

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending Fee Schedules for)
Permits under the Building Inspection Program,)
On-Site Wastewater Program, and Planning) ORDER NO. 62-2016
Program to Include a Uniform Code Compliance)
Investigative Fee)

WHEREAS, through Order No. 58-2009, the County established an Enforcement Investigative Permit Fee, which is assessed against persons who perform work without a permit required by the County's on-site wastewater program. That fee is currently \$104.00; and

WHEREAS, through Order No. 56-2011, the County established a Code Compliance Investigative Permit Fee, which is assessed against persons who are required to correct a confirmed land use violation. That fee is currently \$111.00; and

WHEREAS, through Order No. 33-2014, the County established an Investigation Permit Fee, which is assessed against persons who perform work without a permit required by the Structural Code under the County's Building Inspection Program. That fee is currently \$104.00 per hour; and

WHEREAS, the County's Land Development Services Director has proposed that the above fees be replaced by one uniform Code Compliance Investigative Fee ("Uniform Fee") of \$106 per hour (with a two hour minimum) and that the Uniform Fee apply to all permits under the Building Inspection Program, not just those required under the Structural Code; and

WHEREAS, the Director recommends the Uniform Fee because the current fees are inconsistent, do not cover investigative costs for some approvals (e.g., mechanical, plumbing, electrical permits, etc.), and do not accurately reflect the County's costs to perform the service; and

WHEREAS, ORS 455.048 and Ordinance No. 90-8 authorize the County to adopt investigative fees for work performed without a permit required by the County's building inspection program; and

WHEREAS, the County's authority to establish fees for its on-site wastewater program derives from ORS 454.725 and the County's agreement with the Department of Environmental Quality of the State of Oregon, dated June 26, 1981, which provides for the local evaluation, inspection, and regulation of on-site sewage disposal systems; and

WHEREAS, ORS 215.416 authorizes the County to establish fees for the processing of land use permits that are no more than the actual or average cost of providing that service; and

WHEREAS, pursuant to OAR 918-020-0220(1), Columbia County provided a 45-day notice of the proposed fees to the Oregon Department of Consumer and Business Services; and

WHEREAS, notice of the proposed fee changes was also published in the *St. Helens Chronicle* and *South County Spotlight*, mailed to contractors, and posted in several prominent places in the County Courthouse at least two weeks prior to the scheduled public hearing; and

WHEREAS, following a public hearing on October 19, 2016, the Board of County Commissioners voted to adopt the proposed fee changes.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. In support of its decision, the Board adopts the findings and conclusions in the Land Development Services Director's report, which is attached hereto as Exhibit A and incorporated herein by this reference.

2. Order No. 39-2016, "In the Matter of Amending Fee Schedules for Building, Electrical, and Other Miscellaneous Permits under the Building Inspection Program; On-Site Wastewater Program Fees; and Planning Program Fees" is hereby amended to include a Uniform Code Investigative Fee of \$106.00 per hour, with a two-hour minimum, which shall apply to permits issued for work that was performed without a required permit or approval under the Building Inspection Program, On-Site Wastewater Program or Planning Program.

3. This Order shall be effective January 1, 2017.

DATED this 19th day of October, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Anthony Hyde, Chair

By: _____

Henry Heimuller, Commissioner

By: not present

Earl Fisher, Commissioner

Approved as to form

By: _____

Office of County Counsel

BOARD COMMUNICATION

FROM THE LAND DEVELOPMENT SERVICES DEPARTMENT

MEETING DATE: **Board Work Session: September 28, 2016****Public Hearing: October 19, 2016**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Todd Dugdale, Director of Land Development Services

SUBJECT: PUBLIC HEARING
Building, Planning, & On-site Programs
Code Compliance Investigative Fee

DATE: September 28, 2016

SUMMARY:

Land Development Services is proposing revisions to Building, Planning and On-Site program fees to add a uniform Code Compliance Investigative fee to cover the costs to the County for investigating and processing code violations involving the establishment of a use, construction of a structure or on-site sewage system without required County approvals or permits. The fee would be payable at the time of application for land use, building and on-site actions required to correct the code violation. Land Development Services has existing fees to cover investigative costs for some types of approvals and permits, but they do not reflect the current hourly rate for employees involved, are not consistent and do not cover all categories of approvals and permits.

The table in **Attachment 1**, contains a listing of existing approvals and permits for which a Code Compliance fee is currently charged, the amount of the current fee and the proposed new uniform fee to be applied to all categories of approvals and permits which are required to correct a code violation. The proposed fee is \$106/hr with a minimum charge of 2 hours or \$212.

Due to statutory limitations on the frequency of changes to specific fees and in light of the fact that a code compliance fee for some types of permits was updated on June 29, 2016, the proposed uniform Code Compliance Investigative fee cannot take effect until January 1, 2017.

At their September 28, 2016 work session, the Board referred the proposed fees to a public hearing on October 19, 2016. Notice of the hearing has been mailed to the Oregon State Building Codes Division per State administrative rule 45 days prior to the public hearing (**Attachment 2**), was posted, published in the newspaper, and mailed to local contractors (**Attachment 3**).

ATTACHMENTS:

1. Existing and Proposed Code Compliance Fees
2. Notice to Oregon State Building Codes Division
3. Newspaper Notice
4. Board Order No. _____

RECOMMENDATION:

Staff recommends approval the attached Board Order (**Attachment 4**) establishing the proposed uniform Code Compliance Investigation Fee with an effective date of January 1, 2017.

COLUMBIA COUNTY LAND DEVELOPMENT SERVICES

FEE REVISION

Effective: October 19, 2016

Columbia County Board of Commissioners ♦ Board Order No.

