

1 (2) Under ORS 480.630(2), a person who installs, alters, or repairs boilers or pressure
2 vessels as an employee or agent of a business engaged in the installation, alteration, or repair of
3 boilers or pressure vessels must possess an employee or agent license issued by the Department of
Consumer and Business Services.

4 (3) Under ORS 480.630(5), a person required to be licensed under this section may not
5 install, alter or repair a boiler or pressure vessel unless an install, alter or repair permit is first
secured from the Department of Consumer and Business Services.

6 **ORDER**

7 Under ORS 455.895(1)(c) and OAR 918-001-0036, the Board assesses the following:

- 8 (1) a \$3,000 civil penalty for violating ORS 480.630(1)
9 (2) a \$2,000 civil penalty for violating ORS 480.630(2)
10 (3) a \$1,000 civil penalty for violating ORS 480.630(5)

11 The civil penalties assessed total \$6,000.

12 **STIPULATED AGREEMENT**

13 You and the Board agree to resolve this matter without hearing according to the
14 following terms:

15 (1) You admit to committing the violations as alleged in the Findings of Fact and
16 Conclusions of Law and agree the Board will issue an order imposing the proposed civil
17 penalties for such violations in order to resolve this matter.

18 (2) The Board agrees to suspend \$3,750 of the \$6,000 in civil penalties for a period of
19 five years under the following terms:

20 (a) You agree not to commit further violations of Building Codes Division's
21 statutes and/or rules.

22 (b) You agree to pay the remaining \$2,250 of the civil penalty *or \$1,750 if full*
23 *payment is submitted by the due date included with your copy of the Order*
24 *signed by the Board. The additional \$500 will then be added to the suspended*
25 *amount.*

or agree to perform, or to perform, work for which a license or permit is required under Oregon law,
including but not limited to a single instance.

1 (c) If you fail to make a payment within the time period stated on a Final Demand
2 collection of the entire civil penalties, including any suspended amount will be
initiated.

3 Payments are to be made to:
4 DCBS Fiscal Services
5 P.O. Box 14610
Salem, OR. 97309-0445

6 (d) You understand and agree any violation of the terms of this Settlement
7 Agreement and Consent Order will result in further enforcement action.

8 (e) You understand and agree that any violations of Building Code Division's
9 statutes and/or rules not alleged in the Findings of Fact above, whether
committed before or after the execution of this Settlement Agreement and
Consent Order, shall be the basis for further enforcement action.

10 (f) You understand the suspended civil penalty will be waived five years after the
11 execution of this Settlement Agreement and Consent Order, provided you
12 comply with its terms and have not committed any further violations of
Building Codes Division's statutes and/or rules.

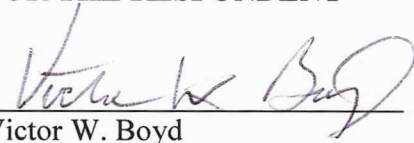
13 (g) You have read and fully understand the terms of this Consent Order, freely
14 and voluntarily consent to the entry of this Order without further hearing,
without any force or duress, and expressly waives all rights to hearing or
15 appeal in this matter.

16 (h) You understand that, upon signature of all parties, this Settlement Agreement
and Consent Order will be a FINAL ORDER.

17 (i) You understand once this Settlement Agreement and Consent Order become a
18 FINAL ORDER it becomes a public document.

19 (j) You further agree by signing this Settlement Agreement and Consent Order
20 that he is the respondent and/or authorized representative for the respondent in
this matter.

21 **FOR THE RESPONDENT**

22 
23 _____
24 Victor W. Boyd

25 Date: 3-23-11

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BUILDING CODES
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1 **FOR THE BOARD**

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Elizabeth Brundage for

Date: *3-29-11*

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Chairman
Electrical Board
State of Oregon

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