

A-Engrossed Senate Bill 6

Ordered by the Senate April 15
Including Senate Amendments dated April 15

Sponsored by Senator ANDERSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Says an application for a building permit must be acted on not later than 45 days after it is done. (Flesch Readability Score: 63.8).

Requires the Department of Consumer and Business Services, a municipality, a building official or any other agency or official responsible for administering and enforcing the state building code to approve and issue, or disapprove and deny, any application for a building permit **for middle housing or conventional single-family residential housing in a residential subdivision with more than six lots** not later than 45 business days after the date on which the applicant submits a complete application. **Requires any other agency or jurisdiction that must review an application for a building permit to complete the review within 10 business days after receipt or the portion of the application that is subject to the review is approved.**

Declares that an application for a building permit is approved if the department, a municipality, a building official or any other agency or official fails to deny or act upon the application within the allowable period. Requires prompt issuance of the building permit in such circumstances. Makes the department, municipality, building official or other agency or official that fails to promptly issue the building permit liable to the applicant for the fees the applicant paid and the costs the applicant incurred in preparing the application.

A BILL FOR AN ACT

1
2 Relating to a deadline within which to act upon an application for a building permit; creating new
3 provisions; and amending ORS 455.050.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 455.050 is amended to read:

6 455.050. (1) All building permits issued in this state *[shall contain the following information]*
7 **must list:**

8 [(1)] (a) The name and address of the owner of the building or structure to be constructed or
9 altered under the permit;

10 [(2)] (b) The name and address of the builder or contractor, if known, who will perform the
11 construction or alteration; and

12 [(3)] (c) The street address and legal description or tax lot number of the property on which
13 construction or alteration will occur.

14 **(2)(a) Notwithstanding any other condition that applies to issuing a building permit in**
15 **this state for middle housing, as defined in ORS 197A.420, or conventional single-family res-**
16 **idential housing in a residential subdivision, as defined in ORS 455.175, with more than six**
17 **lots, the Department of Consumer and Business Services, a municipality, a building official**
18 **or any other agency or official responsible for administering and enforcing the state building**
19 **code shall approve and issue, or disapprove and deny, any application for a building permit**
20 **not later than 45 business days after the date on which the applicant submits a complete**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 application. The department, municipality, building official or other agency or official shall
2 publish on a publicly available website associated with building permit applications, and make
3 available at the office in which a person may submit an application, the criteria the depart-
4 ment, municipality, building official or other agency or official uses to determine that an
5 application is complete.

6 (b) Any other agency or jurisdiction that must review an application for a building permit
7 before the department, a municipality, a building official or other agency or official may ap-
8 prove the application must complete the review within 10 business days after receiving an
9 application for review. If an agency or jurisdiction does not complete the review within the
10 10-day period, the portion of the application that the other agency or jurisdiction was re-
11 sponsible for reviewing is approved.

12 (c) If the department, a municipality, a building official or any other agency or official
13 responsible for administering and enforcing the state building code does not disapprove or
14 otherwise act on an application for a building permit within the period described in paragraph
15 (a) of this subsection, the building permit is approved and the department, municipality,
16 building official or other agency or official shall issue the building permit to the applicant
17 promptly.

18 (d) If the department, a municipality, a building official or any other agency or official
19 responsible for administering and enforcing the state building code does not promptly issue
20 a building permit under the circumstances described in paragraph (c) of this subsection, the
21 applicant may bring an action in the Marion County circuit court, if the applicant seeks the
22 building permit from the department, or in a circuit court located in the county in which the
23 applicant seeks the building permit, if the applicant seeks the building permit from a
24 municipality, building official or other agency or official. In the action, the applicant may
25 obtain:

26 (A) An injunction to direct the department, the municipality, the building official or the
27 other agency or official to issue the building permit as required under paragraph (c) of this
28 subsection; and

29 (B) The sum of the fee the applicant paid for the application and the actual documented
30 expenses the applicant incurred in preparing the application.

31 (e) The court may award attorney fees and costs to an applicant that prevails in an
32 action described in paragraph (d) of this subsection.

33 **SECTION 2.** The amendments to ORS 455.050 by section 1 of this 2025 Act apply to com-
34 pleted applications for building permits that applicants submit on or after the effective date
35 of this 2025 Act.