

City of Bend Community Development Department Building Division

Operating Plan 2005-2008
Updated January 2004

I. INTRODUCTION

A. Purpose

OAR 918-020-0080 Delegation of Building Inspection Programs:

"The division and every municipality that administers and enforces a building inspection program or desires to assume responsibility to administer and enforce a building inspection program shall prepare an operating plan describing the manner in which the municipality or the division will do so. The operating plan shall establish specific processes and goals, consistent with the program standards described in ORS 455.153 and OAR 918-020-0090"

This operating plan was developed to comply with the administrative rule quoted above. This plan reflects the standards, policies, procedures and services administered and offered through the building inspection programs of the Community Development Department, Building Division of the City of Bend. The plan will be updated as necessary to reflect service changes.

B. Building Inspection Programs

The Building Division administers the following "building inspection programs" under authority granted in ORS 455.150:

- Structural (Building) Code Plan Review and Inspection
- Mechanical Code Plan Review and Inspection
- Plumbing Code Plan Review and Inspection
- Electrical Code Plan Review and Inspection
- Residential Dwelling Code Plan Review and Inspection
- Manufactured Dwelling & Cabana Installations
- Manufactured Dwelling alterations
- Manufactured Dwelling park plans and construction
- Recreation Park & Organized Camp Plans and Construction
- Facilities Permits (Master Permit Program)

C. Reporting Period

This is the Operating Plan for the preceding programs for the Reporting period of January 1, 2005 through December 31, 2008.

D. Additional Programs

In addition to the "building inspection programs" listed above, the Building Division administers programs for:

Abatement of dangerous buildings

E. Building Division Manager and Building Official

The Building Division Manager is the Building Official for the City of Bend. Within the City of Bend's commissioner form of government, the Building Division is currently within the portfolio of Community Development. The Building Manager/Official is Robert E. Mathias, C.B.O. The Director of Community Development is James Lewis.

The Building Division is established and duties are assigned in Chapter 9 of the Bend City Code.

Comments, inquiries and notices regarding this operating plan should be sent to the Community Development Department, Building Division, PO Box 431, Bend, OR 97709; (541) 388-5528.

II. OPERATING PLAN REVIEW AND APPROVAL

The plan is available from the Building Division upon request. Copies of the operating plan are available to the public at the Building Division and the Manager's office, located at 710 NW Wall Street, Bend, OR 97701. The plan is on file with the State of Oregon Building Codes Division and has been distributed to surrounding jurisdictions. Availability of the Operating Plan and significant revisions to the plan will be announced on the City of Bend's website, Building Division page, www.ci.bend.or.us.

A. Ongoing Public Interaction

On a regular basis, the Building Division seeks input from clients through a variety of methods in conjunction with the other development review divisions of the City, the Building Division gathers ideas, concerns and suggestions on regulations and the permit process from various Customer Focus Groups. In addition, customers are periodically surveyed about their use of Building Division services.

B. Submittal to Building Codes Division

The next update to the operating plan is due to the Buildings Codes Division (BCD) by January 1, 2008.

C. BCD Review

The State of Oregon Building Codes Division verifies that the Bend operating plan complies with the standards, policies and procedures contained in OAR 918-020-0090.

III. ADMINISTRATION

A. Adequate Funds and Other Resources

Based on Bend City Council policy that construction inspection programs shall be 100% fee supported, the Building Division collects adequate revenues to fund all inspection and plan review/permit issuance programs. Revenues from construction permits, plan review, inspection fees, the collection of penalties and liens constitute most revenues. However, from time to time, Bend City Council will allocate general fund resources to initiate new programs or increase levels of service.

The Building Division is set up as a separate accounting fund within the City of Bend's budget structure. The Building Division's revenues are all directed to programs within the division. These revenues are used to support permit and plan review related activities only, and are not used for other city programs. Revenues and expenditures of each division are accounted separately. (Programs administered by the Community Development Department, such as land use and zoning have separate funding sources. Generally, State Building Code administration fees are not used by these other programs. However, building permit revenues have been used to fund portions of planning and zoning reviews that are incidental to the issuance of building permits.)