♦ Adopted:

FEE DESCRIPTION	Existing	New
CODE COMPLIANCE INVESTIGATION FEE Applied to Applications For Permits Required to Correct a Code Violation		
1. Building Code Violations (ORS 455.048) Includes Plumbing, Electrical, Mechanical, Grading, Movable Commercial Installation, Manufactured Dwelling Installation, Grading/Fill and Miscellaneous Permits	Structural Permit Only \$104/hr	\$106 per Hour 2 Hour Minimum
2. Land Use/Zoning Code Violations Includes all Land Use Approvals and Permits	\$111	\$106 per Hour 2 Hour Minimum
3. On-Site Code Violations Includes all lot evaluations and new system, repair, authorization and alteration permits.	\$104	\$106 per Hour 2 Hour Minimum

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Consideration and)
Possible Adoption of a Code Compliance)
Investigation Fee Effective October 19, 2016)

NOTICE OF PUBLIC HEARING

1. The Board of County Commissioners for Columbia County, Oregon, will hold a public hearing on Wednesday, October 19, 2016, at or after 10:00 a.m. in the Board of County Commissioners' Meeting Room, Room 318, Courthouse Annex, St. Helens, Oregon.
2. The purpose of the hearing is to consider adoption of a proposed Code Compliance Investigation Fee payable to the Land Development Services Department at the time of application or issuance of Building Permits including Structural, Mechanical, Plumbing, Manufactured Housing and Grading/Fill; Land Use Applications, and On-Site Program Applications which are required to correct code violations. The proposed effective date for the fee is October 19, 2016. **(See attached fee schedule)**
3. You may obtain copies of the proposed fee schedule by contacting Todd Dugdale, Land Development Services Director at 503-397-1501 or downloading them from the County's website at www.co.columbia.or.us/lds/.
4. This is a public hearing. Interested persons may appear and be heard. Columbia County does not discriminate on the basis of disability and will provide reasonable accommodations in accordance with the County's ADA Policy. To request accommodations or to review the County's ADA Policy, please contact the Board of Commissioners' Office at 503-397-4322.

Dated this 30th day of September, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Anthony Hyde, Chair

The Chronicle: Please publish in your 10/5/16 issue.
The Spotlight: Please publish in your 10/7/16 issue.

NOTICE OF PUBLIC HEARING



**LAND DEVELOPMENT SERVICES DEPARTMENT
BUILDING DIVISION**

Columbia County Courthouse, St. Helens, Oregon 97051
Phone: (503)397-7207 Fax: (503)366-3902
Todd.Dugdale@co.columbia.or.us

August 22, 2016

Tyler Larson
Department of Business and Consumer Services
Building Codes Division
P.O. Box 14470
Salem, OR 97309-0404
Tyler.J.Larson@oregon.gov

RE: Proposed Columbia County Building Code Compliance Investigative Fee Changes

Dear Tyler:

Pursuant to ORS 455.048, Columbia County proposes to adopt building code compliance investigative fee for all classes of permits issued under the State Uniform Codes issued in order to correct a violation of said Codes based on an combined hourly rate for employees involved in the enforcement process of \$106/hour. The base fee of \$212 charged for each such permit would assume a minimum of two hours of enforcement activity(2 x \$106/hr) for each violation of the State Codes for which the permit is required to correct the violation (see attached base rate calculation).

The County's last comprehensive fee changes were made effective July 1, 2016. We updated all building fees at that time by the applicable CPI. The current fee schedule establishes a code compliance investigative fee of \$104 per hour **for structural permits only with no minimum hours prescribed**. The new combined hourly rate of \$106/hr is based on employee compensation for FY 2017. The combined hourly rate of \$106/hr is proposed to be adjusted for the next four fiscal years(FY 2018 thru FY 2020 years based on the cumulative U.S. Department of Labor , Bureau of Labor Statistics, annual average CPI-U for the Portland-Salem Metro Area for the prior calendar year on July 1st of the ensuing year. This CPI adjustment factor was included in our previous fee adjustment request, was reviewed by BCD and is currently in effect.

The Board of County Commissioners has set a public hearing for the proposed code compliance investigative fee changes on Wednesday October 19, 2016 at the Columbia County Courthouse, 230 Strand Street, St. Helens, Oregon 97051. Notice of the proposed fee increase will be published twice in the Chronicle newspaper and posted at various locations within the County Courthouse including the Land Development Services offices. Notice of the proposed fee increases and the October 19, 2016 Board of Commissioners hearing will be mailed to contractors of record.

Thank you in advance for your consideration of this matter. If you have any questions, please contact me by phone or email.

Sincerely,

Todd Dugdale
Land Development Services Director

cc Rod Hansen, Building Official
Enclosures: Code Compliance Investigation Fee Base Rate Calculation, Revised Fee Schedule

**BASE RATE CALCULATION
FOR CODE COMPLIANCE INVESTIGATIVE FEE**

Employee	Hourly Rate (Rate/Hr)	Hours	Hourly Cost (Rate/Hr x Hrs)	Travel/Indirect Administrative Support (Hourly Cost x .20)	Total Expense per Employee Hour
Code Enforcement Officer	\$55.90	1	\$55.90	\$11.18	\$67.08
Office Manager	\$64.57	.5	\$32.29	\$6.46	\$38.75
			Combined Hourly Rate		\$105.83
			Minimum 2 hour Base Rate		\$211.66

COLUMBIA COUNTY LAND DEVELOPMENT SERVICES

FEE REVISION

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Columbia County Board of Commissioners ♦ Board Order No.

♦ Adopted:

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