

**Division refund procedures**

Opportunity for public input:

Those who would like to provide public testimony may attend a public hearing on May 20, 2008 at 11:00 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to the contact below. The last day to submit written comments is 5:00 p.m. May 20, 2008.

Purpose of the rule:

These proposed rules clarify existing refund procedures used by the division. These rules have no substantive changes to the division's policies and procedures.

These proposed rules would become effective July 1, 2008.

Citation:

Amend: OAR 918-001, 918-225, 918-515, 918-525, 918-550, 918-600, 918-650

Repeal: OAR 918-001-0230

History:

This rulemaking is a continuation of the division's efforts to create uniform and consistent policies and procedures for all program areas. These rules eliminate duplicative refund language in different areas of the division's rules and places them in one location applicable to all program areas.

Contact:

If you have questions or need further information, please contact the Hearing Officer, Celina Patterson at 503-373-0855, or Celina.R.Patterson@state.or.us.



Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number
Shauna M. Parker	PO Box 14470, Salem, OR 97309
Rules Coordinator	Address
	(503) 373-7438
	Telephone

RULE CAPTION

Amends division rules for fee refunds and deletes erroneous citation to a DMV definition.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

May 20, 2008	11:00 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Celina Patterson
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND: OAR 918-001-0240, 918-225-0605, 918-515-0300, 918-525-0510, 918-550-0010, 918-600-0030, & 918-650-0030.

REPEAL: OAR 918-001-0230

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 293.445, 445.680, 446.160, 446.176, 446.400, 446.405, & 446.646, 455.170, 455.680, 456.755, 456.770, 456.837, & 480.630

Other Auth.:

Stats. Implemented: ORS 293.445, 446.160, 446.176, 446.240, 446.646, 455.680, & 480.630

RULE SUMMARY

Repeals unnecessary language related to fee payment and refunds; provides for refunds of amounts over \$25.00 without a written request for refund; repeals erroneous citation to a DMV statute.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Friday, May 23, 2008, 5:00 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Mark Long		
Signature	Printed name	Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amending OAR 918-001-0240, 918-225-0605, 918-515-0300, 918-525-0510, 918-550-0010, 918-600-0030, & 918-650-0030, and Repealing OAR 918-001-0230.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency’s intended action.)
Amends division rules for fee refunds and deletes erroneous citation to a DMV definition.

Statutory Authority: ORS 293.445, 445.680, 446.160, 446.176, 446.400, 446.405, & 446.646, 455.170, 455.680, 456.755, 456.770, 456.837, & 480.630

Other Authority: Stats. Implemented: ORS 293.445, 446.160, 446.176, 446.240, 446.646, 455.680, & 480.630

Need for the Rule(s):

These rules clarify existing refund procedures and remove unnecessary or erroneous rule language.

Documents Relied Upon, and where they are available: Draft rules are available from the division’s rules coordinator located at 1535 Edgewater St NW, Salem, OR 97304 and are available on the division’s Web site

Fiscal and Economic Impact, including Statement of Cost of Compliance:

Based on the information made available to the division, the division has determined that this proposed rule will have no foreseeable significant fiscal impact on state agencies, members of the public or small businesses.

How were small businesses involved in the development of this rule?

Small businesses are included on the division’s stakeholders list and have the opportunity to review and comment upon the proposed rule.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: These rules do not substantially change Building Code Division’s policies.

Mark Long

Signature

Printed name

Date

918-001-0230

Method of Payment

- (1) Fees and charges for items obtained at the division must be paid on receipt.
- (2) Remote requests for copies, FAX transmission or other mailing and documents must be paid within 15 days of billing.
- (3) Credit and payment by check will be denied when there is an outstanding dishonored check or delinquent payment; or when there are two or more episodes of payment by dishonored checks or payment delinquencies by the same person.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 455.100

Hist.: BCA 23-1992, f. 12-24-92, cert. ef. 1-1-93; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-001-0240

Refunds

(1) As ~~authorized~~ **required** by ORS 293.445 moneys received in excess of the amount legally due and payable to the division, or in which the division determines it has no legal interest, shall be refunded. **However, as authorized by ORS 293.445, for sums of \$25.00 or less the division will only refund the money upon request by the person who paid the money or the person's legal representative. Refund requests must be made within three years of the date that the money was paid to the division.**

- (2) A written request is required for all refunds of \$50 or less.
- (3) Persons requesting a refund must provide a written request within three years of the date the person became entitled to the refund.
- (4) All refunds shall be made to the person who made the payment or to that person's legal representative.

