



DIVISION 50 MUNICIPAL ADMINISTRATION

918-050-0000

Purpose and Scope

Division 50 provides administrative procedures for use in all regions of the state and, where applicable, to specified regions of the state. **These rules address a uniform methodology for arriving at building permit and inspection fees to provide consistency in fee calculation.** Where a permitted item is not covered by the methodology in these rules, a municipality may either, develop a reasonable permit fee, or calculate a fee using a similar program area's methodology. These rules do not supersede or repeal the existing provisions of the state building code and related rules. These rules become effective on January 1, 2009.

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0010

Definitions

Terms not specifically defined will have the meanings given in the state building code.

(1) "Administrative fees" refers to fees assessed by a municipality to cover costs of administering and enforcing the building code apart from inspection and plan review services. Surcharges, assessed as part of the cost of doing business within a municipality and that are assessed without regard to whether the municipal action relates to the administration of the building code, are not administrative fees for the purposes of these rules.

(2) "Tri-county region" or "Tri-county regional" refers to the geographical area that includes Clackamas, Multnomah, and Washington counties.

Stat. Auth.: ORS 455.020 & 455.055

Stats. Implemented: ORS 455.020 & 455.055

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 20-2003, f. 12-31-03, cert. ef. 1-1-04; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0020

Standard Statewide Application Forms

(1) A municipality must use standard permit applications containing at least the minimum content required by the division.

(2) All municipalities within the Tri-County region shall use intake checklist forms approved by the division

(3) The division shall consider for adoption proposed amendments to the standard application and intake checklist forms.

OAR Chapter 918, Division 50

(a) Proposals for amendment to the application forms must include:

(A) The existing unamended form(s);

(B) The form(s) containing the appropriate amendments; and

(C) A brief explanation of the need for the amendments.

(b) Proposals to amend the approved forms must be filed with the division no later than February 1 or August 1.

(c) The division will notify all municipalities and interested parties of the division's determination regarding proposed amendments and provide copies of the amended form(s).

(d) Any form changes will be effective in all regional municipalities on July 1 or January 1 following adoption.

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 20-2003, f. 12-31-03, cert. ef. 1-1-04; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0030

Standard Tri-County Regional Processes

All jurisdictions within the Tri-County region shall use uniform processes for permit application, plan review, permit issuance, and recording inspections as approved by the division, including, but not limited to:

(1) Minor labels;

(2) Issuing permits when no plan review is required;

(3) Recording inspections;

(4) Partial permits;

(5) Deferred submittals;

(6) Over-the-counter permits that require plan review; and

(7) Plan review issue resolution.

Stat. Auth.: ORS 455.048

Stats. Implemented: ORS 455.046

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

Uniform Fee Methodology

918-050-0100

Statewide Fee Methodologies for Residential and Commercial Permits

(1) **Residential construction** permit fees shall be calculated using the following methodologies:

(a) A **plumbing permit fee for new construction includes one kitchen and is based on the number of bathrooms, from one to three, on a graduated scale. An**

additional set fee shall be assessed for each additional bath or kitchen.

(A) No additional fee shall be charged for the first 100 feet of water and sewer lines, hose bibbs, icemakers, underfloor low-point drains, and rain drain packages that include the piping, gutters, downspouts, and perimeter system.

(B) The plumbing permit fee described in this section does not include:

(i) Any storm water retention/detention facility;
 (ii) Irrigation and fire suppression systems; or
 (iii) Additional water, sewer and service piping or private storm drainage systems exceeding the first 100 feet.

(C) Permit fees for an addition, alteration, or repair shall be calculated based on the number of fixtures, appurtenances, and piping, with a set minimum fee.

(b) A mechanical permit fee shall be calculated per appliance and related equipment, with a set minimum fee.

(c) Effective January 1, 2009, a structural permit fee for new construction and additions shall be calculated using the ICC Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the dwelling to determine the valuation. The valuation shall then be applied to the municipality's fee schedule to determine the permit fee. The plan review fee shall be based on a predetermined percentage of the permit fee set by the municipality.

(A) The square footage of a dwelling, addition, or garage shall be determined from outside exterior wall to outside exterior wall for each level.

(B) The square footage of a carport, covered porch, patio, or deck shall be calculated separately at fifty percent of the value of a private garage from the ICC Building Valuation Data Table current as of April 1.

(C) Permit fees for an alteration or repair shall be calculated based on the fair market value as determined by the building official, and then applying the valuation to the municipality's fee schedule.

