

**PROPOSED AMENDMENTS TO
HOUSE BILL 3144**

1 On page 1 of the printed bill, line 2, delete “and” and after “ORS” delete
2 the rest of the line and line 3 and insert “455.148 and 455.150; and declaring
3 an emergency.”.

4 Delete lines 5 through 27 and delete pages 2 through 13 and insert:

5 **“SECTION 1. (1) Notwithstanding ORS 455.148, 455.150 and 455.153,**
6 **the Director of the Department of Consumer and Business Services**
7 **may enter into an agreement with one or more municipalities for the**
8 **Department of Consumer and Business Services to uniformly admin-**
9 **ister and enforce all or a portion of a building inspection program**
10 **within a geographic area. The geographic area may be a municipality,**
11 **a region comprising parts of more than one municipality or a region**
12 **comprising multiple municipalities. The geographic area need not**
13 **correspond to the jurisdictional boundaries of municipalities. The**
14 **agreement may provide for the department to perform administration**
15 **and enforcement for a specified period or for carrying out one or more**
16 **particular projects.**

17 **“(2) The terms of an agreement under this section may specify**
18 **whether the department is to utilize department resources or combine**
19 **resources with one or more of the municipalities to carry out an**
20 **agreement. An agreement may combine department and local govern-**
21 **ment resources in any manner that the parties believe will provide for**
22 **the efficient and uniform administration of the building inspection**

1 program within the geographic area, including but not limited to full,
2 divided, mutual or joint performance of any of the administrative or
3 enforcement functions by any of the parties to the agreement. A de-
4 cision by the director regarding whether to enter into an agreement
5 under this section, and the content of any agreement that the director
6 enters into under this section, is not subject to review by the Attorney
7 General or the Oregon Department of Administrative Services and is
8 subject to challenge or appeal under ORS chapter 183 only for failure
9 to comply with an express requirement created under this section or
10 section 2, 4, 5 or 6 of this 2013 Act.

11 “(3) An agreement under this section is not an abandonment of a
12 building inspection program for purposes of ORS 455.148 or 455.150.

13 “SECTION 2. (1) An agreement under section 1 of this 2013 Act may
14 provide for the parties to the agreement to share any fee revenue
15 generated by the administration and enforcement of the agreement
16 and to expend the fee revenue anywhere within the geographic area
17 covered by the agreement.

18 “(2) Notwithstanding ORS 455.210, if an agreement under section 1
19 of this 2013 Act provides for the Department of Consumer and Business
20 Services to administer and enforce a building inspection program for
21 which one or more municipalities have adopted a fee or hourly rate,
22 subject to subsection (3)(a) of this section the department may charge
23 the municipally adopted fee or hourly rate when providing the building
24 inspection program services within a municipality.

25 “(3) Fees described in subsection (2) of this section that are charged
26 by the department:

27 “(a) Are subject to any surcharges described under ORS 455.210,
28 455.220 or 455.447; and

29 “(b) Notwithstanding ORS 455.210, are not subject to Oregon De-
30 partment of Administrative Services approval.

1 **“SECTION 3. The Legislative Assembly finds and declares that:**

2 **“(1) It is in the best interests of this state that construction-related**
3 **development activities proceed in a manner that is as quick and effi-**
4 **cient as practicable;**

5 **“(2) Ensuring that construction-related development activities pro-**
6 **ceed quickly and efficiently requires a flexible and responsive system**
7 **for state building code administration and enforcement; and**

8 **“(3) Having a flexible and responsive system for state building code**
9 **administration and enforcement requires that sufficient staff and re-**
10 **sources be available to assist the Director of the Department of Con-**
11 **sumer and Business Services as needed.**

12 **“SECTION 4. (1) Subject to ORS 293.235 to 293.245, 293.250, 293.260**
13 **to 293.280, 293.285 and 293.293 and any rules adopted under ORS 293.235**
14 **to 293.245, 293.250, 293.260 to 293.280, 293.285 and 293.293, and notwith-**
15 **standing ORS chapter 240, 276, 282, 283, 291 or 292 or other provisions**
16 **of ORS chapter 293 or the rules adopted under ORS chapter 240, 276,**
17 **282, 283, 291 or 292, except as provided under this section the Director**
18 **of the Department of Consumer and Business Services may take any**
19 **action the director considers reasonable to ensure that sufficient staff**
20 **and other resources are available for the administration and enforce-**
21 **ment of the state building code. Subject to subsections (2) to (4) of this**
22 **section, actions that the director may take under this section include,**
23 **but are not limited to:**