(2) "Amounts legally due and payable" includes but is not limited to, fees for license, renewal license, permit or plan review applications, regardless of whether or not application review results in the issuance of a license or permit.

Stat. Auth.: ORS 455.110 **ORS 293.445**

Stats. Implemented: ORS 293.445

Hist.: BCA 23-1992, f. 12-24-92, cert. ef. 1-1-93; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98; BCD 7-2001, f. 6-15-01, cert. ef. 7-1-01

918-225-0605

Installation, Alteration and Repair Permit Procedures

The following permit procedures are established for installation, alteration or repair of boilers, pressure vessels or pressure piping systems by licensed contractors.

(1) Obtaining permits. Permit application forms for installation, alteration or repair of boilers, pressure vessels or pressure piping systems must be prepaid. Prenumbered permit application forms may be purchased individually or in bulk, from the Building Codes Division upon payment of \$16.50 for each form.

(2) Prepaid permit application forms do not authorize work until the contractor provides the required information to the division for review and approval. Prior to beginning the intended installation, repair or alteration, the contractor shall notify the deputy or special inspector who will inspect the work. Work shall not begin until the inspector has reviewed and approved the work to be performed.

(3) Filing and processing of permits.

(a) Prenumbered permit applications can be sent to the Building Codes Division Salem office, by mail or by facsimile transmission, or by any other method that delivers the permit application or a facsimile of the application to the division.

(b) The applicant may request approval notification, such as by mail, collect delivery by courier or facsimile transmission, and where the authorization should be delivered.

(c) Upon processing, the notification of approval or denial shall be shown on the permit application. The expenses of delivery other than by mail or facsimile transmission shall be prepaid or sent collect to the person requesting the delivery mode. The approval or denial shall be delivered to the applicant following the instructions provided. If no return instructions are received, the notification shall be by mail.

(4) Upon receipt of permit approval:

(a) The signed approval or facsimile transmittal showing an authorized signature shall be posted at the job site before beginning the work; or

(b) The approved permit number shall be posted at the job site and signed by the contractor.

(5) A permit issued under this rule is not transferable.

~~(6) The person purchasing the permit application is entitled to a refund upon return of any unused or voided prenumbered and prepaid application form.~~

(7) (6) This rule does not change the provisions for emergency permits in ORS 480.630(7). It is recommended, but not required, that emergency permits be reviewed and coordinated with the inspector responsible to inspect the completed work.

Stat. Auth.: ORS 480.630

Stats. Implemented: ORS 480.630

Hist.: BCD 10-1995, f. & cert. ef. 8-25-95; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

918-515-0300

Requirements for Installer Certification Tags

(1) Licensed manufactured dwelling installers and limited skirting installers installing manufactured dwellings, cabanas, tie-downs, ERB's and skirting shall affix a Division-issued certification tag to the manufactured dwelling, cabana or skirting upon completion of the installation, and prior to inspection by the authority having jurisdiction.

(2) Certification tags may be purchased in bulk by licensed installers, manufactured dwelling dealers and limited skirting installers. An application to purchase certification tags shall be submitted to the Division in duplicate and accompanied by the appropriate tag fee.

(3) Only licensed installers and licensed limited skirting installers may be assigned certification tags by the dealer or Division. Certification tags shall be affixed only by licensed installers and licensed limited skirting installers upon completion of the installation.

(4) The person purchasing certification tags from the Division shall be responsible for their security, use and reporting.

(5) The Division may sell a maximum two-month supply of certification tags to a manufactured dwelling dealer based on monthly installations and certification tag reports submitted to the Division.

(6) The Division or a manufactured dwelling dealer may issue a maximum of 30 certification tags to an installer at one time and a maximum of 30 certification tags to a limited skirting installer at one time.

(7) Certification tags assigned to licensed installers and limited skirting installers can only be transferred by the Division. ~~Tags are not refundable and are void when not affixed to the assigned manufactured dwelling or cabana.~~

(8) If an installer or limited skirting installer license is suspended, revoked or expires, all unused certification tags assigned to that person shall be returned to the Division.

(9) If a manufactured dwelling dealer is no longer in business or changes ownership, all unused certification tags assigned to the original dealer shall be returned to the Division.

