



AN ORDINANCE AMENDING AND REPEALING PORTIONS OF
THE CITY'S BUILDING CODE AND POOL ENCLOSURE
ORDINANCE

- WHEREAS,** The City's Building Code must be compatible with the State's Specialty Codes, including the State Structural Specialty Code, the One and Two Family Specialty Code and the Dangerous Buildings Code; and
- WHEREAS,** The State Specialty Codes were last amended in April 2001; and
- WHEREAS,** The City's Building Code was last amended in 1997 and now is in need of minor changes to eliminate regulatory redundancies and to better comply with the State Specialty Codes; and
- WHEREAS,** The City's Pool Enclosure Ordinance contains references to superseded sections of the State Structural Specialty Code and the One and Two Family Dwelling Specialty Code, now, therefore:

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. B.C. 8.02.050, 8.02.060 and 8.02.115 are repealed.

Section 2. BC 8.02.030 is amended to read as follows:

8.02.030 Board of Construction Appeals. For application in this City, the sections pertaining to appeals in the State Mechanical Specialty Code, Plumbing Specialty Code, Structural Specialty Code and One and Two Family Dwelling Specialty Code are replaced with the following:

"The Board of Construction Appeals provided for in BC 2.03.030 to 2.03.042 shall determine the suitability of alternate materials and methods of construction and provide for reasonable interpretations of the provisions and standards applicable to the Building Code and related activities."

The Board of Construction Appeals shall have no authority to interpret the administrative rules authorized by this ordinance or to waive requirements of the State Specialty Codes or City Building Code.

Section 3. BC 8.02.040 is amended to read as follows:

8.02.040 Fees. The fees for inspections, plan reviews and appeals referenced in the State Structural Specialty Code, One and Two Family Dwelling Specialty Code, Mechanical Specialty Code, Plumbing Specialty Code and Electrical Specialty Code shall be set by council resolution.

Section 4. BC 8.05.020 is amended to read as follows:

BC 8.05.020 Application. The provisions of this ordinance shall apply to all special pools and swimming pools, except swimming facilities regulated under ORS 448.005 to 448.100 and the State Structural Specialty Code and the One and Two Family Dwelling Specialty Code.

First reading this 4th day of June, 2001.

Passed by the Council this 11th day of June, 2001.


Approved by the Mayor this 12th day of JUNE, 2001.

ATTEST:



DARLEEN COGBURN, City Recorder

APPROVED:



ROB DRAKE, Mayor

Beaverton Code

8.02.030 Board of Construction Appeals. For application in this City, the sections pertaining to appeals in section 105 of the State Mechanical Structural Specialty Code, and Section 110 of the Plumbing Specialty Code, Mechanical Structural Specialty Code, and Section R-107 of the One and two Family Dwelling Specialty Code are replaced with the following:

“The Board of Construction Appeals provided for in BC2.03.030-.042 shall determine the suitability of alternate materials and methods of construction and provide for reasonable interpretations of the provisions and standards applicable to the Building Code and related activities.”

The Board of Construction Appeals shall have no authority to interpret the administrative rules authorized by this ordinance nor waive requirements of any Code. [BC8.02.030, amended by Ordinance No. 3978, 3/31/97]

8.02.040 Fees. The fees for inspections, plan reviews and appeals referenced in the State Structural Specialty Code, One and Two Family Dwelling Specialty Code, Mechanical Specialty Code, Plumbing Specialty Code and Electrical Specialty Code Section 107 of the Structural Specialty Code, section 115 of the Mechanical Specialty Code, section R-110.2 of the One and Two Family Dwelling Specialty Code, ORS 447.095 as to the Plumbing Code and ORS 479.845 as to the Electrical Safety Law are revised to provide that the amount of fees for inspections and plan review for structural, mechanical, plumbing, electrical and demolition work and for appeals, shall be set by council resolution. [BC 8.02.040, amended by Ordinance No. 3680, 6/12/89; Ordinance No. 3756, 10/15/90; Ordinance No. 3978, 3/31/97]

8.02.050 ~~Amendment to Structural Specialty Code Section 106.4.1 Permit Issuance.~~
~~Section 106.4.1 of the Structural Specialty Code is amended by adding a new paragraph to read as follows:~~

~~“Except for single family and duplex residential dwellings, all building plans for construction, alteration, enlargement, repair or relocation shall be reviewed and approved by a certified fire and life safety plans examiner for compliance with all applicable laws, the Specialty Code, and with city ordinances and regulations.”~~
[BC 8.02.050, amended by Ordinance No. 3680, 6/12/89; Ordinance No. 3978, 3/31/97]

8.02.060 ~~Amendment to Mechanical Specialty Code Section 114.1 Permit Issuance.~~
~~Section 114.1 of the Mechanical Specialty Code is amended by adding a new paragraph to read as follows:~~

~~“Except for single family and duplex residential dwellings, all plans for construction, alteration, enlargement, repair or relocation of mechanical systems and equipment shall be reviewed and approved by a certified fire and life safety plans~~

~~examiner for compliance with all applicable laws, the Structural Specialty Code, and [with] city ordinances and regulations.” [BC 8.02.060, amended by Ordinance No. 3680, 6/12/89; Ordinance No. 3978, 3/31/97]~~

~~8.02.115 — Unsafe Buildings. The Code referred to in section 102 of the Oregon Structural Specialty Code is the Dangerous Buildings Code adopted by this ordinance. [BC8.02.115, amended by Ordinance No. 3680, 6/12/89; Ordinance No. 3978, 3/31/97]~~

POOL ENCLOSURES

8.05.005 Short Title. BC 8.05.005-.100 shall be known and may be cited as the “Pool Enclosures Ordinance” and may also be referred to herein as “this ordinance”.

8.05.010 Definitions. For the purpose of this ordinance, the following mean:

Building Official - The City employee designated by the mayor to enforce this ordinance.

Person in charge of property - An owner, purchaser under contract, lessee, tenant, licensee or other person having possession or control of property.

Special Pool - A fish pond or other decorative pool that holds or is capable of holding a body of water exceeding 24 inches in depth at any point.

Swimming Pool - An outdoor swimming pool or other body of water designed or used for the purpose of swimming, dipping, wading or immersion of human beings which has a depth at any point in excess of 24 inches, whether above or below grade, and whether intended to be temporary or permanent in nature.

8.05.020 Application. The provisions of this ordinance shall apply to all special pools and swimming pools, except swimming facilities regulated under ORS 448.005 -to 448.100 and Appendix D of the State of Oregon Structural One and Two Family Dwelling Specialty Code and section 106.2 of the State of Oregon Structural One and Two Family Dwelling Specialty Code. [BC 8.05.020, amended by Ordinance No. 3978, 3/31/97]