of work being performed without a permit are in violation of the City of Happy Valley Ordinance 15.04.140 and/or in violation of ORS 479.550, 479.620, 447.040, 693.030, 693.040. All reports are entered into the divisions file and are investigated by the inspection staff.

All inspectors conduct random spot checks to verify compliance with plumbing and electrical licensing and registration requirements. In cases of a violation, the inspector is provided the discretion to stop the work and (a) issue a warning, (b) issue a notice of proposed assessment of civil penalty, (c) discuss alternative options, such as Municipal court, or (d) file a State Compliance Report with the Building Official.

Complaints received by the Building Division, related to alleged violations of plumbing or electrical licensing, or registration requirements, are investigated by the appropriate inspector and filed with the State Compliance Section.

- **Investigation of Reported Violations**

Reports as described above are investigated to determine whether or not the violation exists. If no violation exists, the case is closed. If a violation exists, there are several possible actions that may be taken by the Building Division, including, but not limited to, stop work orders, assessment of investigation fees, citation into Municipal Court, and referral to the Building Codes Division Compliance Section through the process identified in ORS and OAR. In any case, the person making the report is informed of the outcome.

Notices of Proposed Civil Penalties

As per ORS 455.156, the Building Division acts as an agent of the respective State Boards in the issuance of proposed assessment of civil penalties. City of Happy Valley Ordinance 15.04.130 also provides for penalties of violation.