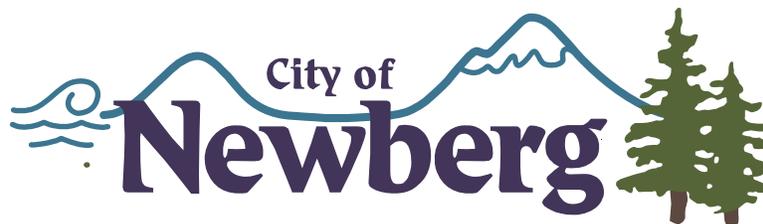


OPERATING PLAN

City of Newberg Building Division

414 E. First Street
P.O. Box 970
Newberg, Oregon 97132
www.newbergoregon.gov



Contact Person: Brooks Bateman, Building Official
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ADMINISTRATIVE STANDARDS

a. Funds

The City of Newberg Building Division is a Division of the City of Newberg Planning and Building Department. The Division is a fee supported enterprise fund. Fees collected are used to fund the Division's Operation in conformance to ORS 455.210.3(c).

Monies collected are accounted for separately by function and expenditure and are listed as separate line items.

Any fee changes to add new or change existing fees will be processed in compliance with OAR 918-020-0220.

b. Retention & Reference Of Records

All records required by the State Archivist will be maintained through "hard copies". In addition, some commercial and industrial plans have been placed on microfilm. Some residential, commercial, and industrial permits have been placed on microfilm. All residential plans will be placed in storage. All microfilm items are available to view through a pdf file placed on the server. The City no longer microfilms plans or permits due to funding.

c. Equipment

Staff is supplied with the equipment reasonably necessary to administer and enforce the state specialty codes and our other functions in an efficient, effective, timely and acceptable manner. Such equipment may include, but is not limited to, vehicles, computers, copiers, cellular telephones, code books, forms, business cards, identification and other resources necessary to carry out their individual functions.

d. Authority and Responsibilities of the Building Official, Plan Reviewers and Inspectors

Building Official: In the City of Newberg, the Building Official is also the administrator of the Building Division. Present staff consists of 2.75 employees. In addition to enforcing and administrating the state specialty codes, the Building Official is also responsible for other City ordinances. In particular, the Building Official is responsible for administration of Chapter 14 of the City Code of Ordinances. It sets forth those administrative provisions that are at the discretion of the City. Individual specialty codes may have additional provisions not addressed by the City Code. The Building Official provides interpretations of the Oregon Structural Specialty Code in conformance with the intent and purpose of the code and adopts and enforces rules and supplement regulations to clarify the application of its provisions. The Building Official is also responsible for hiring, discipline, budget, administration, personnel development, public relations, etc.

Plans Examiners: Plans Examiners' examine construction plans, blueprints, architectural drawings, designs and other documents for compliance with codes for commercial and industrial structures, one and two family dwellings, mechanical, plumbing, energy and fire protection. Plans Examiners provide code interpretation guidance and council on technical issues and technology and advice and problem-solving assistance to division staff, the public, architects, engineers and designers. Plans Examiners may also perform structural, mechanical and plumbing inspections as certified and needed.

Structural/Mechanical Inspectors: Structural and Mechanical Inspectors enforce the State of Oregon Structural and Mechanical Codes through plan reviews and inspections on structures of all levels of complexity, and may perform plumbing inspections as needed and certified.

Plumbing Inspectors: Plumbing Inspectors enforce the State of Oregon Plumbing Code through plan reviews and inspections on structures of all levels of complexity and may perform structural and mechanical inspections as needed and certified.

Electrical Inspectors: Yamhill County Electrical Inspectors enforce the State of Oregon Electrical Code through inspections of all types of structures. See Yamhill County's Electrical Plan on file with Building Codes Division.

Detailed position descriptions for all employees are on file with the City of Newberg Personnel Division.

e. Appeals Process to the Building Official

When there is an appeal of a staff interpretation of code during plan review or inspection, the following process is followed:

Plan Review Appeal: In an informal appeal of a plans examiner's decision, the appeal is forwarded to the Building Official. After consultation with the appellant and the appropriate technical staff, the Building Official reviews the request and may respond either verbally or in writing depending on the request of the appellant.

Inspection Appeal: In an informal appeal of an inspector's interpretation of code, the following process is used:

In the structural and mechanical code section, the appeal is forwarded to the Plans Examiner who reviewed the structure or system. The plans examiner may make a decision on the matter and respond either verbally or in writing depending on the request of the appellant.

In the plumbing code section, the appeal is forwarded to the Chief Plumbing Inspector for review. The Chief Plumbing Inspector may make a decision on the matter and respond either verbally or in writing depending on the request of the appellant.

Building Official Appeal: In the structural, mechanical, and plumbing code sections, the appeal may be further appealed to the Building Official for a decision. After consultation with the appellant and the appropriate technical staff, the Building Official reviews the request and may respond either verbally or in writing depending on the request of the appellant. If the appeal is clearly an interpretation, the matter may be appealed to the State of Oregon Building Codes.

State of Oregon Appeals: Following a decision by the Building Official, the appellant may further appeal to the State of Oregon Building Codes. The applicant is advised of the procedures contained in the follow:

- OAR 918-001-0130 – Alternative appeal procedures;
- ORS 455.060 – Rulings on acceptability of material, design or method of construction, effect of approval; and
- ORS 455.475 – Appeal of decision of Building Official.

f. Receipts Collected in the Administration and Enforcement of Building Inspection Programs

Expenditures: The City of Newberg’s Building Codes Division, in conformance with City budget policy, has one combined budget. The Division accounts separately for expenses for each function in the budget, including expenditure charges for City administrative overhead and for internal Department overhead charges.

Revenue: The Division (as mentioned earlier) is totally fee dependant for its operation. All revenue in excess of operational expenses is maintained by the Division in a Fund Balance Account. Unless otherwise mandated by the City Council, this account is to be kept at a maximum of two year’s operating expenses. The Division tracks revenue by individual function. For management purposes the Building Official keeps both monthly and yearly track of expenses and revenue for each functional area of the Division. This is a budgetary requirement of the City.

g. Availability of Operating Plan

A copy of the Operating Plan will be on file with the City of Newberg’s Planning & Building Department. It may be reviewed upon request. The address is 414 East First Street, PO Box 970, Newberg, OR 97132. The Operating Plan will also be available on the Internet at the City of Newberg web site www.newbergoregon.gov.

h. Hours of Operation for Public Inquiries, Comments, Complaints, Customer Questions, Obtaining Permits, Issuance of Permits and Inspection Requests

The Building Division is open to the public Monday through Friday, excluding holidays, from 8:30 a.m. to 4:30 p.m. exception Wednesday from 8:30a.m. to 6:00p.m. Staff is also available by telephone, in person, by electronic mail, mail, and fax between these hours. The phone number is 503 537-1240. We also have fax machines operating 24 hours a day, seven

days a week. The primary fax number is 503 537-1272. The inspection request fax number is 503 554-7714. The address is City of Newberg, 414 East First Street, PO Box 970, Newberg, OR 97132

i. Identification of Persons Requiring These Rules

The Division does not maintain any list to which notices should be sent regarding these rules.

PERMITTING STANDARDS

a. Policies and Procedures for Receiving Permit Applications

Prior to plan submittal, the applicant may be asked to obtain the approval of a number of in-house Divisions or Departments. The City will follow the procedures and plan review checklists developed by the City of Newberg Building Division.

Building, Mechanical, Plumbing, Manufactured Building, and Minor Label Permits:

Building permits may be taken in over the counter, by mail, electronic mail, and fax. Plan submittal requirements are available by fax, phone, mail, electronic mail, the City's website or in person at the counter. Prior to issuance of the permits the Building Division verifies contractor licenses and registration. Minor labels are received by electronic mail only.

It is necessary, for staff, to review the permit application before it is accepted for processing. Applicants of incomplete permits are notified of any problems. If the plans are complete and free of obvious error, the customer is referred to the permits counter for final submittal. Being deemed complete at the front counter does not mean the information submitted is correct. When the plan examiner begins reviewing the plan and finds incorrect or incomplete information, such as engineering calculations, the applicant will be notified of the need for additional or corrected information.

Electrical Permits: Only permits with correct validated information are issued by the Building Division via Yamhill County for projects within the Newberg City limits. Yamhill County provides Electrical Inspection Services for The City of Newberg.

b. Third Party Plan Review Services

City of Newberg, when necessary, will solicit parties to provide third-party plan review services. Both the solicitation and all contracts will be reviewed and approved by the City of Newberg Attorney to assure compliance with applicable laws. Applicants must have the appropriate license. Three contractors will be chosen from those applying, based on their proposed efficiency of service, convenience to our customers, and performance record with this office. Once the contractors have been chosen, we will post a notice on the City web site and at our front counter. We will also notify the Homebuilder's Association of Metropolitan Portland and other interested parties in writing.

Master Plan Program: The City of Newberg has in place a “Master Plan” program. The policy & procedures for master plans are:

1. A master plan original is an approved single family residential building plan intended to be used repeatedly without any changes. Single family residential buildings may be detached townhouses, condominiums or row houses.
2. The applicant is responsible for keeping the master plan. Master plan approval cannot be transferred to a different contractor/owner. Absolutely no changes may be made to plans submitted under the master plan concept (i.e., an added area, roof changes, room layout, changes from cut to truss roof, use of wood I systems in place of girder and joists, etc.)
3. Approval of the master plan shall be limited to the code cycle under which the original was reviewed. Each time a code change occurs master plans must be resubmitted for review and approval with full fees charged. Any plan not repeated in a 180 day period will also require review and approval with full fees charged.
4. The original master plans must contain the City of Newberg’s stamps, the permit number and be signed and dated by the original plans examiner. Applicant must submit copies of the original approved master plan with each new application. The plans must contain all red line markings made on the original master plan. Applicant may submit plans which have been corrected to match the original master plan. If applicant cannot submit copies of the master plan original, a new plan review with full fees will be required.
5. All standard application materials for a single family home, i.e., plot plans, two sets of plans, etc., must be submitted. Submittals must also include engineers’ wet stamp and architects approval for reuse of plans.
6. Ground slope shall not exceed 1:10. Foundation/footing plans shall not allow for a slope on the bottom of the footing which exceeds 1:10 in any direction. Lots which exceed this ratio will require complete plan review.
7. The new plans will be compared to the previously approved master plan original. If differences between the master plan and the new plan are found, the applicant will be notified and the new plans will default to the standard plan review procedure.
8. The master plan applications will be taken out of order from the standard plan review procedure for quicker processing, however, all other departments MUST approve prior to permit issuance.
9. A plan check fee for each subsequent use of the master plan shall be 50% of the standard plan review fee.

10. The permit fee is based on current valuation tables.

City of Newberg will comply with legislation developed in the 2003 and 2005 Legislature pertaining to operational management. In particular, SB711 allows conventional light frame construction to be exempt from plan review under certain conditions, but also HB 3092 that will exempt all but complex structures from plumbing and plan review. SB714 allows alternative construction techniques to be approved by the Department of Consumer & Business Services. The bill requires that each municipality enforcing building code regulations accept such techniques. SB715 establishes a Rapid Approval Assessment Team whose function is to determine whether a local jurisdiction can successfully expedite plan review and construction inspection of projects deemed to be of economic significance to the State of Oregon. In this case, City of Newberg stands ready to successfully manage large projects through the use of its own staff, which represent a broad spectrum of construction experience and code knowledge. It is not likely, however, that outside assistance will be needed for construction projects within our boundaries. The City will also comply with the regulations developed under SB906 and other issues.

Other Programs: There is no master permit program available at this time, and there has been no request to develop such a program. The City of Newberg provides plan review and inspection services for the cities of Dayton, Dundee, and Lafayette. See the applicable jurisdiction's operating plan for more information.

c. Time Periods for Advising Applicants on the Status of their Permits

At the time of application, the applicant is advised concerning the time frame involved for issuing the permit. Applicants may call the Building Division to verify permit status.

Permits that require plan review are generally reviewed for completeness at time of submittal. Applicants are notified of problems. See sections above on structural, mechanical, plumbing, manufactured buildings and electrical.

d. Goals for Reviewing Complete Permits

Building Permits: Planning and engineering approval may be required.

