

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

Ordinance Book

**IN THE MATTER OF AMENDING)
ORDINANCE NO. 28.07 OF)
THE KLAMATH COUNTY CODE)
_____)**

**ORDINANCE AMENDMENT
NO. 28.08**

WHEREAS, the Klamath County Building Code needs to be updated to be consistent with Uniform Building Code and the Oregon Code; and

NOW, THEREFORE, the Board of County Commissioners ordains as follows:

1. This Ordinance specifically amends Ordinance No 28.07.
2. The Board of County Commissioners declare this ordinance is to be effective 90 days after execution by the Board of County Commissioners.
3. This Ordinance specifically amends Chapter 700 of the Klamath County Code.
4. The Klamath County Code will be amended to read as follows: ¹

¹ Portions deleted from the old Code are placed in brackets and lined out and portions to be added are boldface and underlined.

DIVISION 7
BUILDING

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CHAPTER 700
BUILDING CODE

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Ordinance No. 28.05 – 02/21/90
Ordinance No. 28.06 - 06/02/93
Ordinance No. 28.07 – 06/04/97
Ordinance No. 28.08

**CHAPTER 700
BUILDING CODE**

700.001 1998 [1996] Edition of the Oregon Structural Specialty Code.

Based on the 1997 [1994] edition of the Uniform Building Code, Volumes 1, 2, and 3 with the 1998 [1996] Oregon amendments, effective date October 1, 1998 [April 1, 1996], as authorized by O.R.S. 455.010 through O.R.S. 455.895, is hereby adopted as if fully set forth herein.

700.010 Maintenance "See Section 3402 of the Oregon Structural Specialty Code". All buildings and structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code shall be maintained in conformance with the code edition under which installed. The owner or his designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official may cause any structure to be re-inspected.

700.020 Unsafe Buildings or Structures. Section 102 of the Uniform Building Code is hereby adopted as set forth herein:

All buildings or structures regulated by this Code which are structurally unsafe or not provided with adequate egress, which constitute a fire hazard, or otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages, or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in this Code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures, or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures set forth in the Dangerous Building Code. As an alternative, the Building Official or other employee or official of the County as designated by the Board of County Commissioners may institute any other appropriate action to prevent, restrain, correct or abate the violation.

700.060 City Certification. Section 106.4.1 [106] of the 1998 [1994] Uniform Building Code is further amended by adding a paragraph to read:

City Certification. Plans submitted for County review for building within a city shall contain a certificate or written approval showing they have been reviewed by the city for compliance with zoning and other land use or development regulations, including subdivisions, partitioning and sanitary regulation. The certification shall identify building requirement factors used by the city including occupancy.

700.080 Liability “**See Section 104.2.6 of the Oregon Structural Specialty Code**”. **The building official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.**

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

700.100 Issuance. The application, plans, and specifications filed by an applicant for a permit shall be checked by the Building Official. Prior to the issuance of any building permit, the Building Official shall require the applicant to obtain the approval of the County Planning Department and, where the building is to be served by a septic tank or similar system, by the Environmental Health Department. The Building Official may also require the approval of such other County departments or other agencies as he deems appropriate. For certified historical buildings see Section 3403.5 of the **1997** [~~1994~~] Uniform Building Code. If the Building Official is satisfied that the work described in an application for permit and the plan filed therewith conform to the requirements of this Code, sanitation and health requirements as stipulated by the controlling agencies, and other pertinent laws and ordinances then in effect, and that the fee specified in Section 107 of the **1997** [~~1994~~] Uniform Building Code has been paid, he shall issue a permit therefore to the applicant.

700.110 Fees.

- (1) The fee for each permit shall be as set forth in Table No. 1-A of the **1997** [~~1994~~] Uniform Building Code. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.

- (2) **Plan Review Fees.** When a plan or other data are required to be submitted by Section 106.3.2, of the 1997 [1994] Uniform Building Code, a plan review fee shall be paid at the time of submitting plans and specification for review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table No 1-A. The Plan Review fees specified in Section 107.3 of the 1997 [1994] Uniform Building Code are in addition to the permit fees. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table No. 1-A. of the 1997 [1994] Uniform Building Code.
- (3) The Building Official may from time to time recommend to the Board of Commissioners for Klamath County, Oregon, reasonable fees to be charged for inspections made and permits issued under this Ordinance. The Board of Commissioners may after notice and public hearing, adopt reasonable fees to be charged, based upon costs of making inspections as measured by the time required by the inspector to perform such duties. The order setting such new fees shall specify the effective date of such charge.

700.120 Additional Sections. In addition to the sections adopted herein the following chapters located in the Uniform Building Code 1997 Edition, are also adopted as part of this Code:

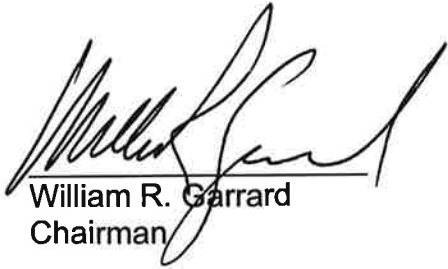
- (1) **Appendix Chapter 9 – Fire Extinguishing Systems**
- (2) **Appendix Chapter 10 – Security Provisions**

700.130 Additional Specialty Codes. The following Specialty Codes are hereby adopted:

- (1) Uniform Housing Code 1997; [1994]
- (2) Uniform Code for the Abatement of Dangerous Buildings 1997; [1994]
- (3) Uniform Sign Code 1997. [1994]
- (4) Uniform Code for Building Code Conservation 1997 [1994]

700.140 Severability The provisions of this Ordinance are severable, and any invalid section, subsection, sentence, clause, phrase or portion of this Ordinance if for any reason is held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions of the Ordinance.

KLAMATH COUNTY BOARD OF COMMISSIONERS


William R. Garrard
Chairman


M. Steven West
Commissioner


Al Switzer
Commissioner

Approved X

Approved X

Approved X

Denied _____

Denied _____

Denied _____

Date 12/8/98


Date 12/8/1998

Date 12-8-98

ATTEST:

APPROVED AS TO FORM:


Nancy L. Bodkin
Recording Secretary


Reginald R. Davis
County Counsel