(2) Commercial construction permit fees shall be calculated using the following methodologies:

(a) A plumbing permit fee shall be calculated based on the number of fixtures and footage of piping, with a set minimum fee.

(b) A mechanical permit fee shall be calculated based on the value of the mechanical equipment and installation costs and applied to the municipality's fee schedule with a set minimum fee.

(c) A structural permit fee shall be calculated by applying the valuation to the municipality's fee schedule with a minimum set fee. Valuation shall be the greater of either:

(A) The valuation based on the ICC Building Valuation Data Table current as of April 1 of each year, using the occupancy and construction type as

determined by the building official, multiplied by the square footage of the structure; or

(B) The value as stated by the applicant.

(C) When the construction or occupancy type does not fit the ICC Building Valuation Data Table, the valuation shall be determined by the building official with input from the applicant.

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 5-2007, f. 5-11-07, cert. ef. 7-1-07; BCD 27-2008, f. ef.12-12-08, cert. ef. 1-1-09; BCD 7-2009, f. 9-30-09, cert. ef. 10-1-09

918-050-0110

Fees and Fee Schedules

(1) A municipality may develop its fee schedule in any reasonable manner to provide for the administration and enforcement of the building code program.

(2) Administrative fees assessed by a municipality to cover administration and enforcement shall be incorporated into a municipality's fee schedule or into the cost of an individual permit item as appropriate. Changes to a municipality's fee schedule must be adopted in accordance with OAR 918-020-0220.

(3) The plan review fees shall be based on a predetermined percentage of the permit fee set by the municipality.

Stat. Auth.: ORS 455.048, 455.055, & 455.210

Stats. Implemented: ORS 455.046, 455.055, & 455.210

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 5-2007, f. 5-11-07, cert. ef. 7-1-07; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0120

Statewide Fee Methodologies for Electrical Permits

An electrical permit fee shall be calculated based on the categories, procedures, and requirements established in OAR 918-309-0020 to 918-309-0070. A set minimum fee may be established.

Stat. Auth.: ORS 455.048, 455.055 & 479.870

Stats. Implemented: ORS 455.046, 455.055 & 479.870

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0130

Statewide Fee Methodologies for Manufactured Home Siting Permits

(1) A municipality shall charge a single fee for the installation and setup of manufactured homes. This fee shall include the concrete slab, runners or foundations when they comply with the prescriptive requirements of the Oregon Manufactured Dwelling and Park

Specialty Code, electrical feeder and plumbing connections and all cross-over connections.

(2) Decks, other accessory structures and foundations that do not comply with the prescriptive requirements of the **Oregon Manufactured Dwelling and Park Specialty Code, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, new plumbing, and other such items that fall under the building code may require separate permits.**

(3) When a municipality has reason to believe that the existing electrical service to a manufactured dwelling may be unsafe or inadequate, the municipality may require a separate permit to inspect the electrical service.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 26-2000(Temp), f. 10-4-00, cert. ef. 1-1-01 thru 6-29-01; BCD 31-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0140**Statewide Fee Methodology for Residential Fire Suppression Systems**

Stand-alone and multipurpose fire suppression system permit fees shall each be calculated as separate flat fees based on the square footage of the structure with graduated rates for dwellings with 0 to 2000 square feet, 2001 to 3600 square feet, 3601 to 7200 square feet, and 7201 square feet and greater. The permit fee shall be sufficient to cover the costs of inspection and plan review.

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 19-2001, f. 12-21-01, cert. ef. 4-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0150**Statewide Fee Methodology for Medical Gas Installations**

(1) **A plumbing permit fee for the installation of a medical gas system shall be determined based on the value of installation costs and the system equipment, including but not limited to, inlets, outlets, fixtures, and appliances and applied to the municipality's fee schedule, with a set minimum fee.**

(2) **The plan review fee shall be based on a predetermined percentage of the permit fee as set by the municipality.**

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 19-2001, f. 12-21-01, cert. ef. 4-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0160**Statewide Fee Methodology for Phased Projects**

A municipal plan review fee for a phased project is based on a minimum phasing fee, determined by the municipality, plus 10 percent of the total project building permit fee not to exceed \$1,500 for each phase.

