

**ORDINANCE NO. 5093,  
TITLE 15 OF THE MMC**

**“BUILDINGS AND CONSTRUCTION”**

CITY COUNCIL, JULY 14, 2020



# CHAPTER 15 – BUILDING AND CONSTRUCTION

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- ❑ **Near-term Action in MAC Town 2032 Strategic Plan, under the Community Safety and Resiliency Goal and the strategy to “proactively plan for and responsibly maintain a safe and resilient community.”**
  
- ❑ **Building Official, Fire Marshal and Code Compliance team met for several months to discuss best practices and programs that would serve McMinnville into the future.**

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# CHAPTER 15 – BUILDING AND CONSTRUCTION

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- ❑ **Work Session on April 22, 2020**
  
- ❑ **Discussed two code amendment packages. This is the first of the two. This package focuses on overall structure of the programs and next package will focus on more specialty programs.**

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# ORDINANCE NO. 5093

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- ❖ Updates a code that has not been updated since 1980.
- ❖ Coordinates enforcement of building and construction codes with new code compliance program (Section 2.50 of the MMC).

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# CLASS CODE VIOLATIONS

## CITY OF MCMINNVILLE CIVIL PENALTY SCHEDULE:

### CODE VIOLATION CIVIL PENALTIES

TYPE OF CODE VIOLATION	CIVIL PENALTY
Class 1 Code Violation	\$5,000.00
Class 2 Code Violation	\$2,000.00
Class 3 Code Violation	\$1,000.00
Class 4 Code Violation	\$500.00
Class 5 Code Violation	\$250.00
Class 6 Code Violation	\$100.00
Class 7 Code Violation	\$50.00
Class 8 Code Violation	\$25.00

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# ORDINANCE NO. 5093

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- ❖ **Repeals and replaces Title 15 of the McMinnville Municipal Code, specific to “Buildings and Construction”.**
- ❖ **Amends 2.50/510., specific to Code Compliance - Applicability**
- ❖ **Amends Section 8.10.250, Health and Safety – Motor Vehicles**
- ❖ **Section 8.10.035, Health and Safety - Storage**

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# REPEALS AND REPLACES CHAPTER 15

<b>CURRENT CODE</b>	<b>NEW CODE</b>
<b>15.04 – UNIFORM CODES</b>	<b>15.02 – BUILDING CODES</b>
<b>15.08 – FIRE CODE</b>	<b>15.04 – FIRE CODES</b>
<b>15.12 – FIRE ZONES</b>	<b>15.06 – PW SPECIFICATIONS</b>
<b>15.16 – PW SPECIFICATIONS</b>	<b>15.08 – HOUSE MOVING REGULATIONS</b>
<b>15.20 – SWIMMING POOLS</b>	
<b>15.24 – HOUSE MOVING REGULATIONS</b>	
<b>15.26 – DISTINCTIVE STRUCTURES – WAIVER OF CERTAIN FEES</b>	
<b>15.32 – SMOKE DETECTORS</b>	
<b>15.36 – FIRE PROTECTION</b>	
<b>15.40 – MOBILE HOME DEVELOPMENT</b>	

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# 15.02 – BUILDING CODES

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- **Adopted by the State**
- **Uniform across Oregon**
- **Administered locally**
- **Local changes not allowed**

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# Building Codes

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1974 - 2019

- Broad authority over unsafe and unauthorized occupancy
- Applied to all structures & construction



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# Building Codes

1974 - 2019

- Broad authority over unsafe and unauthorized occupancy
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# Building Codes

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## Clarified scope of statute in 2019

- Limited to occupied buildings
- No compliance options
- No right of entry

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# Local Options

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Local regulations may fill the gap



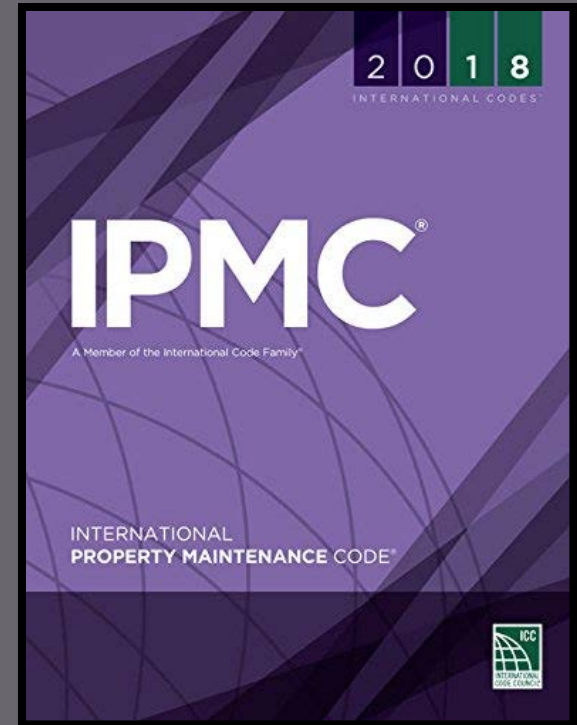
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# IPMC

“The International Property Maintenance Code (IPMC) establishes minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions.”

