City Council
Monday February 3, 2020, 4:00pm
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

A. Call to Order

B. Roll Call

C. Topics
   1. Amending Section 15.05.010, Adoption of Codes, to the Brookings Municipal Code - Building [pg 2]
      a. Proposed Ordinance [pg 3]
      b. Exhibit A [pg 4]

D. Council Member Requests for Workshop Topics

E. Adjournment

All public City meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 469-1102 if you have any questions regarding this notice.
CITY OF BROOKINGS

Council WORKSHOP Report

Meeting Date: February 3, 2020

Originating Dept: PW/DS

Subject:

Amending Section 15.05.010, Adoption of Codes, to the Brookings Municipal Code

Financial Impact:

None

Background/Discussion:

October 2019, Oregon Building Codes Division (OBCD) provided notice that it was issuing a 2019 version of the Oregon Structural Specialty Code (OSSC) to replace the 2014 version, with the new code being effective January 1, 2020.

Section 101.2 of the 2019 OSSC includes a list of twenty-six (26) types of construction that the OBCD now believes are outside the purview of the Division to regulate, pursuant to the authority granted in ORS 455.020.

The City of Brookings has historically understood that most of the types of construction included in the list of 26 were subject to the statewide building codes and has required building permits for those activities in order to ensure the construction conformed to the health, safety, and energy efficiency standards contained in the codes. Section 101.2 of the 2019 OSSC contains a provision allowing local jurisdictions to regulate most of the now exempt construction activities via local ordinance.

Staff is recommending exercising the local option to subject the now exempt construction activities eligible for local regulation, to the operable provisions of the OSSC. We believe that this best serves the health and welfare of the community, and recommend amending section 15 of the BMC as attached.

Attachment(s):

a. Proposed Ordinance
b. Exhibit A
IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 20-O-788

IN THE MATTER OF ORDINANCE 20-O-788, AN ORDINANCE AMENDING SECTION 15.05.010, ADOPTION OF CODES, OF THE BROOKINGS MUNICIPAL CODE.

Sections:

Section 1. Ordinance Identified.
Section 2. Amend Section 15.05.010, Adoption of Codes.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Section 15.05.010, Adoption of codes, and adds chapter 15.10, Non Habitable Structures, of Brookings Municipal Code.

Section 2. Amend Section 15.05.010. Section 15.05.010, Adoption of Codes, is hereby amended to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: ________________________       Passage: ________________________
Second Reading: ________________________   Effective Date: ________________________
Signed by me in authentication of its passage this ___ , day of _______________ , 2020

ATTEST:

Mayor Jake Pieper

City Recorder Janell K Howard
Exhibit A

Building Codes Adoption Ordinance

Changes to BMC:

[Additions are bold and underlined, Deletions are bold and strikeout]

AMEND 15.05.010:

15.05.010 Adoption of codes.

From the effective date of the ordinance codified in this chapter, the construction, alteration, repair, demolition, moving, use or occupancy of a structure within the jurisdiction of the city of Brookings shall comply with the standards and requirements of the following codes, as now exist or as hereafter amended, each of which are hereby adopted by this reference into the ordinances of the city of Brookings. Also by this reference the city adopts those provisions of the Oregon Administrative Rules which implement these codes. The building official shall enforce the regulations and provisions set forth in the codes and the Oregon Administrative Rules as if the same were set forth herein.

A. The currently adopted Oregon Structural Specialty Code, including the appendices adopted by the state of Oregon and specifically adopting Appendix J. and Appendix H., except as hereinafter specifically modified.

1. Those types of construction activities listed in Section 101.2 as outside of the authority of the Oregon Structural Specialty Code, but within the authority of municipalities to regulate by local ordinance. Such activities shall be subject to the relevant construction standards contained in the Oregon Structural Specialty Code.

B. The currently adopted Oregon Mechanical Specialty Code;

C. The currently adopted Oregon Plumbing Specialty Code;

D. The currently adopted Oregon Residential Specialty Code; provided, however, that ORS 455.320 shall not be applicable.

E. The currently adopted Oregon Fire Code and referenced NFPA standards;


(1) Section 203 is modified to read as follows: Citations for violations shall be issued in conformance with Brookings Municipal Code Section 8.15.090; General abatement procedure, 8.15.100; Summary abatement and 1.05; Penalties.

(2) Section 701.1 is modified by deleting the last sentence of the paragraph.

(3) Section 901 is modified by substituting the term “building official” for the term “director of public workspublic services director” and “finance and human services director” for the term “clerk”

(4) Section 902 is modified by substituting the term “finance and human Services director” for the term “clerk”
(5) Section 903 is modified by substituting the term “finance and human services director” for the term “clerk”

(6) Section 905 is modified to read as follows:

“905. Assessment. After the proceedings described in Section 904 of this code, the Municipal Court Judge may order that the said charge be imposed as a special assessment against the real property involved and cause the same to be entered in the docket of City liens and thereafter the said assessment shall constitute a lien against said property.

(7) Sections 906, 908, 909, 910, 911 and 912 to be omitted.

G. The currently adopted Oregon Manufactured Dwelling Standards;

H. The currently adopted State of Oregon Parks and Camps Rules. [Ord. 14-O-733 § 2; Ord. 10-O-656 § 2; Ord. 07-O-588 § 2; Ord. 06-O-575; Ord. 96-O-349.D § 3; Ord. 93-O-349.C §§ 2 – 5; Ord. 90-O-349.B § 1; Ord. 90-O-349.A §§ 2, 3, 4; Ord. 86-O-408 § 2; Ord. 81-O-349 § 1.]