24 **“(a) Utilizing municipal personnel, or hiring former municipal per-**
25 **sonnel, to carry out the administrative and enforcement duties of the**
26 **Department of Consumer and Business Services under an agreement**
27 **described in section 1 of this 2013 Act;**

28 **“(b) Employing additional Department of Consumer and Business**
29 **Services staff for carrying out the administrative and enforcement**
30 **duties of the department under an agreement described in section 1**

1 of this 2013 Act; and

2 “(c) Expending available resources to carry out department re-
3 sponsibilities to provide sufficient staff and other resources under an
4 agreement described in section 1 of this 2013 Act.

5 “(2) The utilization of municipal personnel or hiring of former mu-
6 nicipal personnel under subsection (1)(a) of this section is subject to
7 any applicable collective bargaining agreements and may not be used
8 to displace any state employee. Municipal personnel whom the de-
9 partment utilizes under subsection (1)(a) of this section retain their
10 status as municipal personnel for purposes of ORS 30.260 to 30.300
11 while carrying out the administrative and enforcement duties of the
12 department under an agreement.

13 “(3) The employment of additional staff under subsection (1)(b) of
14 this section is subject to any limitations established by the Legislative
15 Assembly on the number of total personnel approved for the depart-
16 ment. To the extent practicable, the director shall give preference to
17 the use of available state employees to fulfill additional staffing re-
18 quirements.

19 “(4) The employment of additional staff under subsection (1)(b) of
20 this section and the expenditure of available resources under sub-
21 section (1)(c) of this section must be predicated upon the availability
22 of adequate revenue, which may include but need not be limited to
23 revenue derived from municipal sources through an agreement de-
24 scribed under section 1 of this 2013 Act. The use of existing revenue
25 and available resources to carry out an agreement under section 1 of
26 this 2013 Act is not an addition to or amendment of the legislatively
27 adopted budget for the department.

28 “(5) Notwithstanding ORS 455.230, the director may use moneys de-
29 posited in the Consumer and Business Services Fund from fees col-
30 lected under this section for the purpose of paying the department’s

1 costs of carrying out the administrative and enforcement duties of the
2 department within any administrative region established by the direc-
3 tor or a geographic region established by an agreement under section
4 1 of this 2013 Act or for the purpose of assisting a local government
5 to carry out an agreement under section 1 of this 2013 Act.

6 **SECTION 5.** (1) If the Department of Consumer and Business Ser-
7 vices assumes the administration and enforcement of a building in-
8 spection program that has been surrendered or abandoned by a
9 municipality, and immediately prior to the surrender or abandonment
10 the municipality was charging a fee adopted under ORS 455.210 (3) that
11 was different from the fee authorized under ORS 455.210 (1) for the
12 same services, the department may charge the fee adopted by the
13 municipality for the services that the department provides under the
14 program.

15 **“(2) Fees described in subsection (1) of this section that are charged**
16 **by the department:**

17 **“(a) Are subject to any surcharges described under ORS 455.210,**
18 **455.220 or 455.447; and**

19 **“(b) Notwithstanding ORS 455.210, are not subject to Oregon De-**
20 **partment of Administrative Services approval.**

21 **SECTION 6.** Notwithstanding any surcharge use described in ORS
22 455.220 (4), the Director of the Department of Consumer and Business
23 Services may use moneys from surcharges imposed under ORS 455.210
24 (4) for the purpose of paying the Department of Consumer and Busi-
25 ness Services’ costs of carrying out the administration and enforce-
26 ment of the state building code within an administrative region
27 established by the director or a geographic region established by an
28 agreement that the director enters into under section 1 of this 2013
29 Act.

30 **SECTION 7.** The Director of the Department of Consumer and

1 **Business Services:**

2 “(1) May adopt rules, establish policies and procedures and take
3 other actions the director considers reasonable or expedient for car-
4 rying out agreements under section 1 of this 2013 Act or under ORS
5 455.148 (13) or 455.150 (13) and any duties, functions and powers of the
6 director or the Department of Consumer and Business Services under
7 sections 1, 2 and 4 to 6 of this 2013 Act or 455.148 (13) or 455.150 (13).