Stat. Auth.: ORS 446.176, ORS 446.400 & ORS 446.405

Stats. Implemented: ORS 446.240

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-525-0510

Fees

~~All **The following** fees in this rule apply to the division only and do not apply to municipalities. The following fees shall be paid to and collected by the division. Fees which are billed by the division shall be paid within 30 days. Fees not received by the division within 90 days of the billing date shall be considered delinquent and all division services to the person or company will be suspended until all delinquent fees are received by the division:~~

(1) Inspection Fee:

(a) \$45 for an inspection requiring one hour or less;

(b) \$22.50 for every 30 minutes or fraction exceeding one hour, including travel time and mileage; and

(c) Mileage shall be paid at the rate established by the Oregon Department of Administrative Services.

(2) Field Technical Service Fee:

(a) \$45 for service requiring one hour or less;

(b) \$22.50 for every 30 minutes or fraction exceeding one hour, including travel time and mileage; and

(c) Mileage shall be paid at the rate established by the Oregon Department of Administrative Services.

(3) Out-of-State Inspection or Field Technical Service Fee: In addition to the hourly charges of subsections (a) and (b) of this section, the division shall be reimbursed for actual cost based on published air fare and/or equivalent, plus necessary surface transportation and cost for food and lodging consistent with the allowances established by the Oregon Department of Administrative Services for authorized state employee travel.

(4) Reinspection Fee: Same fee schedule as noted in sections (1), (2), and (3) of this rule.

(5) Quality Assurance Manual Fee: \$30 for initial review of manuals and \$20 for review of manual supplements. This fee includes the initial issuance of five insignia to certified repair operations.

(6) Plan Renewal Fee: \$15 for administrative costs of renewing plans.

(7) Plan Supplement Fee: Same fee schedule as noted in sections (13) through (18) of this rule.

(8) Change of Name, ownership or Address Fee: \$20 for each change.

(9) Insignia Label Fee: \$25 per insignia for manufacturers and \$5 for a lot of five insignias for repair operations.

(10) Replacement Insignia Fee: \$25 per insignia for manufacturers and \$5 for a lot of five insignias for repair operations.

(11) Registration Fee: \$25 per manufacturer or operation.

(12) Annual Registration Renewal Fee: \$20 per manufacturer or operation.

(13) Plan Filing Fee: \$10 for each submittal.

(14) Plan Approval Model Fee: \$15.

(15) Plumbing Supplement Fees:

(a) Drain, waste and Vent: \$20 for each plan submitted;

(b) Potable Water: \$10 for each plan submitted.

(16) Electrical Supplement Fees:

(a) 12 Volt: \$20 for each plan submitted;

(b) 120 to 240 Volt: \$20 for each plan submitted;

(c) Generator: \$10 for each plan submitted.

(17) Mechanical Supplement Fee: \$10 for each plan submitted.

(18) Model Floor Plan Supplement Fee: \$15 for each plan submitted and \$5 for each model number supplement.

(19) Design Option, Plan Approval Model, or Number Change Fee: \$20.

(20) Recreational Vehicle Visual Inspection Fee: \$30. This fee includes the insignia label, one initial inspection and one reinspection.

(21) Recreational Vehicle Alteration Permit Fee: \$30. This fee includes one initial inspection and one reinspection.

(22) Permit Reinspection Fee: \$25.

(23) Park Trailer Installation Fee: \$105 per installation. This fee includes inspection of the stand and lot preparation; all support blocking; flood and wind anchoring devices; perimeter skirting; under-floor access and ventilation; temporary steps; and plumbing; mechanical and electrical connections, when all work is ready for inspection at one time.

(24) Park Trailer Installation Reinspection Fee: \$85 per reinspection.

(25) Municipalities shall establish their own fee schedule or may adopt the division's fee schedule through local ordinance for the installation of park trailers.

(26) Fees for the construction or installation of accessory buildings and accessory structures shall be those required by the authority having jurisdiction.

(27) A municipality's permit and plan review fees shall be reasonable and shall not exceed the cost of administering the program per ORS 455.210.

Stat. Auth.: ORS 446.160 & 446.176

Stats. Implemented: ORS 446.160 & 446.176

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 14-1996(Temp), f. & cert. ef. 7-1-96; BCD 24-1996, f. & cert. ef. 11-8-96; BCD 12-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 23-1998, f. 11-9-98, cert. ef. 11-15-98; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 1-2005, f. & cert. ef. 3-1-05

918-550-0010

Definitions

For the purposes of this division of rules, the following definitions apply, unless the context requires otherwise:

(1) "Division" means the appropriate division within the Department of Consumer and Business Services, Building Codes Division, or the county who is acting on behalf of the department.

