

## ***OAR 918-0204080 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 goals, consistent with the program standards described in OAR 918-020-0090.*

This operating plan is on file with the state of Oregon Building Codes Division and is available through the City of Milwaukie's Building Department upon request. It is also available at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org).

Last updated April 17, 2018

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

Any questions related to this plan should be directed to:  
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**CITY OF MILWAUKIE**  
**BUILDING DEPARTMENT INSPECTION**  
**PLAN REVIEW OPERATING PLAN**

## **ADMINISTRATIVE STANDARDS**

### **Administration**

- Operational Plan

As required by OAR 918-020-0090, the following is the City of Milwaukie's Building Inspection Operating Plan. Copies of the Department's Operational Plan are available to the public by calling (503) 786-7575, at our customer service counter at 6101 SE Johnson Creek Blvd, or on the web at [www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

- **Revenues and Expenditures**

The Building Code Department's budgets for delegated programs are consolidated and the accounts for revenues and expenditures are distributed through dedicated fund accounts.

- Fees:

The Building Department 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 set in the latest edition of the Building Safety magazine published by ICC, or as set by the applicant, whichever is higher. The valuation is then used in the fee schedule adopted by the City of Milwaukie.

Fees charged for plumbing, mechanical installations, or manufactured homes shall be equal to the fee schedules adopted by the City of Milwaukie (Ordinance 1814 § 2 (part), 1997) and updated per Resolution #61-2011. The minimum fee for plumbing and mechanical permits is \$85. The minimum fee for structural permits is \$100. There is no plan review or additional administrative fees charged for residential plumbing or mechanical permits.

Fees collected by the Building Codes Department 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 dedicated fund accounts. Fees shall not exceed that which is reasonable and necessary to carry out effective administration and enforcement of the respective inspection programs.

## Retention and Retrieval of Records

The Building Codes Department will maintain plans, plan review notices and inspection records at the city's Johnson Creek facility. Permit records are kept through a combination of Computer Tracking System and hard copy files. Files for open permits may be examined by visiting the Building Department, located at 6101 Johnson Creek Blvd. Milwaukie, or by e-mailing to [building@milwaukieoregon.gov](mailto:building@milwaukieoregon.gov), or by calling (503) 786-7575. Approved plans, plan review notices, and permit files with final inspections are retained as follows:

### One and Two Family Dwellings (OTFD):

- (1) Permit application -- life of structure
- (2) Building engineering -- life of structure
- (3) Final inspection -- life of structure
- (4) Site Plan -- life of structure
- (5) Plans -- 2 years past completion

### 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 a 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, cellular telephones, code books, inspection report forms, business cards, and other materials required to carry out their inspection responsibilities.

### •Public Inquiries, Comments, and Complaints

Public inquiries, comments, and complaints, by phone (786-7613) or by fax (786-7612), are handled between 8 a.m. and 4:00 p.m., Monday through Friday. Voice mail 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 are posted at 6101 Johnson Creek Blvd. Milwaukie, OR 97206.

## **GENERAL**

### **Building Official Authority**

The Building Official (BO) has authority to administer and enforce the Oregon Specialty Codes per City Municipal Code § 15.04.070. This authority grants the BO with the power to appoint deputies, as required, to assist in the enforcement of the Code. The BO has specific authority to issue stop work orders per City Municipal Code § 15.04.090. The City has adopted the Oregon Specialty Codes per City Municipal Code § 15.04.170

### **Personnel**

**Building Official** — Samantha Vandagriff:

Adopts and enforces local ordinance to grant authority to regulate State Specialty Codes for the building inspection program assumed by the City of Milwaukie.

Provides code interpretations and rules on appeals of the State's Specialty Codes in conformance with the intent and purpose of the Codes.

Examines construction plans, blueprints, architectural drawings, designs, and other documents for compliance with the Oregon Specialty Codes for commercial, industrial, and multi-family structures. Also, OTFD plan review, structural, mechanical, and residential plumbing inspections.

Provides code interpretation, guidance, and counsel on technical issues, and new technologies to architects, engineers, other city agencies, and the general public.