The principal construction programs are: structural/mechanical (HVAC), plumbing and electrical.

Each fall, the Building Division staff prepare preliminary revenue forecasts for the current

year and five subsequent years. Projections for expenditures are made at the same time revenue and expenditures are compared to determine annual cost recovery rates and whether the division's reserve will be drawn down or increased. The City Council reviews the level of service to customers and after the budget process, adopts the budget for the subsequent fiscal year.

The Building Division has a fund balance which may be used to supplement the division's budget when the economy is weak and revenues do not meet expenses. The goal of the fund balance is to allow the Building Division time to recognize and respond to unanticipated declines in construction and to maintain the staffing needed to carry out its obligation to provide services on permits that have already been paid. The size of the fund balance determines how much time the division will have to adjust to change and still provide necessary services. The fund balance will not insulate the Building Division from making significant budget adjustments in response to lower revenues and reduced workload over the long term. The fund balance will, however, allow the Building Division to remain stable and meet its prepaid obligations, provide time to respond, and reduce the severity of the budget cuts in the short term.

1. Equipment

All staff members are provided with the equipment and other resources needed to complete their work in an efficient and service oriented manner. Such equipment includes, but is not limited to, office space, vehicles, cellular telephones, personal protection equipment, codes and code related publications, business and identification cards and networked personal computers.

B. Authority

Section 9.200 of the Bend City Code authorizes the Manager of the Building Division to enforce the provisions of the building code, including plumbing, electrical and mechanical regulations. To fulfill this duty, the Manager is authorized to appoint officers, inspectors and other assistants. Each of these titles also adopts the most recent edition of the State of Oregon Residential Dwelling Specialty Code. Each position within the Building Division is delineated in a detailed job description and specification which, when appropriate, includes certification requirements.

C. Appeal Processes

Persons aggrieved by the Building Division's interpretation or application of the Building,

Mechanical, Plumbing, Electrical or Oregon Residential Dwelling Specialty Codes, or persons wanting acceptance of alternative materials or methods of construction, may apply for an appeal on forms established for that purpose. Appeals submitted Monday through Friday are reviewed the following Wednesday by the Building Official, technical advisory staff representing the plan review and inspection sections of the division, and staff from the Fire Division. Appeal proposals that are deemed equivalent to the intent and purpose of the standards of the code are granted under the authority of the Building Official.

In accordance with SB 587, applicants and permit holders have the option of appealing through the Building Division processes, or they may appeal directly to the appropriate Chief Inspector of the State of Oregon Buildings Code Division. As per ORS 455.690, any person aggrieved by the final decision of the City's appeal boards may, within 30 days after the date of the decision, appeal to the appropriate state advisory board.

D. Accounting Practices

1. Expenditures

The expenditures of each section of the Building Division are accounted for separately. The division uses the City of Bend automated accounting system and receives reports each monthly accounting period on expenditures. Expenditures are also accounted for by line item and offer a comparison to budget

2. Revenues

Since the adoption of the Building Fund, the Building Division has analyzed expenses and revenue by program. Cost recovery rates are calculated for each program for every accounting period. The five year plan includes tracking of balance fund by each program.

3. Administrative Overhead

Administrative overhead costs are allocated proportionally to the division program, and losses and surpluses are tracked by program.

E. Income/expense Projections

Each fiscal year, the Building Division strives for realistic expenditure projections. For FY 2004-05 through 2008-2009, annual expenditure increases of approximately 3% are planned. This 3% growth rate mirrors the estimate prepared by the City Finance Office.

For the five-year forecast, the division expects current trends to continue. The number of

permits continues to be strong. There is nothing in the local, regional or national economic outlooks which indicate that the division revenue forecasts should differ from the revenue forecasts for the City as a whole. Overall the Building Division funds will continue to meet expenses and maintain a reasonable reserve.