8 “(2) Shall consult at least annually with appropriate advisory boards
9 regarding any agreements under section 1 of this 2013 Act or actions
10 taken by the director under section 1, 2, 4, 5 or 6 of this 2013 Act or
11 ORS 455.148 (13) or 455.150 (13); and

12 “(3) Shall report biennially to the Legislative Assembly as provided
13 under ORS 192.230 to 192.250 regarding any department activities under
14 section 1, 2, 4, 5 or 6 of this 2013 Act or ORS 455.148 (13) or 455.150 (13).
15 The report shall include, but not be limited to, information regarding
16 any projected need for an increase in department resources required
17 for carrying out the administration and enforcement of building in-
18 spection programs under sections 1, 2 and 4 to 6 of this 2013 Act or
19 under ORS 455.148 (13) or 455.150 (13).

20 **“SECTION 8.** ORS 455.148 is amended to read:

21 “455.148. (1)(a) A municipality that assumes the administration and
22 enforcement of a building inspection program shall administer and enforce
23 the program for all of the following:

24 “(A) The state building code, as defined in ORS 455.010, except as set
25 forth in paragraph (b) of this subsection.

26 “(B) Manufactured structure installation requirements under ORS 446.155,
27 446.185 (1) and 446.230.

28 “(C) Manufactured dwelling parks and mobile home parks under ORS
29 chapter 446.

30 “(D) Park and camp programs regulated under ORS 455.680.

1 “(E) Tourist facilities regulated under ORS 446.310 to 446.350.

2 “(F) Manufactured dwelling alterations regulated under ORS 446.155.

3 “(G) Manufactured structure accessory buildings and structures under
4 ORS 446.253.

5 “(H) Boilers and pressure vessels described in rules adopted under ORS
6 480.525 (5).

7 “(b) A building inspection program of a municipality may not include:

8 “(A) Boiler and pressure vessel programs under ORS 480.510 to 480.670
9 except those described in rules adopted under ORS 480.525 (5);

10 “(B) Elevator programs under ORS 460.005 to 460.175;

11 “(C) Amusement ride regulation under ORS 460.310 to 460.370;

12 “(D) Prefabricated structure regulation under ORS chapter 455;

13 “(E) Manufacture of manufactured structures programs under ORS 446.155
14 to 446.285, including the administration and enforcement of federal manu-
15 factured dwelling construction and safety standards adopted under ORS
16 446.155 or the National Manufactured Housing Construction and Safety
17 Standards Act of 1974;

18 “(F) Licensing and certification, or the adoption of statewide codes and
19 standards, under ORS chapter 446, 447, 455, 479 or 693; or

20 “(G) Review of plans and specifications as provided in ORS 455.685.

21 “(2) A municipality that administers a building inspection program as
22 allowed under this section shall do so for periods of four years. The De-
23 partment of Consumer and Business Services shall adopt rules to adjust time
24 periods for administration of a building inspection program to allow for
25 variations in the needs of the department and participants.

26 “(3) When a municipality administers a building inspection program, the
27 governing body of the municipality shall, unless other means are already
28 provided, appoint a person to administer and enforce the building inspection
29 program, who shall be known as the building official. A building official
30 shall, in the municipality for which appointed, attend to all aspects of code

1 enforcement, including the issuance of all building permits. Two or more
2 municipalities may combine in the appointment of a single building official
3 for the purpose of administering a building inspection program within their
4 communities.

5 “(4)(a) By January 1 of the year preceding the expiration of the four-year
6 period described in subsection (2) of this section, the governing body of the
7 municipality shall notify the Director of the Department of Consumer and
8 Business Services and, if the municipality is not a county, notify the county
9 whether the municipality will continue to administer and enforce the build-
10 ing inspection program after expiration of the four-year period.

11 “(b) Notwithstanding the January 1 date set forth in paragraph (a) of this
12 subsection, the director and the municipality and, if the municipality is not
13 a county, the county may by agreement extend that date to no later than
14 March 1.

15 “(5) If a city does not notify the director, or notifies the director that it
16 will not administer the building inspection program, the county or counties
17 in which the city is located shall administer and enforce the county program
18 within the city in the same manner as the program is administered and en-
19 forced outside the city, except as provided by subsection (6) of this section.

20 “(6) If a county does not notify the director, or notifies the director that
21 it will not administer and enforce a building inspection program, the director
22 shall contract with a municipality or other person or use such state em-
23 ployees or state agencies as are necessary to administer and enforce a
24 building inspection program, and permit or other fees arising therefrom shall
25 be paid into the Consumer and Business Services Fund created by ORS
26 705.145 and credited to the account responsible for paying the expenses
27 thereof. A state employee may not be displaced as a result of using contract
28 personnel.

