

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF

LINCOLN COUNTY, OREGON

ORDINANCE NUMBER 24

BUILDING CODE - LINCOLN COUNTY, OREGON

An ordinance regulating, as authorized by ORS 215.110, adopting the 1970 Edition of the Uniform Building Code and regulating and providing for enlargement, alteration, repair, moving removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the unincorporated areas of Lincoln County, Oregon, providing for the issuance of permits and collection of fees therefor; incorporating provision for statutory penalties, providing for appeals; and repealing all other ordinances and parts of ordinances in conflict herewith.

Be it ordained by the Board of Commissioners for Lincoln County, Oregon, as follows:

SECTION 1: A certain book or publication a copy of which is on file in the office of the Lincoln County Clerk, marked and entitled "Uniform Building Code, 1970 Edition, Volume I", published and copyrighted in 1970 by International Conference of Building Officials, hereby is adopted in its entirety, except as to the appendix, and except as hereinafter modified, as the building code of Lincoln County, Oregon. That the purpose for adoption of said Building Code is to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in Lincoln County, Oregon; and parts of said code so adopted and on file in the office of the Lincoln County Clerk hereby are referred to, and by this reference made a part of, this ordinance as though fully set out herein; the penalty section and certain other provisions hereinafter mentioned are hereby expressly excluded and the additions, modifications and amendments hereinafter made shall constitute the building code of Lincoln County, Oregon.

SECTION 2: The provisions of the Building Code hereby adopted shall apply to structures in all the unincorporated areas of Lincoln County, Oregon, except the following:

Agricultural Buildings as hereinafter defined are hereby exempted from application of the code, (see definition below) This term does not include Farm Dwellings.

SECTION 3: Interpretations and Definitions: In applying the provisions of the Uniform Building Code, 1970 Edition, Volume I, to construction in the County, all word usage and definitions in said Code contained shall apply and are hereby adopted including but not limited to the following:

Appointing Authority - Shall mean the Board of Commissioners for Lincoln County, Oregon.

City - Shall mean any and all areas in Lincoln County excepting "Cities" as defined in Oregon Revised Statutes Sections 221.010 (3).

City Treasurer - Shall mean County Treasurer.

City Recorder - Shall mean County Clerk.

Building Department - Shall mean Lincoln County Building Department.

Building Official - Shall mean the official designated by the County Commissioners as the Building Official.

Mayor - Shall apply to the Chairman of the Board of County Commissioners.

Fire Chief - Shall apply to the Chief of Volunteer Fire Departments, or Fire Departments of Rural Fire Prevention Districts, whichever department shall have jurisdiction over the area involved, or to his regularly appointed deputy.

Street - Shall apply to streets as defined in the Building Code, and to Public roads of Lincoln County, Oregon.

Agricultural Building - Shall apply to a building located on agricultural property and used to shelter farm implements, hay, grain, poultry, livestock, or other farm produce, in which there is no human habitation, and which is not used by the public. This term does not mean or include dwellings or residences situated on property used for farming or agricultural purposes.

Modular or Factory - Built Home - Shall apply to a factory-built dwelling unit designed to be transported to a site and affixed to proper foundations and the construction meets the standards of the Uniform Building Code, the Oregon State Plumbing regulations and the Oregon State Electrical codes.

Mobile Home - A trailer house not less than thirty-two (32) feet in body length, exclusive of hitch, which is designed and maintained for long term permanent occupancy and contains a flush toilet, a tub or shower bath, and kitchen facilities with water and electrical systems connected to outside systems.

Trailer House, Travel - A trailer house not more than eight (8) feet in body width or more than thirty-two (32) feet in body length designed primarily for temporary occupancy and for travel, recreational, and vacation uses.

SECTION 4: General Provisions and Requirements: The Oregon State Plumbing Laws as contained in Oregon Revised Statutes, Chapters 447, 670 and 693; the laws pertaining to Electrical wiring and equipment as contained in Oregon Revised Statutes Chapters 479, 651 and 694; the State Fire Marshall Laws as contained in Oregon Revised Statutes, Chapters 278, 407, 443, 476, 478, 479 and 480; ORS 671.025, and regulations of the State Board of Health governing water supply, the disposal of domestic sewage and other household wastes, are incorporated in, and made a part of this ordinance.