F. Records Retention and Retrieval

The Building Division has records for building, plumbing, mechanical, and electrical permits as well as records for each board of appeals. The City of Bend coordinates the City's records retention schedules to meet the minimum state requirements; however, the Building Division maintains some records longer than the minimum standards. These are all permanent records and are kept in various forms, including hardcopy and computer. The records include the permitting information for the City of Bend.

Records can be researched in person at the Building Division office located at 710 NW Wall Street, or via phone (541-388-5528). The findings can be mailed or faxed. Some plans are stored at the City's archive facility and can be retrieved within five to seven working days.

G. Inquires, Complaint Process

The City of Bend Building Division has a well-defined, established process for reviewing customer concerns. Concerns about service that are not resolved at the supervisory level are referred to the Customer Service Section for resolution. The concern is investigated by Customer Service staff and the customer is contacted in writing or by phone with the results. Complaint records are kept for a two-year period. Quarterly reports are compiled reporting types, numbers and resolution of concerns. All complainant information is kept confidential.

H. Permit Application Center

The City of Bend Community Development Department Building Division is located at 710 NW Wall Street in City Hall. The counter is open to receive and issue permit applications, and respond to inquiries from 7:30 a.m. to 4:00 p.m. Monday through Friday. The telephone number for the Building Division is (541) 388-5528; the fax number is (541) 385-4978.

I. Jurisdictional Boundaries

The Building Division provides the inspection programs within the city limits of the City of Bend. A map of the jurisdictional area is posted in the Building Division office and a general location map is on the division's web site (www.ci.bend.or.us)

IV. PERMITTING STANDARDS

A. Office Hours

See Section III, H above.

B. Application Submittal and Intake:

Information on preparing/receiving building permit applications can be obtained at the Building Division and on the City of Bend website (www.ci.bend.or.us). The Building Division also publishes numerous handouts designed to assist various customer groups to navigate the permitting process.

Permit applications are received at the Building Division's office. All permit intakes, reviews of minor projects, fee payments, and responses to related customer service inquiries occur in the Division office.

1. Receiving Applications by Fax

The Building Division will receive applications via fax for basic electrical, plumbing and mechanical permits. Applications will not be accepted via fax if plan review is required.

2. Determining Application Completeness and Informing Applicants

All building, mechanical, plumbing, electrical permit applications requiring plan review are reviewed for completeness by either technical or professional staff. Building permits are reviewed for completeness during the intake process in the presence of the applicant, and applicants are informed verbally of any inadequacies. Plans that are obviously very incomplete are not accepted; those having minor inadequacies are accepted, but review of the entire project does not occur until either the plans have been revised or the needed information has been provided. The applicant will receive a letter from a plans examiner which will outline all information that is needed to complete plan review.

C. Application Review

1. Application Review Goals

The Building Division has set the following goals for permit review:

PERMIT TYPE	WORKING DAYS TO 1 ST REVIEW
RS-Residential	
CO-Commercial	
RS Additions	10
CO Additions	21
RS New Construction	10
CO New Construction	21

The Building Division's success at meeting these goals is dependent upon the availability of staff, the number and complexity of the permit applications and the completeness of the plans provided.

2. Issuing Permits - Reasonable Time

The Building Division issues all walk-in/over the counter and faxed permits received by three on the same day. Permits for new single family residences are reviewed within 10 working days. Issuance times depend on applicants' response times to check sheets and on when they pay fees. Projects that are going to take longer than that because of their complexity or size may be broken down into phases and partial permits issued, if appropriate. As an example, it is not uncommon for a new commercial building to issue a separate grading permit, foundation permit, and structural shell, and then the main building permit. Applicants requesting phased permits are notified of the timelines for phased plan reviews, and are informed that the issuance of a phased permit does not guarantee that a permit will be issued for the entire structure. The Building Division also issues separate permits for deferred submittals (items designed by the contractor generally after the main building permit has been issued). Using this approach, the division has been reasonably successful in meeting the time lines on most projects.