- Ten business days - new simple single family residences,
- Four to six weeks - other new single family residences,
- Ten business days depending on complexity - residential remodels and additions,
- Six weeks - new commercial projects and larger commercial remodels, and
- Ten to fourteen business days depending on size and complexity small or simple commercial remodels, tenant improvements.

Mechanical Permits: We issue minor mechanical permits over-the-counter or via the State of Oregon E-Permit and minor label programs.

- One to fourteen business days - new commercial permits, depending on complexity,

and

- Exceptions to that goal will have to be made where the building plan and the mechanical plan must match and be reviewed simultaneously.

Plumbing Permits: We issue minor plumbing permits over-the-counter or via the State of Oregon E-Permit and minor label programs.

- Ten to fourteen business days – major proposals,
- One to two weeks - small commercial or tenant improvement (as dictated by HB 3092), and
- Exceptions to that goal will have to be made where the building plan and the plumbing plan must match and be reviewed simultaneously.

Manufactured Buildings: Planning and Engineering Division approvals may be required.

- Ten to fourteen business days – new residential manufactured homes in a manufactured park, and
- Four to six weeks – new manufactured homes on a lot and commercial buildings.

Electrical Permits: Permits that require no plan review are issued over-the-counter via Yamhill County.

- When plan review is required, that review will be done by Yamhill County.
- Permits for new single family residences or residential remodels are issued at the same time the building permit is issued.

PLAN REVIEW STANDARDS

a. Purpose

Plan review is provided on a number of residential and commercial projects. For commercial projects in particular, our plan review processes have been established for the following reasons:

- Initial screening at the front counter has been shown to eliminate unnecessary delays later in plan review processes, thereby decreasing time and frustration to all involved.
- Our processes minimize the chance for error during construction, saving contractors both time and money.
- The use of the permit tracking system to record the status and position of any permit in our system provides both the staff and clients with a quick way to know where a permit is in the process. This improves our ability to provide quality public service.
- The process improves inspection efficiency by letting the inspector know what he should be looking for on the job. There is no need to stop and attempt to do a “plan

review” while simultaneously doing an inspection.

- For both plumbing and electrical permits, construction has become increasingly complex, with performance of downstream components of any system tied to specific features of upstream system components. Plan review processes incorporated below insure that all system components work together safely.

b. Applications Requiring Plans

If the permit requires a review prior to issuance plans are required. Two sets of plans are required for plan review.

c. Plans Complete but not in Compliance

Where a plan has the required information but is found to be in non-compliance with the applicable code, a plan review notice requesting further information or clarification of information is mailed, faxed, sent by electronic mail or requested by phone of the applicant. The notice identifies the areas of non-compliance and asks for corrections. This process is repeated until the information received is correct. The plan review is placed in “pending” status until the information is received.

d. Plans Complete and In Compliance

Where the plan is deemed complete and in compliance with code, the plan will approve by the plans examiner. No plan will be issued without all City departments involved in the process approving the permit. On complicated permits the Plans Examiner may issue partial permits to move the project along while other issues are being resolved. This is done to keep projects moving. Again, in no instance will permits be issued without all approvals.

e. Plan Review Process

Structural/Mechanical Plan Review: The Division Plans Examiners review structural, mechanical, fire and life safety, and energy plans to ensure compliance with the applicable codes. Checklists for various types of plan submittals are available at the front counter. The on-staff plans examiner uses these lists to check for completeness. This position also verifies appropriate professional stamps as needed.

To help maintain consistency, the Division has policies and procedures manuals, the state interpretation manual, and a variety of code interpretation manuals published by ICC and other professional organizations.

Plumbing Plan Review: The exterior plumbing is reviewed first. The exterior plumbing may be issued separately from the interior plumbing, pending approval from all other Departments. The processes of plan review for complete and incomplete plans are the same as the structural/mechanical section. Plan review and customer service is done by the Chief Plumbing Inspector. All plumbing plan review will be in compliance with HB 3092.

Electrical Plan Review: All plans are reviewed by Yamhill County.

INSPECTION STANDARDS

a. Inspection Services

Anyone with the proper information may request an inspection. By special arrangement, inspections can be made after normal business hours and on weekends. All inspections requested prior to 7 a.m. of a given business day will be completed that day except for unusual circumstances. When inspections cannot be completed the applicants are phoned and the inspection is rescheduled for the following day.