**State Certificates and Numbers:** Building Official, 5330B0; A Level Plans Examiner, 5565PEA; Fire & Life Safety, 5597PEF; A Level structural Inspector, 5429SIA; A Level Mechanical Inspector, 5396MIA; B Level Plans Examiner, 5403PEB, One and Two Family Dwelling (OTFD) Plans Examiner, 1708CAX; OTFD Structural, 1772CAS; OTFD Mechanical, 1639CAM; OTFD Plumbing 1904CAP; Manufactured Home Inspector, 607MHI; Post Earthquake Inspector, 661GQI; Oregon Inspector Certification, OIC581.

- **Backup Inspection and Plan Reviews-**

The City of Milwaukie has entered into an Intergovernmental Agreement with the City of Happy Valley, Clackamas County and the Clair Company LLC. to perform backup inspections during vacation and sickness. Their certifications are included in their Operating Plan.

Building Inspector/Plans Examiner : Stephanie Marcinkiewicz  
Oregon Inspector Certification # OIC3156

- Takes in permit applications, answers phone inquiries on procedures; notifies applicants when permits are available for issuance.

- Issues permits.
- Produces monthly, quarterly, and annual reports.
- Maintains permit records.

- Performs residential plan reviews and inspections

Detailed job descriptions for all employees are on file with the Human Resources Department of the City of Milwaukie.

## **Appeals**

### Appeals of the Building Inspector(s):

When there is an appeal of a building inspector(s) interpretation of code during plan review or inspection, the following process is followed:

#### Plan Review:

In an informal appeal of a plans examiner's decision, the plans examiner refers the request and any related information to the Building Official, who, in consultation with plans examiner and other appropriate staff, reviews the request and provides a final determination to the applicant (in writing if requested).

#### Inspection:

When there is an appeal of a field inspector's interpretation of a particular code section, the following process is used:

The field inspector refers the customer and related information to the Building Official. The Building Official, in consultation with the inspector and other appropriate staff, reviews the request and provides a final decision to the contractor or homeowner (in writing if requested).

### Appeals of the Building Official:

Relative to the application and interpretation of the specialty codes, appeals may be made to the State's Chief Inspector of the appropriate Specialty Code as per City Municipal Code § 15.04.220.

### Appeals to Advisory Boards:

Decisions of the State's Chief Inspector may be appealed to the appropriate State Advisory Board as per ORS § 455.690.

### Appeal of Administrative Civil Penalty:

Any person who is issued a notice of administrative civil penalty may appeal the penalty to the Community Development Director.

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

The City of Milwaukie Building Department reviews residential, commercial, and industrial plans, and issues structural, mechanical, plumbing, electrical, manufactured dwellings, grading/fill, and demolition permits between 9 A.M and Noon and between 1P.M and 3 P.M., Monday through Wednesday, and 8:30am to 12:30pm on Thursday's and Friday's. (excluding holidays).

Licensed contractors may apply for permits online at [www.milwaukieoregon.gov/building](http://www.milwaukieoregon.gov/building)

For questions regarding plan review, call 786-7575 (fax number: 786-7612), e-mail to

[building@milwaukieoregon.gov](mailto:building@milwaukieoregon.gov). You may also write, or visit our office at 6101 SE Johnson Creek Blvd. Milwaukie, OR 97206.

## PERMITTING STANDARDS

Building permits may be purchased at the City's Johnson Creek Facility or online at [BuildingPermits.Oregon.gov](http://BuildingPermits.Oregon.gov). See "Type of Permits Sold and Hours of Operation" under Administrative Standards (above) for office hours, address, phone, and fax numbers.

An applicant shall use the City of Milwaukie 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 a complete application has been submitted. The applicant will be notified, within 3 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 10 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 plans reviews. An administrative fee of 10% of the normal plan review fee (\$65.00 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 them, 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 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.

### **Highly Expansive Soils**

In compliance with 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; 1) A copy of the analysis shall be provided to the Building Department for the construction file. 2) It shall be recorded in the County Clerk Lien Record in the county in which the property is located, a notice containing: (A) The legal description of the property and (B) An informational statement in substantially 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."



## **Permit Applications not requiring a Plan Review**

**(i.e; residential plumbing, mechanical, electrical):**

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 send completed permit applications through the mail, by fax, email or the state e-permitting portal will generally be issued permits within 24 hours of receipt.