D. Policies for Permits without Plan Review; Waiving Life Safety and Structural Plan Reviews; Emergency Permits; Master Permits and Minor Labels

1. Permits Without Plan Review

See B.1, above

2. Waiving Life Safety and Structural Plan Reviews

Pursuant to 2003 Oregon Senate Bill 711 (SB 711), the City of Bend may in certain cases waive the requirement for Life Safety and Structural plan reviews for one and two family dwellings that are of conventional light frame construction, as defined in OAR 918-408-0130. To qualify for a waiver of these two reviews, the plans must be designed and stamped by a professional engineer registered under ORS 672.092, or by an architect registered under ORS 671.060. The engineer or architect must also be certified by the Director of the Department of Consumer and Business Services under ORS 455.720 as a one and two family dwelling plans examiner.

To request a waiver of the Life Safety and Structural plan reviews, the applicant must submit appropriately-stamped plans. The stamp must show the registered professional's certification number, and the plans must bear the registered professional's signature. The applicant must also submit a completed *Request for Exemption from Plan Review & Statement of Plan Review Certification/Licensure* form. This form identifies the project and includes the certification information of the registered professional who stamped the plans. The form may be obtained online at www.ci.bend.or.us or at the Community Development Department Building Division.

The applicant is initially charged a Building Plan Check Fee, until the plans are reviewed for compliance with SB 711 requirements. If the plans meet the requirements, the Life Safety and Structural plan reviews are signed off as approved, with comments noting the exemption from those plan reviews only; all other reviews required by City and State codes must still be performed. The Building Plan Check Fee is then credited toward the remaining permit fees for the project, and a Special Program Processing Fee is added. The plans are then forwarded for other reviews as required by City code. If the plans do not comply with SB 711 requirements, the Building Plan Check Fee remains and the plans receive Life Safety, Structural, and all other plan reviews required by State and City code.

3. Emergency Permits

a. Structural/Mechanical Work. Emergency Permits, such as those associated with floods, landslides or wind damage are given the highest priority by the division. Inspection teams utilize the ATC-20 program for determining building safety. Emergency shoring and temporary repairs without permit are allowed on a limited basis. Work may commence before issuance of the permit provided that the contractor informs the division immediately, calls in for an inspection as soon as is practical, and files applications for permits as soon as the scope of the work is known.

Permanent construction to repair damage requires permits which must go through the normal permit process. The review of these applications is given the highest priority.

b. Plumbing Work. The Building Division allows emergency plumbing work to be started without permit, provided the contractor calls in to have the work inspected within 48 hours and takes out the required permit as soon as is practical after the emergency event. Emergency work may also be carried out under a minor label provided that it falls within the scope of the work allowed under the label.

c. Electrical Work. The Building Division also allows emergency electrical work to be started prior to permit issuance, provided that the contractor notifies the division as early as possible, requests an inspection of the work as soon as practical, and takes out the required permit within seven days. An electrical minor label may also be used, provided that the emergency work falls within the scope of the label.

4. Master Permits

a. Repetitive Design. Builders, who want to repeat the same house plan on a number of lots may do so, provided there are no changes. In such case, the plan review fee is reduced by 50%.

b. Combination Permits. The Building Division issues combination permits for new construction and alterations. This permit combines building, mechanical, electrical and plumbing work. All fees are paid when the building permit is issued. Subcontractors with a current contractor's registration and license can then fax in an application for a plumbing, electrical, or mechanical permit attached to the combination permit, at no additional cost. This process reduces paper work for both the city and the subcontractors while insuring that all permits are taken out in a timely manner.

c. Master Permit Program-Electrical Only. The program is a fast track permitting and inspection process for interior tenant improvements within maintenance/repair work in commercial and industrial facilities. Plan review and inspection services are provided by teams of appropriately certified inspectors. The program is funded predominantly through hourly billings.

4. Minor Labels

Residential minor labels and plumbing and electrical minor labels are offered by the State of Oregon. The Division makes minor label compliance inspections that are received from the State.

E. Requiring Proof of Contractor Registration

The City has contractors' registration data in an automated permit tracking and issuance system. If the division is not able to verify that a contractor has a current registration, the State is notified or the contractor is asked to provide proof of a current registration.