Generally, inspectors drive between 5 and 15 miles a day and on average perform 12 to 30 inspections a day. The Building Division has .7 multi-certified inspectors/plans examiners and a Building Official.

b. Permit Type

Structural
Mechanical
Plumbing

c. Inspection Process

Inspection requests will include the following information:

Permit Number
Type of Inspection Requested
Site Address
Name of Requestor
Phone number of Requestor

When inspection requests are received, complete information must be given or the inspection cannot be done. Staff will attempt to contact the applicant or requester to obtain such information. Inspections will not be performed until all required information has been provided.

The inspector will verify that the permit is posted and that plans are available. Plans are require to be on site. The inspector will prepare a written report that describes the inspection results and any corrections that may need to be made. A copy of the inspector's report will be left on the job site. The inspector may approve, approve with corrections, partial approve or deny an inspection. Re-inspection fees may be assessed.

Stop work orders are posted as necessary to halt construction when either a required permit has not been obtained or has proceeded to the extreme without conforming to the approved

plans or building codes.

Inspectors also investigate violations of the various codes enforced by the Building Division. When appropriate, violators are posted with a notice to discontinue work. The responsible parties are required to contact the Building Division office to resolve the problem. Those violators who ignore the notice are referred to the Building Official for further action.

COMPLIANCE STANDARDS

a. Procedures to Respond to Public Complaints

Public complaints are typically received by several divisions within the department. Complaints are written up on standard complaint forms. Information solicited from complainant includes at a minimum: name and location (address/legal description) of the alleged violation and a detailed description of the alleged violation. Complaints are taken by phone, over the counter, or in writing. The complaints are forwarded to the Compliance Officer.

Public complaints regarding licensing issues are referred to the State Building Codes Division.

b. Investigation of Complaints

Complaints received or referred to the Building Division for enforcement action generate the creation of a file. A request for inspection form, along with any accompanying documents, is forwarded to the Building Division for inspection and verification of the alleged violation. The licensed inspectors determine the nature and extent of the alleged violation. If it is determined that a violation does exist, the inspector, in most cases, posts or hands the owner or person in possession of the property a “warning notice”. In some instances, predicated on public urgency or health and safety, a “stop work” order is posted.

The “warning notice” gives the alleged violator usually five (5) days to contact the Building Division to discuss permit requirements and time limits in which to submit building plans. If contact is not made, the file is forwarded to the Code Compliance officer whom sends the violator a letter along with information on permit requirements and requests compliance and submittal of building plans within a specified period of time, usually thirty (30) days. If the alleged violator does not comply or contact the City and agree to a compliance plan of action, a “certified” ten (10)-day violation warning notice is sent, return receipt requested. Following, if no contact is made with the City to discuss resolution of this matter, a citation may be issued and the matter referred to the Municipal Court.

c. Issuance of Notices of Proposed Assessments of Civil Penalties

The City typically enforces structural and specialty code violations by filing a formal complaint with a request for legal action with the Compliance Hearings Officer. The

complaint also includes a request for the imposition of civil penalties. Civil penalty requests are referenced to the State Law that applies and the applicable civil penalty stated in the law.

Although recommendations for civil penalties are stated in the complaint, the amount assessed is at the discretion of the Hearings Officer. The amount of civil penalty is determined based on the extent and nature of the violation, the Compliance Hearings Officer Ordinance and the City of Newberg Hearings Rules. The Code Hearings Rules set forth mitigating and aggravating factors for assessing civil penalties. The amount of civil penalty and order to comply with the building and specialty codes are memorialized by a final order of the Hearings Officer. Review of the final order by an aggrieved party, including City of Newberg, is by Writ of Review as provided in ORS 34.010 – 34.100.

The dispositions of violations, including civil penalties, which are referred to City Counsel for legal action with the Courts, are at the discretion of the Courts.

d. Contractor licensing requirements

Consistent with the requirements of OAR 918-020-0090(8) (h), City of Newberg inspectors will randomly check on-the-job workers for appropriate certifications or licenses required in and by the State of Oregon. If unlicensed workers are found, a report shall be filed with the Oregon Building Codes Division, consistent with the Division's practices.