

BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

CONSENT ORDER

JASON CLARK,
AN INDIVIDUAL,

RESPONDENT.

BCD CASE C2014-0152

INTRODUCTION

The Building Codes Division (Division) conducted an investigation on behalf of the Electrical and Elevator Board of the State of Oregon (Board) and determined that Jason Clark (Respondent) violated certain provisions of the Division's statutes and administrative rules as identified below.

The parties agree to resolve this matter without a hearing. Respondent understands that Respondent has the right to a contested case hearing under the Administrative Procedures Act, Oregon Revised Statutes (ORS) chapter 183, and Respondent fully and finally waives the right to a hearing and any judicial review therefrom by the signing of this Consent Order.

FINDINGS OF FACT

1. At all relevant times, Respondent was an employee of Advanced Electrical Technologies, an assumed business name of Pacific Northern Environmental Corp., which is a foreign business corporation that holds Oregon electrical contractor license C816.¹
1. On or about June 21-22, 2014, Respondent installed at least 40 feet of metallic conduit and terminated wires into the panel that is attached to the main computer of a lumber sorter at 30365 Redwood Highway, Cave Junction, Oregon.
2. On or about June 24-26, 2014, Respondent installed electrical wires into a cabinet of a

¹ See related Division cases C2014-0145, C2014-0146, C2014-0147, C2014-0148, C2014-0149, C2014-0150, and C2014-0151.

1 remote panel on a lumber sorter at 30365 Redwood Highway, Cave Junction, Oregon.

- 2 3. At no relevant time did Respondent hold a supervising or journeyman electrician license in
3 the State of Oregon.

4 **APPLICABLE LAW**

- 5 1. ORS 479.530(10) defines an electrical installation as the construction or installation of
6 electrical wiring and the permanent attachment or installation of electrical products.
7 2. Under ORS 479.620(3), a person may not make any electrical installation without a
8 supervising or journeyman electrician's license.

9 **CONCLUSIONS OF LAW**

- 10 1. Installing metallic conduit, terminating wires into a panel, and installing wires in a cabinet
11 of a remote panel on a lumber sorter are all electrical installations as defined by ORS
12 479.530(10).
13 2. By making the foregoing electrical installation without a valid supervising or journeyman
14 electrician license, Respondent violated ORS 479.620(3).

15 **ORDER**

- 16 1. The Board hereby assesses a total civil penalty of \$2,000 against Respondent for violating
17 ORS 479.620(3). Respondent agrees to pay the \$2,000 civil penalty. Respondent's payment
18 shall be postmarked no later than the 25th day of the month following the month in which
19 this Consent Order becomes a final order. *(An invoice will be included with Respondent's*
20 *copy of the final order after the Director signs it. Respondent understands timely payment*
21 *must be made even if no invoice is ever received.)* Payment shall be mailed to Department
22 of Consumer and Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR
23 97309-0445.
24 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
25 that rely on the facts underlying this case. Cooperation may include, but may not be limited

1 to, making sworn statements or testifying in administrative hearings.

2 3. Respondent understands that further enforcement action may be taken for any violation of
3 the Division's statutes or rules not alleged in this Consent Order, whether committed before
4 or after the execution of this Consent Order, and/or for any violation of the terms of this
5 Consent Order.

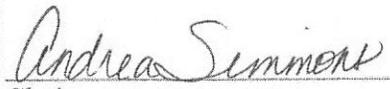
6 4. Respondent understands that failure to comply with this Consent Order may be used as a
7 basis for the denial of future license, certificate, registration, or other applications, or for the
8 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
9 certificate, or registration issued by the Division or other state agencies; and/or for any other
10 reason provided for in law.

11 5. Respondent understands that this Consent Order is a public record.

12 6. Respondent has read and fully understands the terms of this Consent Order, freely and
13 voluntarily consents to the entry of this Consent Order without any force or duress, and
14 expressly waives all rights to hearing or judicial review in this matter.

15 7. Respondent understands that, upon signature of all parties, this Consent Order will be a
16 Final Order.

17
18  It is so agreed this 16 day of FEBRUARY, 2016.
19 Jason Clark

20
21  for It is so agreed this 29th day of February, 2016.
22 Chair
23 Electrical and Elevator Board
24 State of Oregon
25