V. PLAN REVIEW STANDARDS

A. Plan Review Policies To Assure Compliance With Codes

1. Structural/Mechanical. The Building Division has specialists for various permit types and review categories as follows: residential, commercial, fire life safety/energy/accessibility, structural and mechanical. Plans are screened and assigned in accordance with the project complexity. All commercial projects and those residential projects having non-standard structural components are assigned for structural review; all commercial mechanical projects are assigned for mechanical review. Plans and supporting documents are reviewed against the standards and regulations contained in the State Specialty Codes, including architect and engineer licensure laws. Any inconsistency or inaccuracy with the codes is noted in writing and faxed or mailed to the applicant. The applicant is required to redraw the plans, or note the corrections on the drawings when redesign is not required. Plans are re-reviewed before the permit is issued.

The Building Division coordinates the review of all commercial projects with the Bend Fire Department, who provides four full-time inspection/plan review staff available to the Building Division. Fire Department staff also acts as the Divisions liaison with the State Fire Marshal.

The Building Division continues to develop a variety of handout information for permit applicants, including brochures, checklists and information packets.

2. Electrical. Plans examiners in the Electrical inspection section review electrical plans for compliance with the State Electrical Specialty Code. The standards for electrical plan review are all outlined in a Division policy which is based on the prevailing ORS and OAR which address electrical plan review. A copy of the electrical plan review policy is available to the public upon request to the Building Division.

3. Plumbing. Plans examiners in the Plumbing inspection section review plumbing plans for compliance with the State Plumbing Specialty Code. Plans are to have sufficient detail to show compliance with the State Plumbing Specialty Code, and in the case of food preparation they must also comply with Deschutes County Health Department regulations. Copies of the applicable Deschutes County regulations are available to the public upon request to the division.

B. Contracts for Plan Review

The Building Division maintains contracts with several firms for performing plan reviews for structural and fire/life safety provisions of the State building codes. These firms are utilized when unusually heavy work loads and/or staff shortages increase the review turn around times to an unacceptable level and the use of staff overtime cannot compensate. Prior to executing contracts with these firms, the Building Division ensures that the staff of the firms hold and maintain the required State certifications as plans examiners. Applicants may also use approved third-party plan reviewers when the division's time period for structural and fire/life safety reviews exceeds 15 days.

Additionally, the Building Division occasionally contracts with specialty engineering or consulting firms when special needs arise. These occasions include, but are not necessarily limited to, numbers of structural failures caused by natural events such as earthquakes, floods, heavy winds, or soil stability issues caused by such natural events. This contracting is done only when the events are in such numbers and/or of such an immediate nature that the normal division engineering staff cannot respond adequately. Prior to contracting with these firms the division ensures that the staff involved in the contracted work has the required State licenses and/or certifications.

C. Plan Review Personnel

The City of Bend Building Division maintains a list of all certified staff. The Building Division uses a computerized database program to document the type of certification held, the certification number and the date issued. Copies of the employees' certifications are also on file. As employees complete their continuing education credits, the description of the class and number and type of credits are recorded as well as each employee's progress through the year in obtaining their continuing education credits. The division also maintains the original training authorization documents.

The Plans Examiners are available Monday, Tuesday, Thursday and Friday, 7:30 am to 4:30 pm for questions. Plans Examiners are available 11:00 am to 4:30 pm on Wednesdays

VI. INSPECTION STANDARDS

A. Inspection Services

Inspection staff is available Monday through Friday from 7:30 am to 4 pm. Field inspectors are normally available from 7:30 to 8:00 am for phone calls.

B. Inspection Requests

The Building Division uses a telephone scheduling system for inspections. The system allows customers to use their telephones to schedule, cancel, or reschedule inspections, obtain inspection results and obtain plan review status. The telephone system is available 24 hours a day, 7 days a week. Inspections that are requested prior to 11:59 pm of the previous day will normally be conducted on the date requested; inspection requests received after 12:00 am will be accomplished the following day unless a later date is requested. Inspection requests that are received after 12:00 a.m. but which are needed on the same day requested because of unforeseen issues, may be accomplished as requested if approved by the Building Official.