*-IPMC Preface*



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# SAFE AND HABITABLE STRUCTURES

## The IPMC and Unauthorized Occupants

### 602.2 Residential occupancies.

- *Dwellings shall be provided with heating facilities capable or maintaining a room temperature of 68°F....cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used as a means to provide required heating.*

### 505.3 Supply.

- *The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects or leaks.*

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# SAFE AND HABITABLE STRUCTURES

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## IPMC Local Administration

- **Administrated by Code Compliance staff, following current Chapter 2 Notice and Abatement process (no new code)**
- **Adoption of IPMC won't require any new code writing by staff**
- **Staff certification as Property Maintenance & Housing Inspectors (cost-neutral, funds reallocated from cancelled state conference)**
- **Building Official to provide technical guidance as necessary (paid through general fund)**

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# 15.02 – BUILDING CODES

SECTION	DESCRIPTION	NOTES
15.02.010	ADMINISTRATION	
15.02.020	BUILDING CODES	OREGON, IPMC, GRADING
15.02.030	REVISIONS TO CODES	LATEST EDITIONS
15.02.040	ALTERNATE MATERIALS, METHODS	EMPOWERS BO
15.02.050	MODIFICATIONS	EMPOWERS BO
15.02.060	PERMITS	REQUIREMENTS
15.02.070	INSPECTIONS	SPECIAL, NEED FOR CO
15.02.080	FEES	
15.02.090	POWERS/DUTIES OF BO	ROE, STOP WORK, UNSAFE BUILDINGS
15.02.095	APPLICABILITY	
15.02.100	VIOLATIONS AND PENALTIES	SECTION 2.50
15.02.200	PROTESTS AND APPEALS	SECTION 2.50

## Codes / Standards





# 15.04 – FIRE CODES

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- Contains Outdated Appeals and Penalty Processes**
- Places Requirements that are More Stringent than Current Code Allows**
- Smoke Detectors – Sprinkler – Alarms**
  - **All requirements found in current building and fire codes**

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# MCMINNVILLE FIRE CODE – Proposed Language

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- Local Adoption of the Oregon Fire Code and Appendices**
  - **Reference Current Adopted State Fire Code**
  
- Establish Duties**
  - **Establishes local Authority to Enforce the Fire Code**
  
- Provides for a Local Appeals Process through MMC**

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# MCMINNVILLE FIRE CODE – Proposed Language

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## Establishes the Ability for the Fire Department to Assess Violation Fees

- **Currently a misdemeanor enforced through the Municipal Court**
- **Change - The mechanism for collecting fees will be the MMC process for the collection of Civil Penalties**
- **The violations will be set by Council in Resolution but will mirror the Code Violation Civil Penalty Schedule in the MMC**

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# 15.04 – FIRE CODES

SECTION	DESCRIPTION	NOTES
15.04.010	DEFINITIONS	
15.04.020	ESTABLISHMENT OF DUTIES	
15.04.030	ADOPTION OF OREGON FIRE CODE	
15.04.040	FIRE PROTECTION SYSTEM MAINTENANCE	STANDARDS BY OFC
15.04.050	RESTRICTED USES DURING FIRE SEASON	ODF BURN REGULATIONS
15.04.060	MODIFICATIONS TO OFC	AFTER-HOURS INSPECTIONS, REINSPECTION FEES
15.04.070	VIOLATIONS AND PENALTIES	SECTION 2.50
15.04.080	PROTESTS AND APPEALS	SECTION 2.50

## Codes / Standards



# 15.06 – STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION

SECTION	DESCRIPTION	NOTES
15.06.010	ADOPTED BY REFERENCE	UPDATED REFERENCE
15.06.020	AUTHORITY TO ALTER PROVISIONS	UNCHANGED

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# 15.08 – HOUSE MOVING REGULATIONS



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# HOUSE MOVING REGULATIONS - Background

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- ❑ **Current House Moving code not updated since 1980**
  
- ❑ **This code currently lives in Chapter 15 Buildings and Construction**
  
- ❑ **Collaborative feedback from:**
  - **Engineering Department**
  - **Building Department**
  - **Police Department**
  - **McMinnville Water & Light**

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# 15.08 – HOUSE MOVING REGULATIONS

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>NOTES</b>
15.08.010	PURPOSE	
15.08.020	RELOCATION OF PERMIT REQUIRED	
15.08.030	SITE AND STREET OCCUPANCY PROHIBITED	
15.08.040	APPLICANT'S BURDEN	
15.08.050	APPLICATIONS	FEE, INSURANCE, DEPOSIT
15.08.060	AUTHORITY TO DECIDE RELOCATION PERMIT	CDD DIRECTOR
15.08.070	PERMIT APPROVAL PROHIBITED	LIENS, TAXES PAID
15.08.080	DEMONSTRATION OF ZONING COMPLIANCE	
15.08.090	APPROVAL CRITERIA	
15.08.100	CONDITIONS	
15.08.110	NOTICE OF APPROVED RELOCATION PERMIT	
15.08.115	RELOCATION OF HISTORIC RESOURCES	FEE WAIVERS
15.08.120	VIOLATIONS AND PENALTIES	SECTION 2.50
15.08.130	PROTESTS AND APPEALS	SECTION 2.50



# OTHER AMENDMENTS

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- ❑ **Section 2.50.510, adding the applicability of the Code Compliance process to Title 15**
- ❑ **Section 8.10.250 – adding the ability to screen inactive motor vehicles on private property with a car cover.**
- ❑ **Section 8.10.035 – adding a section on the storage of items on private property.**

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# NEXT PACKAGE

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- Demolition
- Fire Safety During Construction
- Protection of Adjacent Property
- Encroachments into Right of Way
- Retaining Walls
- Cell, Radio and Other Towers – Flag Poles
- Signage Regulations
- Transitional Housing Accommodations
- Rental Maintenance Program

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# ORDINANCE NO. 5093, QUESTIONS

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