(2) "Land leaseholder" means the holder of a recorded leasehold estate of 20 years or more, if the lease specifically permits the owner of the manufactured structure to obtain an exemption under ORS 820.510(b).

(3) "Legal description of the manufactured structure" means the model year, make, width, length and vehicle identification number (VIN).

(4) "Lessor" means a person who transfers the right to possession and use of property under a lease as shown in the record of the county in which it is recordable by law.

(5) "Lien holder" means a person who holds a claim, encumbrance or charge on property for payment of a debt or obligation as shown in the record of the county in which it is recordable by law.

(6) "Mortgagee" means a person who takes, holds or receives a mortgage (such as a bank or lending institution.).

(7) "Owner" when referring to the owner of a manufactured structure is ~~defined in ORS 801.375, but~~ does not include a security interest holder or lessee, unless the owner of the manufactured structure is a land leaseholder.

(8) "Release" means the written or electronic relinquishment, concession, or giving up of right, claim or interest in a manufactured structure.

(9) "Security interest holder" means a person who holds an interest in property that secures payment or performance of an obligation pursuant to a security agreement.

(10) "Trust deed beneficiary" means the person designated in a trust deed as the person for whose benefits a trust deed is given. A trust deed conveys an interest in real property to a trustee in trust, to cure performance of an obligation owed to the beneficiary.

Stat. Auth.: ORS 446.646

Stats. Implemented: ORS 446.646

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-600-0030

Fees -- Expiration -- Validity

(1) Construction Permit Fee. The construction permit fee shall be as set forth in sections (5) and (6) of this rule or as established by the municipality administering the manufactured dwelling or mobile home park program and shall be paid to the authority having jurisdiction

prior to beginning construction. Valuation of construction cost is to be determined by the authority having jurisdiction.

NOTE: The construction permit does not include building permits, manufactured dwelling installation permits, electrical permits, or plumbing permits.

(2) Return of Plans. The authority having jurisdiction should, within 30 working days from the date of submission of a complete set of plans, approve or return the plans with noted modifications to the applicant.

(3) Plans Review Fee. The plan review fee shall be 65 percent of the permit fee and shall be paid to the authority having jurisdiction at the time of submitting plans and specifications for review.

(4) Expiration and Validity of Plans and Permits:

(a) Expiration of plan approval shall be one year after the date of approval if no construction permit is issued. The authority having jurisdiction may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new review fee;

(b) Expiration of Construction Permits. Construction permits issued by the authority having jurisdiction under the provisions of these rules shall expire if the construction authorized by such permit is not commenced within 180 days from the date of such permit, or if the construction authorized by such permit is suspended for a period of 180 days, or abandoned at any time after the work is commenced. Before such construction can be recommenced, a new permit shall be first obtained to do so and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such permitted work and provided, further, that the duration of the suspension of work or abandonment has not exceeded one year;

(c) Validity. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of these rules. The issuance of a permit based upon plans and specifications shall not prevent the issuing agency from thereafter requiring the correction of errors in said plans or construction;

(d) Suspension or Revocation. The authority having jurisdiction may, in writing, suspend or revoke a permit issued under provisions of these administrative rules whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provisions of these administrative rules.

(5) Area Development Fee. The area development fee shall be determined from **Table 1** using the valuation for all facilities for which the permit is issued. The fees in **Table 1** shall be based on valuation **Table 2** or be determined by the applicant with documentation acceptable to the authority having jurisdiction. Permit fees shall be paid to the authority having jurisdiction before any work begins.

NOTE: The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings or structures, mechanical, plumbing or electrical systems; boilers, elevators, or permits required by other agencies.

(6) Other Inspection Fees:

(a) Inspections outside of normal business hours (Minimum charge -- two hours), \$50/hr;

(b) Reinspection fee, \$50/ea;

(c) Inspections for which no fee is specifically indicated (Minimum charge -- one-half hour), \$50/hr;

(d) Additional plan review required by changes, additions or revisions to approved plans (Minimum charge -- one-half hour), \$50/hr;

(e) Consultation Fee (Minimum charge -- one Hour) \$30/hr;

(f) A special inspection is required and a special inspection fee shall be paid before a permit may be issued for work started without a permit. The special inspection fee shall be equal to and in addition to the amount of the permit fee required by these rules;

(g) In addition to the called-for inspections, the authority having jurisdiction may make or require additional inspections to ensure compliance with the provisions or the code and laws;

(h) A reinspection fee may be assessed for each inspection or reinspection when the work for which an inspection is called is not completed or when required corrections are not made.