29 “(7) The governing body of a municipality may commence responsibility
30 for the administration and enforcement of a building inspection program be-

1 ginning July 1 of any year by notifying the director no later than January
2 1 of the same year and obtaining the director's approval of an assumption
3 plan as described in subsection (11)(c) of this section.

4 “(8) The department shall adopt rules to require the governing body of
5 each municipality assuming or continuing a building inspection program
6 under this section to submit a written plan with the notice required under
7 subsection (4) or (7) of this section. If the department is the governing body,
8 the department shall have a plan on file. The plan must specify how coop-
9 eration with the State Fire Marshal or a designee of the State Fire Marshal
10 will be achieved and how a uniform fire code will be considered in the review
11 process of the design and construction phases of buildings or structures.

12 “(9) A municipality that administers and enforces a building inspection
13 program pursuant to this section shall recognize and accept the performances
14 of state building code activities by businesses and persons authorized under
15 ORS 455.457 to perform the activities as if the activities were performed by
16 the municipality. A municipality is not required to accept an inspection, a
17 plan or a plan review that does not meet the requirements of the state
18 building code.

19 “(10) The department or a municipality that accepts an inspection or plan
20 review as required by this section by a person licensed under ORS 455.457
21 has no responsibility or liability for the activities of the licensee.

22 “(11) In addition to the requirements of ORS 455.100 and 455.110, the di-
23 rector shall regulate building inspection programs that municipalities as-
24 sume on or after January 1, 2002. Regulation under this subsection shall
25 include but not be limited to:

26 “(a) Creating building inspection program application and amendment
27 requirements and procedures;

28 “(b) Granting or denying applications for building inspection program
29 authority and amendments;

30 “(c) Requiring a municipality assuming a building inspection program to

1 submit with the notice given under subsection (7) of this section an as-
2 sumption plan that includes, at a minimum:

3 “(A) A description of the intended availability of program services, in-
4 cluding proposed service agreements for carrying out the program during at
5 least the first two years;

6 “(B) Demonstration of the ability and intent to provide building in-
7 spection program services for at least two years;

8 “(C) An estimate of proposed permit revenue and program operating ex-
9 penses;

10 “(D) Proposed staffing levels; and

11 “(E) Proposed service levels;

12 “(d) Reviewing procedures and program operations of municipalities;

13 “(e) Creating standards for efficient, effective, timely and acceptable
14 building inspection programs;

15 “(f) Creating standards for justifying increases in building inspection
16 program fees adopted by a municipality;

17 “(g) Creating standards for determining whether a county or department
18 building inspection program is economically impaired in its ability to rea-
19 sonably continue providing the program throughout a county, if another
20 municipality is allowed to provide a building inspection program within the
21 same county; and

22 “(h) Enforcing the requirements of this section.

23 “(12) The department may assume administration **and enforcement** of a
24 building inspection program:

25 “(a) During the pendency of activities under ORS 455.770;

26 “(b) If a municipality abandons or is no longer able to administer the
27 building inspection program; and

28 “(c) If a municipality fails to substantially comply with any provision of
29 this section or of ORS 455.465, 455.467 and 455.469.

30 “(13) **If the department assumes the administration and enforce-**

1 **ment of a building inspection program under this section, in addition**
2 **to any other power granted to the director, the director may:**

3 **“(a) Enter into agreements with local governments under section 1**
4 **of this 2013 Act regarding the administration and enforcement of the**
5 **assumed building inspection program;**

6 **“(b) Take action as described in section 4 of this 2013 Act to ensure**
7 **that sufficient staff and other resources are available for the admin-**
8 **istration and enforcement of the assumed building inspection program;**
9 **and**

10 **“(c) Charge fees described in section 5 of this 2013 Act for depart-**
11 **ment services provided in administering and enforcing the assumed**
12 **building inspection program.**

13 **“[(13)] (14) A municipality that abandons or otherwise ceases to adminis-**
14 **ter and enforce a building inspection program that the municipality as-**
15 **sumed under this section may not resume the administration or enforcement**
16 **of the program for at least two years. The municipality may resume the ad-**
17 **ministration and enforcement of the abandoned program only on July 1 of**
18 **an odd-numbered year. Prior to resuming the administration and enforcement**
19 **of the program, the municipality must follow the notification procedure set**
20 **forth in subsection (7) of this section.**

