

HB 2420 -2 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 2/20, 4/8

WHAT THE MEASURE DOES:

Requires municipality that administers and enforces building inspection program to employ municipal building official and head building inspector. Allows same person to hold both positions and perform services for up to three local governments. Authorizes municipalities to hire contractor for enforcement services, subject to supervision by head building inspector. Becomes operative on July 1, 2021. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure. Establishes minimum qualifications for municipal building officials and municipal building inspectors, including requirement that municipal building official be employed by one or more municipality. Authorizes municipalities to hire contractor for inspection services, subject to supervision by municipal building official. Requires municipality operating program to establish administrative appeal process. Subjects building officials and building inspectors to government ethics laws and prohibits certain conflicts of interest. Provides cities with 90 days to declare intention to comply with Act or intention to transfer program to state, effective July 1, 2020. Validates historical actions of municipalities, if actions would have been lawful if performed by Department of Consumer Business and Services. Declares emergency, effective on passage.

BACKGROUND:

Oregon law establishes a state building code to govern the construction, reconstruction, alteration and repair of buildings and other structures. Much of the code is adopted by rule of the Department of Consumer and Business Services. Oregon law also authorizes cities, counties and other local governments to agree to administer and enforce a building inspection program, for a period of four years at a time. Pursuant to this delegation of authority, a municipality must appoint a building official to attend to all aspects of code enforcement, including the issuance of building permits. Multiple municipalities may combine to appoint a single building official.

House Bill 2420 requires municipalities who administer and enforce a building inspection program to employ a municipal building official and a head building inspector. A single employee may share both duties and be employed to perform services by up to three local governments. The bill authorizes the use of non-employee inspectors to perform routine enforcement services, subject to supervision by the head building inspector. House Bill 2420 declares an emergency, effective on passage, while delaying the operation of the substantive provisions in the bill until July 1, 2021.