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BOARD OF COUNTY COMMISSIONERS  
KLAMATH COUNTY, OREGON

COUNTY COUNSEL

IN THE MATTER OF AMENDING )  
ORDINANCE NOS. 28.00 - 28.06 AND )      ORDINANCE AMENDMENT  
61.00 OF THE KLAMATH COUNTY CODE )      NO. 28.07

WHEREAS, the Klamath County Building, Plumbing, Electrical, Mechanical, and One and Two Family Dwelling Codes need 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 Nos. 28.00 through 28.06 and 61.00 *which are* ←

2. The Board of County Commissioners declare these ordinances are to be effective 90 days after execution by the Board of County Commissioners.

~~3. This Ordinance specifically amends Chapters 700, 701, 702, 704, and 705 of Division 7 of the Klamath County Code.~~

4. The Klamath County Code will be amended to read as follows <sup>1</sup>:

DIVISION 7  
BUILDING

CHAPTER 700 CONTENTS

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

CHAPTER 700  
BUILDING CODE

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~~[700.010 Section 104(d) Maintenance. . . . . 163]~~

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~~[700.120 Additional Sections. . . . . 164]~~

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CHAPTER 700  
BUILDING CODE

700.001 1996 [~~1993~~] Edition of the Oregon Structural Specialty Code. Based on t[he] 1994 [~~1991~~] Edition of the Uniform Building Code, Volumes 1, 2 and 3 with 1996 [~~1993~~] Oregon amendments, effective date April 1, 1996 [~~January 1, 1993~~], as authorized by ORS 455.010 through 455.895 [~~O.R.S. 455.020 and O.R.S. 455.010 through 455.990~~], is hereby adopted as if fully set forth herein.

~~[700.010 Section 104(d) Maintenance. 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 reinspected.]~~

**700.020 Unsafe Buildings or Structures.** Section 102 [~~203~~] 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 Buildings Code [Chapter 401]. 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. of the 1994 Uniform Building Code [301] [~~of the Building Code~~] is further amended by adding a paragraph to [~~Subsection (f) 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 subdivision, partitioning and sanitary regulations. The certification shall identify building requirement factors used by the city including occupancy.

**700.100 Issuance of Permits.** 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 1994 Uniform Building Code [~~1-4-(f)~~]. If the Building Official is satisfied that the work described in an application for permit and the plans 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 1994 Uniform Building Code [~~304(a)~~] 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 [~~3~~]-A of the 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 plans 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 [~~hearing~~], 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 1994 Uniform Building Code [~~Subsection (b) of Section 302~~], 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 [~~3~~]-A. The Plan Review fees specified in Section 107.3 of the 1994 Uniform Building Code [~~3-4(a) and~~] 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 [~~3~~]-A of the 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. [~~Before any change in fees is effective, the Building Official shall notify the Board of County Commissioners and provide the Board with a copy of the new fees.~~]

~~[700.120 Additional Sections. In addition to the sections adopted herein the following chapters located in the Uniform Building Code, 1988 Edition, are also adopted as part of this Code:~~

~~(1) Appendix Chapter 38. Fire Extinguishing Systems]~~

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

- (1) Uniform Housing Code 1994 [~~1988~~];
- (2) Uniform Code for the Abatement of Dangerous Buildings 1994 [~~1988~~];
- (3) Uniform Sign Code 1994 [~~1988~~].
- (4) Uniform Code for Building Conservation 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.

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PLUMBING CODE

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CHAPTER 701  
PLUMBING CODE

701.001 1996 [~~1992~~] Edition of the Oregon Plumbing Specialty Code. Based on t[~~he~~] 1994 [~~1991~~] Edition of the Uniform Plumbing Code, with Oregon amendments, effective April 1, 1996 [~~January 1, 1992~~], as authorized by ORS 447.020 (2), is hereby adopted in its entirety.

701.020 Fees. [~~OAR 29-020 is amended to read:~~] (1) The Building Official may [~~shall~~] 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 [~~preform~~] such duties. The order setting such new fees shall specify the effective date of such charge.

(2) Until such time as a fee schedule is adopted as above, fees for inspection and permits shall be those established under OAR 918-780-015 as presently adopted by the Oregon Plumbing Board under ORS 447.020 and ORS 447.095 [~~pursuant to O.R.S. Chapter 447 as adopted~~], or as hereinafter modified pursuant to statute.