21 **“SECTION 9. ORS 455.150 is amended to read:**

22 **“455.150. (1) Except as provided in subsection [(14)] (15) of this section,**
23 **a municipality that assumes the administration and enforcement of a build-**
24 **ing inspection program prior to January 1, 2002, may administer and enforce**
25 **all or part of a building inspection program. A building inspection program:**

26 **“(a) Is a program that includes the following:**

27 **“(A) The state building code, as defined in ORS 455.010, except as set**
28 **forth in paragraph (b) of this subsection.**

29 **“(B) Manufactured structure installation requirements under ORS 446.155,**
30 **446.185 (1) and 446.230.**

1 “(C) Manufactured dwelling parks and mobile home parks under ORS
2 chapter 446.

3 “(D) Park and camp programs regulated under ORS 455.680.

4 “(E) Tourist facilities regulated under ORS 446.310 to 446.350.

5 “(F) Manufactured dwelling alterations regulated under ORS 446.155.

6 “(G) Manufactured structure accessory buildings and structures under
7 ORS 446.253.

8 “(H) Boilers and pressure vessels described in rules adopted under ORS
9 480.525 (5).

10 “(b) Is not a program that includes:

11 “(A) Boiler and pressure vessel programs under ORS 480.510 to 480.670
12 except those described in rules adopted under ORS 480.525 (5);

13 “(B) Elevator programs under ORS 460.005 to 460.175;

14 “(C) Amusement ride regulation under ORS 460.310 to 460.370;

15 “(D) Prefabricated structure regulation under ORS chapter 455;

16 “(E) Manufacture of manufactured structures programs under ORS 446.155
17 to 446.285, including the administration and enforcement of federal manu-
18 factured dwelling construction and safety standards adopted under ORS
19 446.155 or the National Manufactured Housing Construction and Safety
20 Standards Act of 1974;

21 “(F) Licensing and certification, or the adoption of statewide codes and
22 standards, under ORS chapter 446, 447, 455, 479 or 693; and

23 “(G) Review of plans and specifications as provided in ORS 455.685.

24 “(2) A municipality that administers a building inspection program as
25 allowed under this section shall do so for periods of four years. The De-
26 partment of Consumer and Business Services shall adopt rules to adjust time
27 periods for administration of a building inspection program to allow for
28 variations in the needs of the department and participants.

29 “(3) When a municipality administers a building inspection program, the
30 governing body of the municipality shall, unless other means are already

1 provided, appoint a person to administer and enforce the building inspection
2 program or parts thereof, who shall be known as the building official. A
3 building official shall, in the municipality for which appointed, attend to all
4 aspects of code enforcement, including the issuance of all building permits.
5 Two or more municipalities may combine in the appointment of a single
6 building official for the purpose of administering a building inspection pro-
7 gram within their communities.

8 “(4)(a) By January 1 of the year preceding the expiration of the four-year
9 period described in subsection (2) of this section, the governing body of the
10 municipality shall notify the Director of the Department of Consumer and
11 Business Services and, if not a county, notify the county whether the
12 municipality will continue to administer the building inspection program, or
13 parts thereof, after expiration of the four-year period. If parts of a building
14 inspection program are to be administered and enforced by a municipality,
15 the parts shall correspond to a classification designated by the director as
16 reasonable divisions of work.

17 “(b) Notwithstanding the January 1 date set forth in paragraph (a) of this
18 subsection, the director and the municipality and, if the municipality is not
19 a county, the county may by agreement extend that date to no later than
20 March 1.

21 “(5) If a city does not notify the director, or notifies the director that it
22 will not administer certain specialty codes or parts thereof under the build-
23 ing inspection program, the county or counties in which the city is located
24 shall administer and enforce those codes or parts thereof within the city in
25 the same manner as it administers and enforces them outside the city, except
26 as provided by subsection (6) of this section.

27 “(6) If a county does not notify the director, or notifies the director that
28 it will not administer and enforce certain specialty codes or parts thereof
29 under the building inspection program, the director shall contract with a
30 municipality or other person or use such state employees or state agencies

1 as are necessary to administer and enforce those codes or parts thereof, and
2 permit or other fees arising therefrom shall be paid into the Consumer and
3 Business Services Fund created by ORS 705.145 and credited to the account
4 responsible for paying such expenses. A state employee may not be displaced
5 as a result of using contract personnel.

