

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

2 **IN THE MATTER OF:**

**CONSENT ORDER**

3  
4 **CODY E. GRAMS,**  
5 **AN INDIVIDUAL,**

**RECEIVED**

**FEB 15 2016**

**SCHWABE WILLIAMSON & WYATT**

6 **RESPONDENT.**

**BCD CASE C2014-0151**

7  
8 **INTRODUCTION**

9 The Building Codes Division (Division) conducted an investigation on behalf of the  
10 Electrical and Elevator Board of the State of Oregon (Board) and determined that Cody E. Grams  
11 (Respondent) violated certain provisions of the Division's statutes and administrative rules as  
12 identified below.

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

17 **FINDINGS OF FACT**

- 18 1. At all relevant times, Respondent was an employee of Advanced Electrical Technologies, an  
19 assumed business name of Pacific Northern Environmental Corp., which is a foreign  
20 business corporation that holds Oregon electrical contractor license C816.<sup>1</sup>
- 21 2. On or about June 23-25, 2014, Respondent cut, threaded, bent and installed electrical  
22 conduit to hold wires for carrying power to solenoids to assist in the operation of a lumber  
23 sorter at 30365 Redwood Highway, Cave Junction, Oregon.
- 24 3. At no relevant time did Respondent hold a supervising or journeyman electrician license in  
25

<sup>1</sup> See related Division cases C2014-0145, C2014-0146, C2014-0147, C2014-0148, C2014-0149, C2014-0150, and C2014-0152.

1 the State of Oregon.

2 **APPLICABLE LAW**

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

7 **CONCLUSIONS OF LAW**

- 8 1. Threading, bending, and installing electrical conduit on a lumber sorter to hold wires for  
9 carrying power to solenoids to assist in the operation of that lumber sorter is an electrical  
10 installation as defined by ORS 479.530(10).  
11 2. By making the foregoing electrical installation without a valid supervising or journeyman  
12 electrician license, Respondent violated ORS 479.620(3).

13 **ORDER**

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

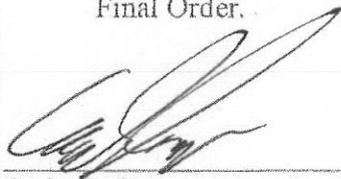
1 the Division's statutes or rules not alleged in this Consent Order, whether committed before  
2 or after the execution of this Consent Order, and/or for any violation of the terms of this  
3 Consent Order.

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

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

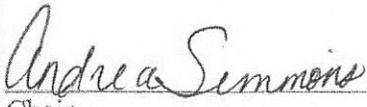
10 6. Respondent has read and fully understands the terms of this Consent Order, freely and  
11 voluntarily consents to the entry of this Consent Order without any force or duress, and  
12 expressly waives all rights to hearing or judicial review in this matter.

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

15 

16  
17 Cody E. Grams

It is so agreed this 17 day of February, 2016.

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19 

20 Chair  
21 Electrical and Elevator Board  
22 State of Oregon

for It is so agreed this 29 day of February, 2016.