Before a building permit is issued for a new building or structure, or for substantial structural alteration, enlarging or moving of any existing building or structure, the applicant shall furnish a plot plan showing dimensions of the property and the locations and size of the building proposed and existing. This plot plan shall also show the location or proposed location of any waste lines and waste disposal facilities.

All plans submitted to the Building Inspector, and all construction inspected shall conform to these State laws and Codes;

Plans for waste disposal facilities must have the approval of the County Health Department before a permit is issued and the installed facilities must be inspected and approved before backfilling, prior to occupancy of the building.

~~No structure shall be occupied until facilities for water supply and sewage disposal equal to the current standards of the State Board of Health have been installed and are approved by the County Health Department.~~

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M.M. J.P.S.

SECTION 5: Fees: Table No. 30A of Section 303, entitled "Building Permit Fees" of the Uniform Building Code, 1970 Edition, Volume 1, is hereby amended by deleting the aforementioned table on page 30 of said Uniform Building Code, and in lieu insert the following -

BUILDING PERMIT FEE SCHEDULE FOR LINCOLN COUNTY

| | |
|--|---|
| Less than \$150.00 | No Fee |
| \$151.00 to and including \$500.00 | \$5.00 |
| \$501.00 to and including \$2,000.00 | \$5.00 for the first \$500 plus \$1.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00 |
| \$2,001.00 to and including \$25,000.00 | \$20.00 for the first \$2,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$25,000.00 |
| \$25,001.00 to and including \$50,000.00 | \$89.00 for the first \$25,000.00 plus \$2.50 for each additional thousand or fraction thereof, to and including \$50,000.00. |
| \$50,001.00 to and including \$100,000.00 | \$151.50 for the first \$50,000.00 plus \$1.50 for each additional thousand or fraction thereof to and including \$100,000.00 |
| \$100,001.00 and up | \$226.50 for the first \$100,000.00 plus \$1.00 for each additional thousand or fraction thereof. |
| Mobile Home or Travel Trailer placement (individual) not in a Mobile Home Park | \$15.00 |

SECTION 6: Section 1504 of the Uniform Building Code, 1971 Edition Volume 1, is not adopted by this ordinance. In place and instead of said section 1504, the said section of the building code is hereby amended as follows:

"Section 1504: Under no circumstances shall a private garage have any opening directly into a room used for sleeping purposes."

SECTION 7: Temporary Structures: Buildings of a temporary nature may be permitted, if conditions of business warrant such construction. A special permit shall be granted, which permit shall be limited to ninety (90) days with renewal of ninety (90) days. The fee for such permit shall be five dollars (\$5.00).

SECTION 8: Fire Zones Designation: In order to facilitate administration of the Building code in the unincorporated areas, it is necessary to classify the area in a Fire Zone. Therefore, all the unincorporated areas of Lincoln County, Oregon, for the purposes of this code shall be deemed to be Fire Zone No. 3, the least restrictive of the Fire Zones.

SECTION 9: All ordinances or parts of ordinances conflicting with the provisions of this ordinance hereby are repealed insofar as the same affect this ordinance.

SECTION 10: Violation of any provision of this ordinance is punishable upon conviction as provided by ORS 215.990.

SECTION 11: Validity: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Lincoln County Board of Commissioners hereby declares that it would have passed this Ordinance and each and every section, subsection, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases hereof or of the Building Code hereby adopted be declared unconstitutional.

SECTION 12: Effective Date: This ordinance shall be in full force and effect from and after thirty (30) days from the date of its enactment by the Board of Commissioners.

Read in full and passed by the Lincoln County Board of Commissioners this

28th day of December, 1971.

Andy Zedewitz
Chairman of the Board of Commissioners

Phil Miller

Albert R. Strand