

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

3 **JOSHUA S. BRADLEY, AN INDIVIDUAL**

4 **RESPONDENT**

) **CONSENT ORDER**

) **CASE NO. C2014-0081**

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6 The Oregon Electrical and Elevator Board (Board) conducted an investigation and determined  
7 that Respondent violated certain provisions of the Oregon Building Codes Statutes, administrative  
8 rules, and specialty codes.

9 The parties wish to settle this matter informally. Respondent understand that Respondent has  
10 the right to a hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes  
11 (ORS), and fully and finally waives the right to a contested case hearing and any appeal therefrom by  
12 the signing and entry of this Consent Order in the Board's records. Respondent agrees to conduct all  
13 future business in compliance with the applicable statutes, administrative rules (OAR), and specialty  
14 codes. Respondent understands that, once final, this order is a public record.

15 **FINDINGS OF FACT**

- 16 1. On or about April 16, 2014, at 30661 Hwy 101, Gold Beach, Oregon, Respondent installed an  
17 electrical control and monitoring box, electrical power wiring to the control box, electrical  
18 communication cable to the control box, electrical DC wiring for a light to a tower, and a  
19 clearance light on the tower.  
20 2. At no relevant time did Respondent have an active Oregon general supervising electrician or  
21 journeyman electrician license.

22 **APPLICABLE LAW**

- 23 1. ORS 479.530(10) defines an electrical installation as the construction or installation of  
24 electrical wiring and the permanent attachment or installation of electrical products.

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- 1 2. Under ORS 479.620(3), a person may not make any electrical installation without a supervising  
2 or journeyman electrician's license.

3 **CONCLUSIONS OF LAW**

- 4 1. Installing an electrical control and monitoring box, electrical power wiring to a control box,  
5 electrical communication cable to a control box, electrical DC wiring for a light to a tower, and  
6 a clearance light on a tower are electrical installations as defined by ORS 479.530(10).  
7 2. By making electrical installations without a valid supervising or journeyman electrician license,  
8 ~~Respondent violated ORS 479.620(3).~~

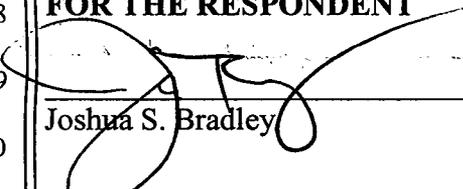
9 **SETTLEMENT AGREEMENT**

10 Respondent and the Board agree to resolve this matter without a hearing and without judicial  
11 review according to the following terms:

- 12 1. The Board hereby assesses a \$2,000 civil penalty for the violation of ORS 479.620(3), of which  
13 \$1,250 will be suspended for a period of five years under the following terms:  
14 1.1. Respondent agrees to pay the remaining \$750 of the civil penalty. *(An invoice will be*  
15 *included with Respondent's copy of the final order after the Board signs it.)*  
16 2. Respondent agrees to cooperate with the Building Codes Division's enforcement efforts in  
17 cases against other entities or individuals that rely on the underlying facts in this case.  
18 3. Respondent agrees not to commit violations of the Building Code Division's statutes and rules.  
19 4. Respondent understands that if Respondent fails to comply with any of the terms of this  
20 consent agreement that the entire civil penalty, including the amount suspended, will be  
21 immediately due and payable. Failure to comply includes failure to pay the civil penalty  
22 amount on the Final Demand Notice by the due date, or failure to make payments according to  
23 the terms of any payment arrangement or Final Demand Notice.  
24 5. Respondent understands and agrees that any violation of the terms of this Consent Order  
25 will result in further enforcement action.

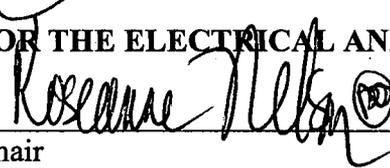
- 1 6. Respondent understands and agrees that any violation of the Building Code Division's statutes  
2 or rules not alleged in this order, whether committed before or after the execution of this  
3 Consent Order, may be the basis for further enforcement action.
- 4 7. Respondent understands that failure to comply with this settlement agreement may result in the  
5 denial of future licensing applications and/or suspension of licensing or certification  
6 issued by the Division and/or other state agencies.
- 7 8. Respondent understands the suspended civil penalty will be waived five years after the  
8 ~~execution of this Consent Order, provided Respondent complies with its terms and has not~~  
9 committed any further violations of Building Code Division's statutes and rules.
- 10 9. Respondent has read and fully understand the terms of this Consent Order, freely and  
11 voluntarily consents to the entry of this order without further hearing, without any force or  
12 duress, and expressly waives all rights to hearing or appeal in this matter.
- 13 10. Respondent understands that, upon signature of all parties, this Consent Order will be a FINAL  
14 ORDER.
- 15 11. Respondent understands that once this Settlement Agreement and Consent Order becomes a  
16 FINAL ORDER, it becomes a public document.

17  
18 **FOR THE RESPONDENT**

19   
20 Joshua S. Bradley

Date: 8/14/14

21 **FOR THE ELECTRICAL AND ELEVATOR BOARD**

22   
23 Chair  
24 Electrical and Elevator Board  
25 State of Oregon

Date: 8-19-14