~~(7) Fee Refunds:~~

~~(a) Permit fees, license fees or other monies paid to the Division will be refunded only in the case of overpayment, duplicate payment or payments made in error or where otherwise required by law;~~

~~(b) Refunds of \$25 or less will only be made upon written request to the Division.~~

~~(c) Fees will not be refunded if a correct payment was made but the work for which the permit was issued was not begun or completed or the license application was not completed.~~

Table 1
Permit Fees

Total Valuation	Fee
\$1 to \$500	\$15
\$501 to \$2,000	\$15 for the first \$500 plus \$1.50 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$45 for the first \$2,000 plus \$9 for each additional \$1000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$252 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$2,039.50 for the first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$3,539.50 for the first \$1,000,000 plus \$2 for each additional \$1,000 or fraction thereof

NOTE: Table 1 is based on Table No. 3-A of the 1988 Uniform Building Code.

Table 2
Evaluations
Spaces Per Acre

Park Class	4	5	6	7	8	9	10	11	12
A	5901	5517	5197	4941	4685	4493	4365	4301	4237
B	5504	5120	4800	4544	4288	4096	3968	3904	3804
C	5312	5028	4608	4352	4269	3904	3776	3712	3648

NOTES:

(1) **Table 2** is based on the 1990 evaluation for Mobile Home Parks published by the Oregon Department of Revenue.

(2) Deduct ten percent from the valuation of parks constructed East of the Cascade Summit.

(3) "Class A" parks contain paved streets, curbs and sidewalks.

(4) "Class B" parks contain paved streets, no curbs and no sidewalks.

(5) "Class C" parks contain no paved streets, no curbs but have sidewalks on one side of each street.

(6) When a park contains spaces in more than one class, figure the spaces in each class; then add them together to obtain the total valuation for the park.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 183.410 & 446.160

Stats. Implemented: ORS 446.160

Hist.: DC 66, f. & ef. 1-20-76; DC 3-1979, f. 1-5-79, ef. 2-1-79; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 12-1982, f. 3-17-82, ef. 3-18-82; DC 11-1983, f. & ef. 5-5-83; Renumbered from 814-028-0040; BCA 15-1991(Temp), f. 6-7-91, cert. ef. 7-1-91; BCA 35-1991, f. 10-23-91, cert. ef. 10-31-91; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-650-0030

Fees -- Expiration -- Validation

(1)(a) Area Development Fee. The area development fee shall be determined from **Table 1** using the valuation for all facilities for which the permit is issued. The fees in **Table 1** shall be based upon valuation **Table 2** for recreation parks or be determined by the applicant with documentation acceptable to the issuing authority. Permit fees shall be paid to the issuing authority before any work begins.

NOTE: The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings and structures, mechanical, plumbing or electrical systems, boilers, elevators, or permits required by other agencies as specified in OAR 918-650-025.

Table 1

Total Valuation	Fee
\$1 to \$500	\$15
\$501 to \$2,000	\$15 for the first \$500 plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000

\$2,001 to \$25,000	\$45 for the first \$2,000, plus \$9 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$252 for the first \$25,000, plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$414.50 for the first \$50,000, plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$639.50 for the first \$100,000, plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$2,039.50 for the first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$3,539.50 for the first \$1,000,000 plus \$2 for each additional \$1,000 or fraction thereof

NOTE: Table 1 is based on Table 3-A of the 1988 Uniform Building Code.

Table 2

RECREATION PARK VALUATION TABLE

CLASS OF PARK OR CAMP	SPACES PER ACRE								
	6	8	10	12	14	16	18	20	22
A	2637	2470	2320	2189	2074	1978	1907	1849	1798
B	2483	2317	2176	2035	1920	1824	1754	1696	1645
C	1792	1626	1485	1344	1229	1133	1062	1005	954

NOTES:

- (1) **Table 2** is based on the 1990 evaluations for Recreational Vehicle Parks published by the Oregon Department of Revenue.
- (2) Deduct ten percent from the valuation of parks and camps constructed east of the Cascade Summit.
- (3) "Class A" parks and camps contain paved streets and electric, water and sewer service to each R.V. or camping space.
- (4) "Class B" parks and camps contain electric, water and sewer service to each R.V. or camping space, but do not have paved streets.
- (5) "Class C" parks and camps contain a combination of no more than two services involving electric, water or sewer and do not have paved streets.
- (6) When a park or camp contains spaces in more than one class, figure the spaces in each class, then add them together to obtain the total valuation.