When permit applications received by mail, fax, e-mail or through the state e-permitting portal are found to be incomplete, staff will call or otherwise contact the applicant within 24 hours and advise them of exactly what is needed to complete the permit application. If staff is unable to reach the applicant by telephone, a letter will be sent detailing what information and/or fees are required to complete the permit application.

The State of Oregon's e-permitting portal can be accessed at [BuildingPermits.Oregon.gov](http://BuildingPermits.Oregon.gov).

## **Permit Applications Requiring Plan Review (electronically)**

**(i.e; commercial, industrial, multi-family, OTFD, manufactured dwellings):**

If plans are required, applications will not be processed until one sets of plans have been submitted. Plans received are generally reviewed within one working day by support staff to verify that appropriate information and materials are included with the plans. Once accepted and entered into the permitting software, with a permit number assigned, the plans are routed to other departments for comment and a notice is sent to the plan checkers' computer for review.

## **Minor Plumbing and Electrical Labels**

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

The permit specialist will process random inspection requests received 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 \$50 re-inspection fee will be required from the contractor.

## **Plan Review Process**

The Building Department plans examiners review structural, fire and life safety, energy, mechanical, and plumbing plans to ensure compliance with applicable codes. Support staff use a checklist for commercial, industrial, multifamily and a one- and two-family dwelling to ensure the customer has submitted all necessary information.

The Building Department employs a Building Official and certified Plans Examiner to provide consultation and advice on plan reviews. Lists of these employees along with their certificate numbers appear above. The Building Official maintains continuing education credits.

- 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 mailed, faxed or e-mailed to the applicant. The plan review notice identifies the areas of non-compliance with a request for correction or additional information. The plan is placed "on hold" until corrections or information is received.

- Plans Complete and In Compliance

When a plan is deemed complete and in compliance with the appropriate applicable codes, it will be stamped "approved" by the plans examiner of record, and the 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 plans examiner is generally available from 9 a.m. to 10 a.m. Monday through Friday, excluding holidays, to answer questions or provide advice. Appointments are necessary for all preliminary consultations with a plans examiner.

# INSPECTION STANDARDS

## Inspection Services

Inspectors cover field inspections Monday through Friday (excluding holidays and occasional continuing education days).

## 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. "Permit Issued" 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. Once a month a report is run for all permits within 30 days of expiration. If an inspection has not been recorded within the last 150 days, the department contacts the permittee by e-mail or postal mail and notifies them that their permit will expire in the next 30 days and notify them of the process required to final out or extend their permit.

## Inspection Process

Persons with valid approved permits may request inspections by:

Fax: (503) 786-7612

Voicemail: (888) 299-2821

Online: [BuildingPermits.Oregon.gov](http://BuildingPermits.Oregon.gov).

Phone app – ORInspect – either android or IOS

Inspection requests must be received by 7:00 a.m., to have a same day inspection. Inspection requests shall include:

Permit number,

Job address,

Contractor name & contact information,

Type of inspection needed,

Access information such as: Lock box number, if applicable, name & phone number of contact person, etc. Inspectors will not enter an occupied home without someone at least eighteen years of age to accompany them.

Gate codes, if applicable.

Contact phone number

Upon arriving at a job site, an inspector will verify that a permit and address have been posted. On OTFD's, if the permit or address is not posted, the inspection will not take place. After completing the requested inspection, the inspector will prepare a written report, which describes all items that require correction in accordance with applicable specialty code, citing the appropriate code section. A copy of the inspector's report will be e-mailed to the e-mail provided upon application. If the building owner or contractor is available at the site, a copy of the report will be sent to them upon request. 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.

# COMPLIANCE PROGRAMS

## **Procedures to Respond to Public Complaints**

Public complaints shall include, at a minimum, individual or business name of alleged violator, date or period of alleged violation, location (address) of alleged violation, owner or lessee name, description of work performed, and complainant's name and phone number or address for follow-up contacts. A Preliminary Compliance Report form is obtainable by calling Building Codes Division, Compliance Unit, at 1-800-442-7457 between 8 a.m. and 5 p.m. Monday through Friday. Outside of Oregon, call (503) 378-4133. Voice mail after hours will be returned the following working day.