6 “(7) If a municipality administering a building inspection program under
7 this section seeks to administer additional parts of a program, the munici-
8 pality must comply with ORS 455.148, including the requirement that the
9 municipality administer and enforce all aspects of the building inspection
10 program. Thereafter, the municipality is subject to ORS 455.148 and ceases
11 to be subject to this section.

12 “(8) The department shall adopt rules to require the governing body of
13 each municipality to submit a written plan with the notice required under
14 subsection (4) of this section. If the department is the governing body, the
15 department shall have a plan on file. The plan shall specify how cooperation
16 with the State Fire Marshal or a designee of the State Fire Marshal will be
17 achieved and how a uniform fire code will be considered in the review pro-
18 cess of the design and construction phases of buildings or structures.

19 “(9) A municipality that administers a code for which persons or busi-
20 nesses are authorized under ORS 455.457 to perform activities shall recognize
21 and accept those activities as if performed by the municipality. A munici-
22 pality is not required to accept an inspection, a plan or a plan review that
23 does not meet the requirements of the state building code.

24 “(10) The department or a municipality that accepts an inspection or plan
25 review as required by this section by a person licensed under ORS 455.457
26 has no responsibility or liability for the activities of the licensee.

27 “(11) In addition to the requirements of ORS 455.100 and 455.110, the di-
28 rector shall regulate building inspection programs of municipalities assumed
29 prior to January 1, 2002. Regulation under this subsection shall include but
30 not be limited to:

1 “(a) Creating building inspection program application and amendment
2 requirements and procedures;

3 “(b) Granting or denying applications for building inspection program
4 authority and amendments;

5 “(c) Reviewing procedures and program operations of municipalities;

6 “(d) Creating standards for efficient, effective, timely and acceptable
7 building inspection programs;

8 “(e) Creating standards for justifying increases in building inspection
9 program fees adopted by a municipality;

10 “(f) Creating standards for determining whether a county or department
11 building inspection program is economically impaired in its ability to rea-
12 sonably continue providing the program or part of the program throughout
13 a county, if another municipality is allowed to provide a building inspection
14 program or part of a program within the same county; and

15 “(g) Enforcing the requirements of this section.

16 “(12) The department may assume administration **and enforcement** of a
17 building inspection program:

18 “(a) During the pendency of activities under ORS 455.770;

19 “(b) If a municipality abandons any part of the building inspection pro-
20 gram or is no longer able to administer the building inspection program; and

21 “(c) If a municipality fails to substantially comply with any provision of
22 this section or of ORS 455.465, 455.467 and 455.469.

23 “(13) **If the department assumes the administration and enforce-**
24 **ment of a building inspection program under this section, in addition**
25 **to any other power granted to the director, the director may:**

26 “(a) **Enter into agreements with local governments under section 1**
27 **of this 2013 Act regarding the administration and enforcement of the**
28 **assumed building inspection program;**

29 “(b) **Take action as described in section 4 of this 2013 Act to ensure**
30 **that sufficient staff and other resources are available for the admin-**

1 **istration and enforcement of the assumed building inspection program;**
2 **and**

3 **“(c) Charge fees described in section 5 of this 2013 Act for depart-**
4 **ment services provided in administering and enforcing the assumed**
5 **building inspection program.**

6 “[~~(13)~~] (14) If a municipality abandons or otherwise ceases to administer
7 all or part of a building inspection program described in this section, the
8 municipality may not resume the administration and enforcement of the
9 abandoned program or part of a program for at least two years. The
10 municipality may resume the administration and enforcement of the aban-
11 doned program or part of a program only on July 1 of an odd-numbered year.
12 To resume the administration and enforcement of the abandoned program or
13 part of a program, the municipality must comply with ORS 455.148, including
14 the requirement that the municipality administer and enforce all aspects of
15 the building inspection program. Thereafter, the municipality is subject to
16 ORS 455.148 and ceases to be subject to this section.

17 “[~~(14)~~] (15) A municipality that administers and enforces a building in-
18 spection program under this section shall include in the program the in-
19 spection of boilers and pressure vessels described in subsection (1)(a)(H) of
20 this section.

21 **“SECTION 10. This 2013 Act being necessary for the immediate**
22 **preservation of the public peace, health and safety, an emergency is**
23 **declared to exist, and this 2013 Act takes effect on its passage.”.**

24