(7) The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings or structures; mechanical, plumbing or electrical systems; boiler, or elevators, or permits required by other agencies.

(8) See this rule for plan review and inspection fees based on this valuation.

(ba) Plans Review Fee. The area development Plan Review Fee shall be 65 percent of the area development permit fee set forth in subsection (1)(a) of this rule and shall be paid to the issuing authority when plans and specifications are submitted for review;

(eb) Other Fees:

(A) Inspections outside of normal business hours (minimum charge -- two hours), \$50/hour;

(B) Reinspection fee, \$50/hour;

(C) Inspection for which no fee is specifically indicated (minimum charge -- one-half hour), \$50/hour;

(D) Additional plan review required by changes, additions or revisions to approved plans (minimum charge -- one-half hour), \$50/hour;

(E) Consultation fee (minimum one hour), \$30/hour.

(2) Other Fees:

(a) A special inspection is required and a special inspection fee shall be paid before a permit may be issued for work started without a permit. The special inspection fee shall be equal to and in addition to the amount of the permit fee required by these rules;

(b) Other Inspection Fees. In addition to the called for inspections, the issuing authority may make or require inspections of any construction work to confirm compliance with the provisions of this code and other laws which are enforced by the code enforcement agency;

(c) Reinspection Fees. A reinspection fee may be assessed for each inspection or reinspection when the work for which inspection is called is not complete or when corrections called for are not made.

NOTE: This subsection is not intended to require reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but is to control the practice of calling for inspections before the job is ready for such inspection or reinspection.

~~(3) Fee Refunds:~~

~~(a) Permit fees, license fees or other monies paid to the Agency will be refunded only in the case of overpayment, duplicated payment or payment made in error or where otherwise required by law;~~

~~(b) Refunds in the amount of \$25 or less will only be made upon written request;~~

~~(c) Fees will not be refunded if a correct payment was made but the work for which the permit was issued was not begun or completed or the license application was not completed.~~

~~(4)~~**(3)** Expiration and Validity of Plans and Permits:

(a) Expiration of Plan Approval. Area Development plan approval shall expire one year after the date that the approval is granted if no area development permit is issued. Upon receipt of a written request from the applicant the issuing authority may extend the time for action by the applicant for a period of not to exceed 180 days. To renew action on an application after the expiration of a plan approval, the applicant shall resubmit plans and pay a new plan review fee;

(b) Expiration of Area Development Permit. An area development permit issued under OAR Chapter 918, Division 650 shall expire if the work it authorizes is not commenced within 180 days from the date of issuance of the permit, or if the work is suspended or abandoned for 180 days at any time after it is commenced. A permittee holding an unexpired permit may apply for an extension of the time within which the work may be commenced under that permit. The time for action by the permittee shall not exceed 180 days. Requests for extensions shall be in writing, and no permit shall be extended more than once. If such work is not recommenced, before a permit or extension expires a new permit shall be obtained. The fee therefor shall be one-half the amount required for the first permit, provided that:

(A) No changes have been made in the original plans and specifications; and

(B) The duration of the suspension of work or abandonment has not exceeded one year.

(c) Validity. The issuance or granting of an area development permit or approval of area development plans and specifications shall not be construed to be a permit for, or approval of, any violation of any of the provisions of OAR Chapter 918, Division 650. The issuance of a permit based upon plans and specifications shall not prevent the issuing agency from later requiring the correction of errors in such plans;

(d) Suspension or Revocation. The issuing authority may, in writing, suspend or revoke an area development permit issued under provisions of OAR Chapter 918, Division 650 when the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provision of OAR Chapter 918, Division 650, or any other ordinances.

~~(5)~~**(4)** County Fees. Counties shall not, for the kind of permits provided for by this section, enact or enforce any ordinance, rule or regulation fixing any permit fee that is higher than the

fees provided by this section unless the county has the prior approval of the Administrator to do so. The Administrator shall approve any such fees if the Administrator finds, after notice and hearing, that the proposed fee or fees are reasonable and necessary to provide funds for the county to pay the expenses of carrying out effective enforcement of OAR Chapter 918, Division 650 that are its responsibility to enforce.

Stat. Auth.: ORS 183.325 - ORS 183.410, ORS 455.170, ORS 455.680, ORS 456.755, ORS 456.770 & ORS 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0075; BCA 16-1991(Temp), f. 6-7-91, cert. ef. 7-1-91; BCA 36-1991, f. 10-23-91, cert. ef. 10-31-91