**701.030 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.

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**CHAPTER 702  
ELECTRICAL CODE**

**702.001 The Electrical Code.** The State of Oregon Electrical Specialty Code and Administrative Rules, 1996 [~~1990~~] edition, is hereby adopted in its entirety, except as specifically set out herein, and shall be referred to in this chapter as "The Electrical Code" and is adopted in accordance with ORS 479.510 through [~~to~~] 479.990 [~~479.855~~] to be effective October 1, 1996 [~~March 1, 1990~~].

**702.020 Fees.** (1) Subject to ORS 479.845 [~~479.840~~ and pursuant to ORS ~~479.510 to 479.860(4)~~]; the B[~~b~~]uilding Official may [~~shall~~] from time to time recommend to the Board of County Commissioners, reasonable fees to be charged for inspections made, and permits issued under this Chapter. The Board of Commissioners may after notice and public hearing, adopt reasonable fees to be charged, based upon costs of making inspections and 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.

(2) Until such time as a fee schedule is adopted as above, fees for inspections and permits shall be those established under OAR 918-300-0030 through 918-309-0080 [~~ORS 479.840~~], as presently adopted, or as hereinafter [~~herein-after~~] modified pursuant to

statute.

**702.100. 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 electrical permit, the Building Official shall require the applicant to obtain the approval of the County Planning Department and Environmental Health Department if the building is to be served by a septic tank or similar system. The Building Official may also require the approval of such other County Departments or other agencies as he deems appropriate. If the Building Official is satisfied that the work described in an application for permit and the plans 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 herein has been paid, he shall issue a permit therefor to the applicant.

**702.300 Electrical Service to Temporary Uses Prohibited.** No Electrical permit shall be issued to provide service to a temporary use or structure. The following shall not be construed to be temporary uses or structures:

- (1) Construction sites
- (2) Wells.

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704.020 **Fees.** [~~O.A.R. 29 020 is amended to read:~~] The fee for each permit shall be as set forth in Table 1-A of the 1994 Edition of the Uniform Mechanical Code. The Building Official may [~~shall~~] 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 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.

704.030 **Issuance.** The application, plan, and specifications filed by an applicant for a permit shall be checked by the Building Official. Prior to the issuance of any mechanical permit, the Building Official may require the applicant to obtain approval of such other County Departments or other agencies as he deems appropriate. If the Building Official is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of the 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 herein has been paid, he shall issue a permit therefor to the applicant.

704.040 **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.



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CHAPTER [Chapter] 705  
ONE AND TWO FAMILY DWELLING CODE  
[~~One and Two Family Dwelling Code~~]

705.001 1996 [~~1993~~] Edition of the Oregon One and Two Family Dwelling Specialty Code. The 1995 [~~1992~~] Edition of the Council of American Building Officials (CABO) One and Two Family Dwelling Code, with 1996 [~~1993~~] Oregon Amendments, effective April 1, 1996 [~~May 1, 1993~~], as authorized by ORS 455.310-350, 455.450, 455.610-690 and 455.895 [~~455.990~~], is hereby adopted in its entirety.

**705.010 Fees.**

(1) The fee for each permit shall be as set forth in Table No. 1 [~~3~~]-A of the 1996 [~~1992~~] Edition of the CABO One and Two Family Dwelling 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 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 and any other permanent equipment.

(2) 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. [~~Before any change in fees is effective, the Building Official shall notify the Board of County Commissioners and provide the Board with a copy of the new fees.~~]

**705.020 Issuance of Permits.** The application, plans, and specifications filed by an applicant for permit shall be checked by the Building Official. Prior to the issuance of any permit, the Building Official shall require the applicant to obtain the approval of the County/City Planning Department and Environmental Health Department if the building is to be served by a septic tank or similar system. The Building Official may also require the approval of such other County Departments or agencies as he deems appropriate. If the Building Official is satisfied that the work described in an application for permit and the plans 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 herein has been paid, he shall issue a permit therefor to the applicant.

**705.030 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.

DATED this 14<sup>th</sup> day of ~~May~~ <sup>June</sup>, 1997.

  
Al Switzer  
Chairman


  
William R. Garrard  
Commissioner

  
M. Steven West  
Commissioner

ATTEST:

  
Nancy L. Bodkin  
Recording Secretary

APPROVED AS TO FORM:

  
Reginald R. Davis  
County Counsel