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 11-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, F. 12-12-08, cert. ef. 1-1-09

918-050-0170**Statewide Fee Methodology for Deferred Submittals**

A fee charged for processing and reviewing deferred plan submittals shall be an amount equal to a percentage, determined by the municipality, of the building permit fee calculated according to OAR 918-050-0110(2) and (3) using the value of the particular deferred portion or portions of the project, with a set minimum fee. This fee is in addition to the project plan review fee based on the total project value.

Stat. Auth.: ORS 455.048 & 455.055

Stats. Implemented: ORS 455.046 & 455.055

Hist.: BCD 12-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 27-2008, f. 12-12-08, cert. ef. 1-1-09

918-050-0180**Statewide Methodology for Solar Structural Installation Permits**

(1) **Structural permits for solar photovoltaic (PV) system installation shall be calculated using the following methodology:**

(a) **Fees for installations that comply with the prescriptive path described in section 305.4 of the Oregon Solar Installation Specialty Code shall be a flat fee and includes one inspection and permit review by the municipality as defined in section 105.1 of the Oregon Solar Installation Specialty Code.**

(b)(A) **All other installations shall be based on the valuation of the structural elements for the solar panels, including racking, mounting elements, rails, and the cost of labor to install. The cost of the solar electrical equipment, including collector panels, and inverters shall be excluded from the permit valuation. The valuation shall then be applied to the municipality's fee schedule to determine the permit fee.**

(B) Plan review fees shall be based on a predetermined percentage of the permit fee set by the municipality.

(2) Electrical components of a PV system require an electrical permit. Electrical permits shall be calculated based on the methodology established in OAR 918-309-0020 through 918-309-0070.

Stat. Auth. ORS 455.048 & 455.055

Stat Implemented ORS 455.046 & 455.055

Hist.: BCD 13-2010, f. 9-30-10, cert. ef. 10-1-10

918-050-0800

Permit Surcharges

(1) A one percent surcharge will be assessed upon the total permit fees collected pursuant to ORS 455.210(4)(c).

(2) Effective January 1, 2008, a four percent surcharge will be assessed upon the total permit fees collected pursuant to ORS 455.210(4)(d).

Stat. Auth.: ORS 455.044 & 455.210

Stats. Implemented: ORS 455.044, 455.210

Hist.: BCD 10-1999(Temp), f. 9-7-99, cert. ef. 10-1-99 thru 3-28-00; BCD 17-1999, f. 12-30-99, cert. ef. 1-1-00; BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00, Renumbered from 918-020-0520; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 11-2007, f. 9-28-07, cert. ef. 1-1-08

918-050-0855

Administration of Electronic Permitting

(1) As used in this rule, unless context requires otherwise:

(a) "Electronic permitting" means the Oregon eBuildingPermits system implemented under ORS 455.095.

(b) "Contractor" means a person holding a Construction Contractors Board license and, if applicable, a contractor license issued by the division.

(c) "Department" means the Department of Consumer and Business Services.

(d) "Division" means the Building Codes Division of the Department of Consumer and Business Services.

(e) "In good standing" means a person currently licensed as a contractor who has no outstanding penalties due and owing to the division, the department, the Construction Contractors Board, or any other state for violations of construction standards, permitting requirements, or any construction related licensing or certification standards.

(f) "Public User" means a person who accesses the electronic permitting system through the internet and has either created an account to apply for permits through the system or uses the system to search for information.

(g) "State Portal" means the public access portion of the electronic permitting system.

(2) The following persons are eligible to utilize the state portal to access the electronic permitting system:

(a) Contractors in good standing;

(b) Persons designated by a contractor in good standing; and

(c) Public users.

(3)(a) Where the division finds a contractor, public user, or any other person has provided inaccurate, false, or misleading information when using the state portal, including but not limited to information regarding appropriate licenses, certifications, or plan review, the division may prohibit the registered public user, designated person, or contractor from using the state portal for a length of time to be determined by the division; and

(b) In addition to prohibiting use of the state portal, the division may take any additional action it considers appropriate, including civil penalties, and suspension, revocation, conditioning, or denial of division licenses, or take any actions as allowed under any provision of ORS 455.125, 455.127, or 455.129.

(4) Contractors sanctioned under any provision of ORS 455.125, 455.127, or 455.129 may be prohibited from using the state portal for a period of time to be determined by the division.

Stat. Auth.: ORS 455.095 & 455.097

Stats. Implemented: ORS 455.095, 455.097, 455.125, & 455.129

Hist.: BCD 15-2010, f & cert. ef. 10-5-10