

**FILED** IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

at \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M

JUN 22 1983 N A N C E N O. 14-83

County Clerk  
For Lane County, Oregon  
BY *Patricia Hittner*  
DEPUTY

) IN THE MATTER OF AMENDING CHAPTER 11  
) OF LANE CODE TO ADOPT THE UNIFORM  
) CODE FOR THE ABATEMENT OF DANGEROUS  
) BUILDINGS, 1982 EDITION, ADD A  
) PROVISION THERETO ALLOWING THE BUILDING  
) OFFICIAL TO CLOSE UNSAFE BUILDINGS  
) PENDING EXHAUSTION OF APPEAL RIGHTS,  
) MAKE CERTAIN HOUSEKEEPING REVISIONS  
) AND DECLARE AN EMERGENCY

The Board of County Commissioners of Lane County ordains as follows:

Chapter 11 of Lane Code is hereby amended by removing and substituting the following pages:

REMOVE THESE PAGES

11.005-- 11.035 to  
11.035 - 11.035 (beginning  
with "County Road.") i.e.  
11-1 to 11-3  
(a total of three pages)

INSERT THESE PAGES

11.005 - 11.015(2) to  
11.035 - 11.035 (beginning with  
"Development.") i.e. 11-1 to 11-3a  
(a total of four pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to adopt the Uniform Code for the Abatement of Dangerous Buildings, 1982 Edition, add a provision thereto allowing the building Official to close unsafe buildings pending exhaustion of appeal rights, make certain housekeeping revisions and declare an emergency.

An emergency is hereby declared to exist and this ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately.

Enacted this 22nd day of June, 1983.

*Gerald H. Rust, Jr.*  
Chairman, Lane County Board of  
Commissioners

*Bunny Benson*  
Recording Secretary for this Meeting of  
the Board

In the Matter of Amending Chapter 11 of Lane Code to Adopt the Uniform Code for the Abatement of Dangerous Buildings, 1982 Edition, Add a Provision Thereto Allowing the Building Official to Close Unsafe Buildings Pending Exhaustion of Appeal Rights, Make Certain Housekeeping Revisions and Declare an Emergency

APPROVED AS TO FORM  
DATE 6/2/83 Enclosure  
*[Signature]*  
OFFICE OF CLERK

11.005

Lane Code

11.015(2)

BUILDINGS

11.005 Authority for Enactment. This Chapter is enacted pursuant to the authority vested in the County by its Charter and ORS Chapters 215 and 456.

11.010 Uniform Codes. This subsection adopts the following Oregon State Building Specialty Codes and OAR, except as modified or supplemented in this Chapter, as the Building Codes of Lane County:

- (1) Structural Specialty Code and Fire and Life Safety Code, 1979 Edition.
- (2) Mechanical Specialty Code and Mechanical Fire and Life Safety Code, 1979 Edition.
- (3) Plumbing Specialty Code, 1980 Edition.
- (4) OAR 814-23-055 to 814-23-080, Mobile Home Installation, Tiedown and Accessory Building Requirements, in effect on June 22, 1983.
- (5) Uniform Code for the Abatement of Dangerous Buildings, 1982 Edition, with the following addition:

Sec. 405. Cleanup and Closure Pending Exhaustion of Appeal Rights. In the event the building official, in the order issued under Section 401 of this Act, has determined the building to be a dangerous building pursuant to Section 302(12), he or she may also order and specify the method by which the structure shall be cleaned up and closed within 10 days of service of the order. If the person to whom the notice and order is directed does not fulfill the order to clean up and close, the building official may order the cleanup and closure occur at County expense with the costs to be charged against the owner or property, or both, as specified in Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings, 1982 Edition.

Add to Section 205:

The Building Appeals and Advisory Board, as currently constituted in Lane County, shall serve as the Section 205 Board of Appeals.

11.015 Permits, Fees and Refunds.

- (1) Permits. Permits are required for all work covered by the Building Codes of Lane County and agricultural buildings.
- (2) Fees. Building permit fees shall be as required by separate Order of the Board and shall not exceed the limits in ORS 456.760.

9-74; 7.3.74  
 3-76; 4.7.76  
 9-76; 8.27.76  
 16-79; 1.18.80  
 18-80; 9.5.80  
 10-82; 7.9.82

11-1

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11.015(3)

Lane Code

11.035

(3) Refunds. All fees are nonrefundable, except in cases when the processing of an application was terminated prior to the incurring of any substantial administrative expenses. The amount of refund shall be determined by the Director and shall be based upon the proportion of staff time allotted to processing the permit relative to complete processing of a permit.

11.020 Designation of Building Official. In accordance with ORS 456.800, the Senior Plans Examiner, Department of Planning and Community Development, is hereby appointed as the Lane County Building Official.

11.035 Definitions. For the purposes of this Chapter, the following words and phrases shall mean:

Agricultural Building. A structure located on a farm and used in the operation of such farm for the storage, maintenance or repair of farm machinery and equipment, or for the raising, harvesting and selling of crops, or in the feeding, breeding, management and sale of, or the produce of livestock, poultry, furbearing animals or honeybees, or for dairying and sale of dairy products, or any other agricultural or horticultural use or animal husbandry or any combination thereof, including the preparation and storage of products raised on such farm for human use and animal use and by disposal by marketing or otherwise. Sales and allowable square footage of sales areas shall be governed by Lane Code Chapter 10, "Zoning." Agricultural Building does not include:

- (a) A dwelling.
- (b) A structure used for a purpose other than growing plants in which persons perform more than 144 person-hours of labor a week.
- (c) A structure regulated by the State Fire Marshal pursuant to ORS Chapter 476.
- (d) A place used by the public.
- (e) A structure subject to §§ 4001-4127, Title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder, (ORS 456.758).

Approximate Flood Hazard Study Area. Flood hazard areas as shown on the Federal Flood Hazard Boundary Maps where base flooding elevations have not been determined.

Architect. An individual qualified and licensed to practice architecture under ORS 671.010 to 671.220.

9-74; 7.3.74  
 6-75; 3.26.75  
 11-75; 9.5.76  
 3-76; 4.7.76  
 9-76; 8.27.76  
 16-79; 1.18.80  
 18-80; 9.5.80  
 10-82; 7.9.82

11-2

WP 35635-LC13-05

Area of Flood Hazard. The land in the floodplain within a community subject to a one percent chance of flooding in any given year.

Base Flood. A flood that has a one percent chance of being equaled or exceeded in any given year.

Building or Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built upon or composed of parts joined together in some definite manner, and shall specifically include, but shall not be limited to, house trailers which are placed upon property, other than a licensed trailer park, for the apparent use as a living unit.

Camper. A structure designed to be mounted upon a vehicle, which may or may not be permanently attached thereto.

Campground. Any lot, tract or parcel of land where two or more camping spaces are located which provide facilities for living in any manner other than in a permanent residence.

Camping Space. An individual camp space intended for overnight camping by only one camping vehicle, tent vehicle or tent.

Camping Vehicle. See "Recreational Vehicle."

Camping Vehicle Park. See "Recreational Vehicle Park."

Community Water System. A water supply system, whether publicly or privately owned, which serves more than a single- or two-family residence, dwelling or mobile home for the purpose of supplying water for drinking, culinary or household use.

County Road. A public road in the County which has been expressly accepted by the Board as a part of the County road system as provided for in ORS Chapter 368, or a road which has been adjudicated to be a part of the County road system by a court of competent jurisdiction, and which road the County thereafter has the obligation for its maintenance or improvement.

Department. The Department of Planning and Community Development of the County.

9-74; 7.3.74  
 6-75; 3.26.75  
 11-75; 9.5.76  
 3-76; 4.7.76  
 9-76; 8.27.76  
 16-79; 1.18.80  
 18-80; 9.5.80  
 10-82; 7.9.82

11-3

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11.035

Lane Code

11.035

Development. A human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

Director. The Director of the Department of Planning and Community Development of the County or his or her duly authorized representative.

Dwelling. A building or structure, or portion thereof, which is occupied in whole or in part as a residence or sleeping place, either permanently or temporarily by one or more families, but excluding hotels, motels and auto courts.

Engineer. An individual who is registered in the State of Oregon and holds a valid certificate to practice a particular branch of engineering as provided by ORS 672.020.

Engineer Designed Fill. The depositing of earth material placed by artificial means and compacted to a minimum of 90 percent of maximum density as determined by ASTM test method D1556-58T.

Existing Mobile Home Park. Any lot where two or more permanent mobile homes are located or proposed to be located for the primary purpose of being rented or leased for residential purposes, for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed.

Expansion of an Existing Mobile Home Park. The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

9-74; 7.3.74  
 6-75; 3.26.75  
 11-75; 9.5.76  
 3-76; 4.7.76  
 9-76; 8.27.76  
 16-79; 1.18.80  
 18-80; 9.5.80  
 10-82; 7.9.82

11-3a

WP 35635-LC13-06