Customers can also schedule an inspection and check the status of a permit online at the City of Bend's website (www.ci.bend.or.us). The website is also available 24 hours a day, 7 days a week and follows the same guidelines as listed above for the automated system.

C. Inspection Process

Upon arriving at a job site, an Inspector will verify that a permit has been posted and that approved plans are available. After completing the requested inspection, the Inspector will fill out an inspection report which describes any items that require correction in accordance with the applicable specialty code. The Inspector will leave a copy of the report on the site in a conspicuous location. If the Inspector finds that all minimum code requirements have been met, the Inspector will indicate approval on the job card on the site or will leave on the site an inspection report noting approval.

The special inspection requirements outlined in Chapter 17 of the Oregon Structural Specialty Code are overseen by Building Division's Special Inspection section. The staff working in the section monitor all of the special inspection work carried out in the city by certified testing labs and other designated special inspectors. Section staff regularly make field inspections to observe tests, check that only appropriately certified inspectors are on site, and verify that they are performing their inspections correctly.

If the contractor or owner disputes the Inspector's inspection report, they can call the supervisor at one of the following numbers:

Inspection Supervisor 541-330-4012
Assistant Building Official 541-383-4884

If the contractor or owner needs to speak with the field inspector, they can reach them through the above numbers or at the Inspector's desk phone between 7:30 and 8:00 am.

D. Inspection Personnel

The Building Division maintains a list of all certified staff. The Building Division uses a computerized database program to document the type of certification held, the certification number and the date issued. The Building Division also maintains copies of the employees' certifications. As employees complete their continuing education credits, the description of the class and number and type of credits are entered into a training database. The division can track each employee's progress through the year in obtaining their continuing education credits. The division also maintains the original training authorization documents.

E. Authority to Issue Stop Work Orders

Bend City Code authorizes the Building Official and his authorized representatives to issue stop work orders. Authorized representatives include all Division inspectors.

F. Enforcement of Plumbing and Electrical Licensing and Registration Requirements

The Building Division field inspectors verify compliance with plumbing, electrical and contractor licensing and registration requirements on a routine basis, and in response to complaints. If a licensing violation is noted, inspectors follow prevailing state procedures.

G. Expired Permits

The City of Bend Code provides administrative procedures for addressing the expiration of permits, consistent with the provisions of each State specialty code. Permits become null and void if no inspection approval has taken place within six months after permit issuance. Each time an inspection approval is granted the permit is extended for six months, until final approval is granted. Only one requested extension is allowed if a permittee is unable to complete work necessary for an inspection approval within the six month period. Procedures are consistent for each specialty code. Inspection approvals are recorded in the Building Division's permit tracking system, and the telephone inspection system allows permit holders to verify inspection approvals by telephone following each inspection [as well as by approval notations on the permit job card maintained on-site].

VII. COMPLIANCE PROGRAMS

Reports of work being performed without permit, in violation of the City of Bend, Building Code, and/or in violation of ORS 479.550, 479.620, 447.030, 447.040, 693.030 and 693.040 are accepted in person or via mail, telephone or fax. All reports are investigated by the appropriate staff.

Reports as described above are investigated to determine whether or not a violation exists. If no violation exists, the case is closed. If a violation exists, there are several possible actions that may be taken by the Division, including but not limited to stop work orders, assessment of investigation fees, citation into Municipal Court, and referral to the Building Codes Division Compliance Section through the process identified in ORS and OAR. In any case, the person making the report is informed of the outcome.

The Building Division is currently developing a Compliance Program aimed at promoting and assisting property owners and the public to comply with the State specialty codes in the most efficient manner possible. The Compliance Policy and Procedure Manual will be in effect as of July 1, 2005.

VIII. CERTIFICATION

I certify that the City of Bend Building Division is operating as indicated in the preceding operating plan.

Robert E. Mathias, C.B.O
City of Bend Building Division Manager/Official

Date: _____