

ORDINANCE BILL NO. 1 FOR 2022

ORDINANCE NO. 1301

SWEET HOME ORDINANCE AMENDING CERTAIN SECTIONS OF SHMC CHAPTER 15.01 ADMINISTRATION AND ENFORCEMENT--BUILDING CODE AND SHMC CHAPTER 15.03 VARIOUS CODES WITH EXPEDIENCY CLAUSE

WHEREAS, The City of Sweet Home needs to synchronize its code with the state law for the appeal process to operate in an effective manner; and,

WHEREAS, The City of Sweet Home desires to specify some of the functions of the Building Official,

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

Section 1. SHMC §15.01.090(A) first sentence is amended to read as follows:

A. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relating to the waiver of a plan review, an inspection, a provision of the building code, or an alternative material, design or method of construction interpretation by the Building Official with regard to the building code, there shall be and is hereby created a Board of Appeals.

Section 2. SHMC §15.01.090(A)(1) is amended to read as follows:

1. The Board of Appeals shall consist of the Building Official of Linn County or an adjacent county and members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the City of Sweet Home. An individual who engages in the business of building design or construction may be a member of the board, but may not hear an appeal of a contract building official's discretionary decision concerning a project that involves a business, or competitor of a business, that: a. the individual owns or manages or for which the individual provides services as an employee, agent or contractor; or b. a family member or a member of the individual's householder owns or manages or for which the family member or member of the household provides services as an employee, agent or contractor.

Section 3. SHMC §15.01.090(A)(2) is amended to read as follows:

2. The Board of Appeals cannot include a contract building official or an owner, manager, director, officer or employee of a person that performs building inspections.

Section 4. SHMC §15.03.020 is amended to read as follows:

The Building Official has authority to enforce Sweet Home Municipal Code Titles 15, 16, and 17. Such enforcement may include but is not limited to:

- A. Inspections and Investigations
- B. Issuance of Stop Work Orders
- C. Occupancy Violations
- D. Imposition of Civil Penalties

Section 5. EXPEDIENCY CLAUSE. It is hereby adjudged and declared by the Sweet Home City Council that existing conditions are such that this ordinance is needed to be in effect at the time and date of its passage by the City Council and approval by the Mayor and it is hereby declaring an emergency to promote the public health, safety and welfare.

PASSED by the Council and approved by the Mayor this 8th day of February, 2022.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder