



# Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Building Codes Division

1535 Edgewater Street NW

P.O. Box 14470

Salem, OR 97309-0404

503-378-4133

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[bcd.oregon.gov](http://bcd.oregon.gov)

## ***Electrical and Elevator Board***

Meeting agenda

Thursday, January 28, 2016, 9:30 a.m.

Conference Room A

Board meetings are broadcast live via the Internet at

<http://bcd.oregon.gov/>

Click on "View live meetings"

### **I. Board business**

- A. Call to order
- B. Roll call
- C. Approval of agenda and order of business
- D. Approval of the November 19, 2015, board meeting minutes
- E. Date of the next regularly scheduled meeting: March 24, 2016

### **II. Public comment**

*This time is available for individuals wanting to address the board on **non-agenda items only**. The Board will not take action on non-agenda items raised under public comment at this meeting. Testimony on agenda items will be heard when the item is called. (See "Issues to remember when addressing Board" at the end of this agenda).*

### **III. Reports**

- A. Building Codes Division report
- B. Electrical program update
- C. Elevator program update
- D. Consideration of final order in the matter of Lyubomir B. Brunets; Case No. C2015-0144
- E. Consideration of settlement agreement in the matter of Kurt P. Hauth; Case No. C2015-0036
- F. Summary of enforcement actions previously taken by the division outlined on the enforcement board report (*No board action required*)

### **IV. Communications - None**

### **V. Appeals - None**

### **VI. Unfinished business**

Board review and recommend to the Administrator the request from City of Turner for Electrical Program Assumption from Marion County

## **VII. New business**

- A. Review and approve committee's recommendations on new continuing education courses and instructors
- B. Board review request received from Costel Popovici to approve his supervisor license application by finding that his work and training experience meets equivalency requirements

## **VIII. Announcements - None**

## **IX. Adjournment**

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### **Issues to remember when addressing the Board:**

- All public participation is subject to the discretion of the board Chair for order of testimony, length and relevance.
- Speakers are generally limited to five minutes.
- Please register on the attendance registration form and on the public testimony registration form, listing the appropriate agenda item.
- The Board Chair will call you to the front testimony table.
- Please state your name and the organization you represent (if any).
- Always address your comments through the Chair.
- If written material is included, please provide 20 three-hole-punched copies of all information to the boards coordinator prior to the start of the meeting and, when possible, staff respectfully requests an electronic copy of materials 24 hours prior to the meeting.

**Interpreter services or auxiliary aids for persons with disabilities are available upon advance request. Persons making presentations including the use of video, DVD, PowerPoint, or overhead projection equipment are asked to contact boards coordinator 24 hours prior to the meeting. For assistance, please contact Debi Barnes-Woods at (503) 378-6787.**

Please do not park vehicles with "E" plates in "customer only" spaces.

*Note:* For information regarding re-appointments or board vacancies, please visit the Governor's website.

**Electrical and Elevator Board**  
**Meeting minutes**  
November 19, 2015

- Members present:** Michael Weaver, electrical contractor, Chair  
Heather Miller, journeyman electrician, Vice-chair  
James Fahey, commercial underwriter  
Thomas Faires, elevator manufacturing  
Scott Hall, electrical equipment supplier  
Joseph Pugh, public member  
Robert Pyne, journeyman elevator installer  
Randy Smith, electrical inspector  
Steven Trapp, electrical contractor
- Members absent:** Timothy Frew, journeyman electrician  
Sherry Sherman, electrical equipment manufacturing rep  
James Totten, owner/manager of a commercial office building  
Vacant, building official  
Vacant, industrial plant employing electricians  
Vacant, power and light industry
- Staff present:** Brett Salmon, manager, Policy and Technical Services  
Andrea Simmons, manager, Enforcement and Training  
Keith Anderson, electrical program chief, Policy and Technical Services  
Shawn Haggin, electrical program assistant chief, Policy and Technical Services  
Roseanne Nelson, assistant manager, State Inspection Services  
Warren Hartung, elevator program chief, State Inspection Services  
Adam Blechman, contested case representative, Enforcement and Training  
Jay Henry, field training coordinator, Enforcement and Training  
Richard Baumann, policy analyst, Policy and Technical Services  
Debi Barnes-Woods, boards administrator, Policy and Technical Services
- Guests present:** Don Meier, The Building Department LLC  
Mitch Nickolds, City of Portland  
Brett Wellard, City of Portland  
Nathan Philips, NECA  
Randy Carmony, Local 23  
Jack Applegate, The Building Department LLC  
Jon Flegel, IBEW

**I. Board business**

**A. Call to order**

Acting Chairman, Vice-chair Michael Weaver, called the Electrical and Elevator Board meeting of November 19, 2015, to order at 9:31 a.m. The meeting was held at the Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

**B. Roll call**

Timothy Frew, Sherry Sherman, and James Totten were all absent excused.

The Electrical and Elevator Board has the following three vacancies: Building official, power and light industry, and industrial plant representative.

**C. Approval of the agenda and order of business**

Acting Chair Weaver **RULED** the agenda and order of business approved to include the addition of the documents to Agenda Item VII.C.

**D. Approval of the board meeting minutes of September 24, 2015**

Acting Chair Weaver **RULED** the board meeting minutes of September 24, 2015, approved as written.

**E. Date of the next regularly scheduled meeting: January 28, 2016**

**F. 2016 Board meeting calendar dates**

This item was included as a convenience for Board members.

**G. Vote for Chair and Vice-chair**

Acting Chair Weaver opened the nominations for Chair. Heather Miller nominated Michael Weaver as Chair. Mr. Weaver accepted the nomination. There being no other nominations for Chair, the nominations were closed.

**By unanimous consent, Michael Weaver was voted Chair of the Electrical and Elevator Board.**

Chair Weaver opened the nominations for Vice-chair. Steven Trapp nominated Heather Miller as Vice-chair. Ms. Miller accepted the nomination. There being no other nominations for Vice-chair, the nominations were closed.

**By unanimous consent, Heather Miller was voted Vice-chair of the Electrical and Elevator Board.**

**II. Public comment - None**

**III. Reports**

**A. Division update**

Items A. and B. were discussed together by Keith Anderson, electrical program chief, Policy and Technical Services.

**B. Electrical program update**

*Items of discussion:*

- Proposed amendments to Division 309 fee calculations
- Two additional tests were added to the electrical supervisor's exam pool

**C. Elevator program update**

Warren Hartung, elevator program chief, State Inspection Services, reviewed the accident summary report then the overdue report with members. Chief Hartung noted that the number of accidents were down because of the consistent redirecting of individuals at PDX to elevators instead of escalators when carrying

luggage. Individuals using walkers are being encouraged to stay away from the moving walkways. Both documents were distributed.

***Before the enforcement cases were discussed, Anthony Estrada, contested case representative, Enforcement and Training, was introduced.***

**D. Consideration of final order in the matter of Daniel Bridge; Case No. C2015-0085**

Adam Blechman, contested case representative, Enforcement and Training, said Mr. Bridge applied for a general journeyman license. Because the application was denied by the Division, it was brought before the Electrical and Elevator Board at its July 23, 2015, Board meeting. The Board also denied Mr. Bridges' request. A hearing was held and the ALJ found in favor of the Division and the Board. A proposed order was issued finding Mr. Bridge did not meet the minimum requirements under the applicable statutes and rules.

**Motion by Vice-chair Miller** to adopt the amended proposed order issuing a final order with no changes for Daniel Bridge.

**Motion carried unanimously**

**E. Summary of enforcement actions previously taken by the division outlined on the enforcement board report (No board action required)**

Cases included in this report were informational.

**F. License suspensions for Robert L. Gray, and conditioned license for Froula Alarms Systems Inc. (No board action required)**

Cases included in this report were informational.

**IV. Communications**

**Board review of the request from the City of Turner for Electrical Program Assumption from Marion County**

Tyler Larson, policy analyst, Policy and Technical Services, introduced the item explaining statute requirements for program delegation. He said that the Board will be providing a recommendation at its January 28, 2016, meeting to the Administrator.

Jack Applegate and Don Meier, The Building Department LLC, were at the testimony table for Board questions.

Board members made the following suggestions:

- List all statute references
- Increase the inspection service to more than Tuesday's and Thursday's
- List specific times when inspector is available for questions
- List the level of service offered

**V. Appeals - None**

**VI. Unfinished business - None**

## **VII. New business**

### **A. Review and approve committee's recommendation on new continuing education courses and instructors**

Richard Baumann, policy analyst, Policy and Technical Services, said the continuing education committee continues to meet to review new instructor applications and course applications to ensure that both meet the guidelines for approval.

**Motion by Steven Trapp** to approve committee's recommendations for approval or denial of courses or instructors.

**Motion carried unanimously**

### **B. Request of retroactive approval of instructor Robert A. Huddleston back to April 27 and April 28**

Joseph Pugh was concerned about the retroactive approval process. He asked if there were a way to ensure a more seamless process.

Roseanne Nelson, assistant manager, State Inspection Services, said all class rosters are received by the Division electronically. Specific identifiers are used for rosters, courses, and licensees to ensure proper credit is given. She said it may be a possibility to include an identifier for the instructor on the class roster, but that will need to be reviewed.

Chair Weaver said that if the instructor was listed on the class roster, this may prevent the need for a retroactive approval.

**Motion by Randy Smith** to retroactively approve instructor Robert A. Huddleston back to April 27 and April 28, 2015.

**Motion carried unanimously**

*(Board took a 10-minute break. The Board was back in order at 10:35 a.m.)*

### **C. Board review and provide recommendation on proposed amendments for the multi-family electrical fee methodology, corrective notice provisions and establishing a provision for stop work orders**

Nathan Phillips, NECA, said that the proposed amendments to Division 309 were brought forward by the NECA contractors, and others to address inconsistencies in permit fee methodology and for the lack of understanding in the number of inspections permit holders are entitled to when purchasing permits. He noted that NECA will be submitting further work to Section 5(b) during the hearing process.

Mitch Nickolds, City of Portland, suggested the Board take no action on the item today, instead send what is currently being proposed to other jurisdictions in order to get further feedback. Mr. Nickolds said the way the draft rule is currently written, it is not ready for hearing.

Chair Weaver said that he was comfortable with the proposed rule and said the hearing process allows for further time to receive any suggested changes.

**Motion by Vice-chair Miller** to recommend the Division proceed to rulemaking with proposed amendments to OAR Chapter 918 Division 309 on the condition that proposed amendments are presented to the Board for further comment prior to adoption.

**Motion carried unanimously**

**IX. Announcements** – None

**X. Adjournment**

Chair Weaver adjourned the meeting at 11:00 a.m.

Respectfully submitted by Debi Barnes-Woods, boards administrator/coordinator

**State of Oregon**

**Board memo**

**Building Codes Division**

**January 28, 2016**

**To:** The Electrical and Elevator Board

**From:** Adam D. Blechman, contested case representative, Enforcement and Training

**Subject:** Final Order for BCD case C2015-0144, In the Matter of Lyubomir B. Brunets

**Action requested:**

To consider the adoption of a Proposed Order and issue a Final Order.

**Background:**

On January 20, 2015, the Division, acting on behalf of the Board, issued a Notice of Proposed Assessment of a Civil Penalty to Lyubomir B. Brunets in case C2014-0174. That Notice alleged that Mr. Brunets had made electrical installations in a four-floor, above grade building while holding only a limited residential electrician license. A journeyman or supervising electrician license was required to perform that work. Mr. Brunets failed to respond to that Notice. Accordingly, on February 10, 2015, a default order assessing a \$2,000 civil penalty entered against Mr. Brunets.

Mr. Brunets failed to make any payments toward his default order. Therefore, on July 8, 2015, the Division, acting on behalf of the Board, issued a Notice of Proposed Suspension of Limited Residential Electrician License 875LR and Final Order on Default to Mr. Brunets. Mr. Brunets requested a hearing, which was held on September 22, 2015. Administrative Law Judge (ALJ) Marni J. Davis presided.

Following the hearing, ALJ Davis issued a Proposed Order, finding that the default order in case C2014-0174 was properly issued and that Mr. Brunets had failed to pay the civil penalty assessed in that case. Therefore, ALJ Davis found that the Board may suspend Mr. Brunets's limited residential electrician license for one year pursuant to Oregon Revised Statutes ([ORS](#)) [455.129\(2\)\(b\)](#). The Division has made no amendments to the Proposed Order.

**Options:**

After considering the Proposed Order, the Board may:

- Issue a Final Order adopting the Proposed Order
- Amend the Proposed Order and indicate to the Division what it would like to alter in the Proposed Order
- Disapprove the Proposed Order, and direct the Division to not suspend the limited residential license that Mr. Brunets holds

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF OREGON  
for the  
ELECTRICAL AND ELEVATOR BOARD**

IN THE MATTER OF: ) **PROPOSED ORDER**  
 )  
**LYUBOMIR B. BRUNETS** ) OAH Case No.: 1504247  
 ) Agency Case No.: C2015-0144

**HISTORY OF THE CASE**

On July 8, 2015, the Electrical and Elevator Board (Board) of the Building Codes Division (Division) issued a Notice of Proposed Suspension of Limited Residential Electrician License 875LR and Final Order on Default to Lyubomir B. Brunets (Respondent). On July 11, 2015, Respondent requested a hearing.

On July 14, 2015, the Division referred the hearing request to the Office of Administrative Hearings. Administrative Law Judge (ALJ) Marni J. Davis was assigned to preside at hearing.

ALJ Davis held a contested case telephone hearing on September 22, 2015. Respondent appeared and testified on his own behalf. Adam Blechman represented the Division. Andrea Simmons testified on behalf of the Division. The record closed at the conclusion of the hearing.

**ISSUE**

Whether the Division may suspend Respondent's limited residential electrician license 875LR on the ground that he failed to pay a civil penalty. ORS 455.129(2)(b).

**EVIDENTIARY RULINGS**

Exhibits A1 through A7, offered by the Division, were admitted into the record without objection.

**FINDINGS OF FACT**

1. Lyubomir B. Brunets (Respondent) holds limited residential electrician license 875LR. (Test. of Respondent.)

2. On January 20, 2015, the Division issued a Notice of Proposed Assessment of a Civil Penalty and Final Order on Default in case C2014-0174 to Respondent's address of record. (Ex. A1; test. of Simmons.)

3. On February 3, 2015, Respondent's father signed the certified mail receipt for the Notice issued January 20, 2015. The Notice proposed to assess a \$2,000 civil penalty against Respondent. To be timely, Respondent needed to file a request for hearing by February 9, 2015. (Ex. A1; test. of Simmons, Respondent.)

4. On February 10, 2015, Respondent had not filed a request for hearing and the Notice of Proposed Assessment of a Civil Penalty and Final Order on Default became final. (Ex. A2; test. of Simmons.)

5. On March 5, 2015, the Division issued an invoice to Respondent requesting payment of the civil penalty assessed in case C2014-0174. (Ex. A6; test. of Simmons.)

6. On June 15, 2015, the Division issued a final demand for payment of the civil penalty assessed in case C2014-0174. (Ex. A7; test of Simmons.)

7. Respondent has not paid the civil penalty assessed in case C2014-0174. (Test. of Simmons, Brunets.)

### CONCLUSION OF LAW

The Division may suspend Respondent's limited residential electrician license 875LR because he failed to pay a civil penalty.

### OPINION

The Division contends that Respondent's limited residential electrician license should be suspended for one year because he failed to pay a civil penalty. The Division has the burden to show, by a preponderance of the evidence, that the license suspension is appropriate. *See* ORS 183.450(2), *Harris v. SAIF*, 292 Or 683, 690 (1982). Proof by a preponderance of evidence means that the fact finder is persuaded that the facts asserted are more likely true than not true. *Riley Hill General Contractor, Inc. v. Tandy Corp.*, 303 Or. 390 (1987).

ORS 455.129(2) provides in relevant part:

Subject to ORS chapter 183, a regulatory body listed in subsection (3) of this section may suspend \* \* \* a license \* \* \* if the regulatory body finds that the licensee\* \* \*[:]

(b) Has failed to comply with an order of the regulatory body or the Director of the Department of Consumer and Business Services, including but not limited to the failure to pay a civil penalty.

On January 20, 2015, the Division issued a Notice of Proposed Assessment to Respondent's address of record. Respondent's father accepted delivery of the Notice. To be timely, Respondent needed to request a hearing by February 9, 2015. Respondent did not timely appeal the Notice and it became final on February 10, 2015. The Division issued two invoices to Respondent requesting payment of the civil penalty. Respondent has not paid the civil penalty.

Because Respondent has not paid the civil penalty assessed in case C2014-0174, the Division may suspend his limited residential electrician license for one year, pursuant to ORS 455.129(2)(b).

### **ORDER**

*I propose the Building Codes Division, Electrical and Elevator Board, issue the following order:*

Lyubomir B. Brunets' limited residential electrician license C875LR is suspended for one year.

Marni J. Davis

---

Administrative Law Judge  
Office of Administrative Hearings

### **APPEAL PROCEDURE**

This is the Administrative Law Judge's Proposed Order. You have the right to file written exceptions and argument to be considered per OAR 137-003-0650. Your exceptions and argument must be received within 20 calendar days after the service date of this Proposed Order. Send them to:

Building Codes Division  
Manager, Enforcement and Licensing  
PO Box 14470  
Salem, OR 97309-0404

**CERTIFICATE OF MAILING**

On October 29, 2015, I mailed the foregoing PROPOSED ORDER issued on this date in OAH Case No. 1504247.

By: First Class Mail

Lyubomir Brunets  
5358 Whiplwood Ave Se  
Salem OR 97306

Adam Blechman  
Building Codes Division  
PO Box 14470  
Salem OR 97309-0404

Ryan Clark  
Administrative Specialist  
Hearing Coordinator

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

2 **IN THE MATTER OF:**

**FINAL ORDER**

3  
4 **LYUBOMIR B. BRUNETS,**  
5 **AN INDIVIDUAL,**

**OAH CASE NUMBER 1504247**

6 **RESPONDENT.**

**BCD CASE C2015-0144**

7  
8 On October 29, 2015, Administrative Law Judge Marni J. Davis issued the attached  
9 Proposed Order affirming the Electrical and Elevator Board of the State of Oregon's Notice of  
10 Proposed Suspension of Lyubomir B. Brunets's Limited Residential Electrician License 875LR.

11 **ORDER**

12 The Electrical and Elevator Board of the State of Oregon hereby adopts and incorporates by reference  
13 the attached Proposed Order and suspends Lyubomir B. Brunets's limited residential electrician  
14 license 875LR for one year from the date of this order.

15  
16 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016

17  
18  
19 \_\_\_\_\_  
20 Chair  
21 Electrical and Elevator Board  
22 State of Oregon

23 **NOTICE OF OPPORTUNITY FOR JUDICIAL REVIEW (COURT OF APPEALS)**

24 Respondent is entitled to judicial review of this Final Order pursuant to Oregon Revised  
25 Statutes (ORS) 183.482. Judicial review may be initiated by filing a petition for review with the  
Oregon Court of Appeals within sixty (60) days from the date this Final Order was mailed to  
Respondent.

**State of Oregon**

**Board memo**

**Building Codes Division**

**January 28, 2016**

**To:** The Electrical and Elevator Board

**From:** Adam D. Blechman, contested case representative, Enforcement and Training

**Subject:** Final Order for BCD case C2015-0036, In the Matter of Kurt P. Hawth

**Action requested:**

To consider a settlement request from Kurt P. Hawth regarding case C2015-0036.

**Background:**

Kurt P. Hawth (journeyman electrician license No. 10349J) is a second-time violator. He is asking the Board to consider a settlement request.

Mr. Hawth was previously found to have made electrical installations without working under the supervision of a supervising electrician (BCD case 2011-0101). Mr. Hawth signed a consent order, which assessed a \$2,000 civil penalty. Mr. Hawth paid \$1,500 in civil penalties and the remaining \$500 was suspended for a period of five years.

The present case before the Board involves several alleged violations. Mr. Hawth was an employee of 5 Star Electric Inc. (electrical contractor license No. C339). 5 Star Electric obtained a permit to install one 200 amp feeder and 20 branch circuits at a residence. Mr. Hawth later entered into a written contract with the homeowner to perform electrical work. The contract did not mention 5 Star Electric or any other electrical contractor, and Mr. Hawth did not obtain a permit to perform work at the residence. Mr. Hawth did not hold an electrical contractor license.

Mr. Hawth performed electrical work at the residence. In the middle of performing that work, his employment with 5 Star Electric ended, and he continued to work at the residence. This work performed at the residence included rewiring the first floor of the home, relocating the main electrical panel, and installing an electrical meter.

Mr. Hawth also hired Scott McNamara (limited residential electrician license No. 706LR, expired since October 7, 2010) to assist with work at the property. Mr. McNamara wrote a second bid for work at the property on Mr. Hawth's behalf. Mr. McNamara performed at least 18 hours of work at the residence.

The notice issued in the present case assessed a total of \$13,000 in civil penalties. The violations alleged in the notice include engaging in the business of an electrical contractor without holding an electrical contractor license (\$4,000); directing, supervising, and controlling the making of electrical installations without holding a supervising electrician license (\$3,000); allowing an unlicensed individual to perform electrical work (\$2,500); and failing to work under the supervision of a supervising electrician (\$3,000). The notice also included an additional \$500, which is the amount of civil penalties that were suspended in BCD case 2011-0101 and which is now due and payable because there have been further violations within five years of the entry of the consent order signed in that case.

In the attached letter, Mr. Hauth is requesting that the Board consider reducing the amount of civil penalties assessed in this case to \$6,000. Mr. Hauth has expressed regret and stated that he accepts responsibility for his actions.

**Options:**

After considering Mr. Hauth's proposal, the Board may:

- Approve the settlement request from Mr. Hauth
- Suggest a different settlement proposal and indicate to the Division whether this matter should be brought before the Board at the next meeting for consideration
- Deny the settlement request from Mr. Hauth

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

2  
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5  
6  
7

<b>IN THE MATTER OF:</b>	)	<b>CONSENT ORDER</b>
	)	
<b>KURT P. HAUTH, AN INDIVIDUAL</b>	)	
	)	
<b>RESPONDENT (You)</b>	)	<b>CASE NO. 2011-0101</b>
	)	
	)	
	)	

8 The Electrical and Elevator Board of the State of Oregon (Board) has conducted an investigation  
9 and determined that you violated certain provisions of the Oregon Building Codes statutes,  
administrative rules, and specialty codes.

10 The parties wish to settle this matter informally. You agree to conduct all future business in  
11 compliance with the applicable statutes, administrative rules, and specialty codes. As evidenced by  
12 the authorized signatures on this Order, you hereby consent to the entry of this Order and its  
following terms.

13 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

14 (1) On or about May 17, 2011, at 1357 Cedar Street, Philomath, Oregon, you installed  
15 electrical wires and boxes while not under supervision of a supervising electrician, in violation of  
OAR 918-282-0170.

16 (2) Installing electrical wires and boxes, as set forth in the Findings of Fact, is an electrical  
17 installation as defined in ORS 479.530(10).

18 **WHAT THE LAW SAYS**

19 (1) Under OAR 918-282-0170, a journeyman electrician is required to work under the  
20 supervision of a supervising electrician.

21 **ORDER**

22 Under ORS 455.895(1)(b) and OAR 918-001-0036, the Board assesses the following  
sanction:

23 (1) \$2,000 civil penalty for violating OAR 918-282-0170.

24 //  
25 //

1 **STIPULATED AGREEMENT**

2 You and the Board agree to resolve this matter without hearing according to the following  
3 terms:

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

7 (2) The Board agrees to suspend \$500 of the \$2,000 in civil penalties for a period of five  
8 years under the following terms:

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

11 (b) You agree to pay the remaining \$1,500 of the civil penalty.

12 (c) If you are able to submit a full payment of \$1,000, an additional \$500 will be  
13 suspended. The \$1,000 must be paid by the due date found on the invoice. The  
14 invoice will be included with your copy of the Final Order after it is signed by  
15 the Board.

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

19 Payments are to be made to: DCBS Fiscal Services  
20 P.O. Box 14610  
21 Salem, OR 97309-0445

22 (e) You understand and agree any violation of the terms of this Settlement  
23 Agreement and Consent Order will result in further enforcement action.

24 (f) You understand and agree that any violations of Building Code Division's  
25 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.

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

(h) You have read and fully understand the terms of this Consent Order, freely 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 appeal in this  
matter.

- 1
- 2 (i) You understand that, upon signature of all parties, this Settlement Agreement and  
Consent Order will be a FINAL ORDER.
- 3
- 4 (j) You understand once this Settlement Agreement and Consent Order becomes a  
FINAL ORDER it becomes a public document.
- 5
- 6 (k) You further agree by signing this Settlement Agreement and Consent Order that  
he is the respondent and/or authorized representative for the respondent in this  
matter.

7 **FOR THE RESPONDENT**

8 *Kurt P. Hauth*  
9 Kurt P. Hauth

Date: 9-2-11

10

11

12 **FOR THE BOARD**

13

14 *Elizabeth Bruno* for  
15 Chairman  
16 Electrical and Elevator Board  
State of Oregon

Date: 9-6-11

RECEIVED  
BUILDING CODES  
2011 SEP -6 A 10:16

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

2 **IN THE MATTER OF:**

3  
4 **KURT P. HAUTH,**  
5 **AN INDIVIDUAL,**

6  
7 **RESPONDENT.**

**NOTICE OF PROPOSED ASSESSMENT  
OF CIVIL PENALTIES**

**NOTICE OF PROPOSED ORDER TO  
CEASE AND DESIST**

**NOTICE OF FINAL ORDER ON DEFAULT**

**BCD CASE C2015-0036**

8  
9 **IF YOU DO NOT REQUEST A HEARING IN WRITING WITHIN 20 DAYS**  
10 **OF THE POSTMARK DATE OF THIS NOTICE,**  
11 **THIS NOTICE WILL BECOME A FINAL ORDER.**

12 More information about this Notice and how to request a hearing is included below.

13 Pursuant to Oregon Revised Statutes (ORS) 455.895(1)(b) and Oregon Administrative Rules  
14 (OAR) 918-001-0036, the Electrical and Elevator Board of the State of Oregon (Board) proposes to  
15 assess civil penalties totaling \$13,000 against Kurt P. Hauth (Respondent) because Respondent  
16 violated Building Codes Division (Division) statutes and rules as identified below.

17 Pursuant to ORS 455.775(2), the Director of the Department of Consumer and Business  
18 Services (Director) proposes an order directed to Respondent to cease and desist from violations of  
19 ORS 479.620(1), ORS 479.620(2), OAR 918-282-0120(1), and OAR 918-282-0170(1)(b) because  
20 the Director has reason to believe that Respondent has been engaged, is engaging, or is about to  
21 engage in violations of those statutes and rules.

22 **FINDINGS OF FACT**

- 23 1. Respondent has held general journeyman electrician license number 10349J since October  
24 26, 1989.
- 25 2. In BCD case 2011-0101, Respondent was found to have made electrical installations without  
working under the supervision of a supervising electrician in violation of OAR 918-282-  
0170. Respondent was found to have made these installations on or about May 17, 2011.

NOTICE OF PROPOSED ASSESSMENT OF CIVIL PENALTIES, ORDER TO CEASE AND DESIST,  
AND FINAL ORDER ON DEFAULT

1 The Board assessed a \$2,000 in civil penalty against Respondent for that violation.

- 2 3. Respondent and the Board entered into a consent order in BCD case 2011-0101, which  
3 became a final order on September 6, 2011. The Board suspended \$500 of that civil penalty,  
4 and Respondent paid the remaining \$1,500. The consent order contained a clause stating that  
5 the suspended civil penalty would be waived five years after the execution of the consent  
6 order provided that Respondent complied with its terms and did not commit any further  
7 violation of the Division's statutes and/or rules.
- 8 4. On or about July 14, 2014, 5 Star Electric Inc. (electrical contractor license number C339),  
9 obtained a permit (number 11706) from the City of Silverton to perform work at a residence  
10 located at 418 E Main Street in Silverton, Oregon (the property). That permit provided for  
11 the installation of one 200 amp feeder and 20 branch circuits. The permit was obtained by  
12 Timothy Turner, who is the owner of 5 Star Electric Inc. and its registered signing  
13 supervisor (license number 4651S). At that time, Respondent was an employee of 5 Star  
14 Electric Inc.
- 15 5. On or about July 22, 2014, Respondent signed a written contract to provide electrical  
16 services at the property in exchange for \$5,000. This contract included, among other things,  
17 installing a volt meter and a circuit main breaker outdoor load center; rewiring a subpanel;  
18 and installing several electrical receptacles, ceiling lights, cadet heaters, and junction boxes.
- 19 6. The contract, which Respondent signed, did not mention 5 Star Electric Inc. or any other  
20 electrical contractor.
- 21 7. Respondent performed electrical work at the property, including but not limited to the  
22 following: installing new wiring and receptacles throughout the property; relocating the  
23 main electrical panel from an exterior first-floor wall to an interior basement wall; and  
24 converting the single-panel system to a four-panel system; and installing an electrical meter.
- 25 8. On or about August 12, 2014, Respondent separated from 5 Star Electric Inc.

1 9. Following his separation from 5 Star Electric, Respondent performed additional electrical  
2 work at the property, including but not limited to rewiring the main floor of the property.

3 10. In or about November and December 2014, Respondent retained Scott McNamara (limited  
4 residential electrician license number 706LR, expired since October 7, 2010) to assist with  
5 work at the property. McNamara authored a second bid for work at the property, totaling  
6 \$9,000, on Respondent's behalf. McNamara assisted with making electrical installations,  
7 and he worked for at least 18 hours at the property.

8 11. Timothy Turner never performed any work at the property, nor did any other employee of 5  
9 Star Electric Inc. (other than Respondent).

10 12. Respondent continued to work at the property until approximately January 2015.

11 **APPLICABLE LAW**

12 1. The terms used in this Notice may be defined in ORS 183.310(1)-(10), ORS 455.010(1)-  
13 (10), ORS 479.530(1)-(23), ORS 479.905(1)-(5), OAR 918-001-0005(1)-(4), OAR 918-030-  
14 0010(1)-(11), OAR 918-090-0010(1)-(12), OAR 918-098-1005(1)-(20), and OAR 918-251-  
15 0090(1)-(43).

16 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of  
17 electrical wiring and the permanent attachment or installation of electrical products in or on  
18 any structure that is not itself an electrical product.

19 3. Under ORS 479.620(1), a person who does not hold an electrical contractor license may not  
20 engage in the business of making electrical installations, advertise as or otherwise purport to  
21 be licensed to make electrical installations or purport to be acting as a business that makes  
22 electrical installations.

23 4. OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630, and any  
24 other license regulated by ORS chapter 455, "engaging in the business" means to advertise  
25

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

3 5. Under ORS 479.620(2), a person may not direct, supervise, or control the making of an  
4 electrical installation without a supervising electrician's license.

5 6. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform  
6 electrical work for which the individual is not properly registered or licensed.

7 7. Under OAR 918-282-0170(1)(b), a general journeyman electrician shall work under the  
8 supervision, direction, and control of a general supervising electrician unless doing the type  
9 of work that may be supervised, directed, or controlled by a person holding a specific  
10 limited supervising electrician license, or the type of work requiring no supervision.

11 8. Under ORS 455.775(2), if the Director has reason to believe that any person has been  
12 engaged, or is engaging, or is about to engage in any violation of the state building code or  
13 ORS chapter 455 or ORS 479.510 to 479.945 or any rule adopted under those statutes, the  
14 Director may issue an order, subject to ORS 183.413 to 183.497, directed to the person to  
15 cease and desist from the violation or threatened violation.

16 9. Under ORS 455.895(5), the maximum penalty established by ORS 455.895 for a violation  
17 may be imposed only upon a finding that the person has engaged in a pattern of violations.

18 10. Under OAR 918-001-0036(2)(c), "pattern of violation" means two or more prior violations  
19 during a five-year period of any provision of ORS chapters 446, 447, 455, 460, 479, 480, or  
20 693, or the state building code as defined in ORS 455.010, whether or not a penalty was  
21 assessed. A pattern of violation is calculated within a five-year period from the date of the  
22 latest violation.

23 11. Under OAR 918-001-0036(4), civil penalties may be assessed by a board, the Director, or a  
24 board's designee acting as agent for a board. A board or the Director may take into account  
25 any appropriate factors, including previous directives, in determining the penalty amount or

1 conditions within an order. The statutorily defined maximum penalty may only be assessed  
2 upon a finding of a pattern of violation.

- 3 12. Under OAR 918-001-0036(6), the Director may, subject to approval of a board, develop a  
4 penalty matrix for the board's use to promote equality and uniformity in proposing the  
5 amount and terms of civil penalties and conditions under which the penalties may be  
6 modified based on the circumstances in individual cases.

7 **CONCLUSIONS OF LAW**

- 8 1. The following constitute electrical installations under ORS 479.530(10): installing a volt  
9 meter, a circuit main breaker outdoor load center, several electrical receptacles, ceiling  
10 lights, cadet heaters, and junction boxes; rewiring a subpanel and installing new wiring and  
11 receptacles; relocating the main electrical panel from an exterior first-floor wall to an  
12 interior basement wall; converting the single-panel system to a four-panel system; installing  
13 an electrical meter; and rewiring the main floor of the property
- 14 2. By signing a contract to perform electrical services at the property and by instructing  
15 McNamara to author and submit a second bid to provide electrical services at the property,  
16 Respondent engaged in the business of an electrical contractor under OAR 918-030-0010(8).
- 17 3. By engaging in the business of an electrical contractor without holding an electrical  
18 contractor license, Respondent violated ORS 479.620(1).
- 19 4. By retaining McNamara, who does not hold a valid electrical license, to assist in the  
20 provision of electrical services and otherwise directing, supervising, or controlling  
21 McNamara's making of electrical installations when Respondent did not hold a supervising  
22 electrician license, Respondent violated ORS 479.620(2).
- 23 5. By allowing McNamara to perform electrical work for which the McNamara is not properly  
24 registered or licensed, Respondent violated OAR 918-282-0120(1).
- 25

- 1 6. By failing to work under the supervision, direction, and control of a general supervising  
2 electrician, Respondent violated OAR 918-282-0170(1)(b).
- 3 7. Based on the foregoing violations and the final order (in the form of a consent order) from  
4 BCD case 2011-0101, the Director has reason to believe that Respondent has been engaged,  
5 or is engaging, or is about to engage in violations of ORS chapter 455 or ORS 479.510 to  
6 479.945 and the rules adopted under those statutes. Therefore, the Director may issue an  
7 order directed to Respondent to cease and desist from the violation or threatened violation  
8 under ORS 455.775(2).
- 9 8. By violating ORS 918-282-0170 within the last five years in BCD case 2011-0101 and by  
10 violating ORS 479.620(1), ORS 479.620(2), OAR 918-282-0120(1), and OAR 918-282-  
11 0170(1)(b) in this matter, Respondent has engaged in a pattern of violation under OAR 918-  
12 001-0036(2)(c). Therefore, Respondent is subject to increased civil penalties in accordance  
13 with the Advisory Board Penalty Matrix.

#### 14 **ORDER**

- 15 1. Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Board assesses a total of  
16 \$12,500 in civil penalties as follows:
  - 17 a. \$4,000 for violating ORS 479.620(1);
  - 18 b. \$3,000 for violating ORS 479.620(2);
  - 19 c. \$2,500 for violating OAR 918-282-0120(1); and
  - 20 d. \$3,000 for violating ORS 918-282-0170(1)(b); and
- 21 2. Pursuant to the consent order executed in BCD case 2011-0101, Respondent shall pay the  
22 \$500 that was suspended under the terms of that consent order because Respondent violated  
23 Division statutes or rules within five years of the execution of that consent order.

#### 24 **ORDER TO CEASE AND DESIST**

25 Pursuant to ORS 455.775(2), the Director orders Respondent to cease and desist from

1 engaging in the business of an electrical contractor without holding an electrical contractor license  
2 (ORS 479.620(1)), directing, supervising, or controlling the making of electrical installations  
3 without holding a supervising electrician license (ORS 479.620(2)), allowing an individual to  
4 perform work for which that individual is not properly registered or licensed (OAR 918-282-  
5 0120(1)), and failing to work under the supervision, direction, and control of a general supervising  
6 electrician while licensed as a journeyman (OAR 918-282-0170(1)(b)) because the Director has  
7 reason to believe that Respondent has been engaged, is engaging, or is about to engage in violations  
8 of those statutes and rules.

### 9 **NOTICE OF RIGHT TO HEARING**

10 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, ORS  
11 chapter 183. If Respondent requests a hearing, the request must be in writing and postmarked no  
12 later than 20 days from the date of service of this Notice. If the Notice was served on Respondent in  
13 person, the date of service is the date Respondent received the Notice. If the Notice was served  
14 through the mail, the date of service is the day the Notice was mailed, not the day it was received by  
15 the Respondent. If a request for hearing is not received within the 20-day period, Respondent's right  
16 to a hearing shall be considered waived. Mail hearing requests to Building Codes Division,  
17 Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309.

18 Respondent may be represented by legal counsel. Pursuant to ORS 183.457 and OAR 918-  
19 001-0030, a corporate Respondent may be represented by an authorized representative at the  
20 hearing. If Respondent requests a hearing, Respondent will be notified of the time and place of the  
21 hearing. The Division will give Respondent information on the procedures, right of representation,  
22 and other rights of parties relating to the conduct of the hearing before the commencement of the  
23 hearing.

24 ///

25 ///



1 **RIGHT TO JUDICIAL REVIEW**

2 Respondent is entitled to judicial review of a final order in this matter. Judicial review may  
3 be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after a  
4 final order is served upon Respondent. See ORS 183.482. If a final order is served on Respondent in  
5 person, the date of service is the date Respondent receives the order. If a final order is served  
6 through the mail, the date of service is the day the order is mailed, not the day it is received by the  
7 Respondent. If Respondent does not file a petition for judicial review within the 60-day time  
8 period, Respondent will lose the right to appeal. The phone number for the Oregon Court of  
9 Appeals is 503-986-5555.

10 **FOR THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

11  
12 \_\_\_\_\_ for Date: \_\_\_\_\_  
13 Chair  
14 Electrical and Elevator Board  
15 State of Oregon

16 **FOR THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

17 \_\_\_\_\_ for Date: \_\_\_\_\_  
18 Director  
19 Department of Consumer and Business Services  
20 State of Oregon

January 8, 2016

Kurt Hauth  
1909 Main St.  
Lyons, Oregon 97358  
503-444-1589

To Whom it may concern:

It is with great regret and remorse that I am once again before the board. I would like to explain my actions. When I was approached to do this job for the Woungs I made it very clear that I would need a signing and supervising electrician before I could agree to do the work. I also wanted to ask the advice of my employer at the time, Tim Turner because he is a licensed contractor and I knew that he would know the right procedure if I was doing it wrong. I asked Tim if I was able to work under his license and be covered if he pulled the permit. I explained that I had been in trouble before and I wanted to do it the right way, if I would not be covered and doing it legally I would not do the job. I had even tried to convince him to take the job. My main goal was making sure that I was following the correct laws and procedures. I did not quite understand the correct way so I sought Tim's advice. Tim stated to me and my wife Candy over the phone that he could pull the permit and I could do the job under him. I asked his advice on bidding and several other things, he stated to me that he normally got \$400 for people using his license but he knew that we were struggling financially so he would do it to help us out. When I left employment with Tim I called and explained that I had a job offer with steady work, he said he understood that with all of our layoffs this year he supported my decision to leave. During that conversation I asked him if this would mess up the permit and side job I was doing, he stated to me that the job would be ok for me to continue, he would keep the permit. So I proceeded to do the job and even called him several times to ask him questions about the job after I left his employment. I had no intention of doing it wrong or ripping anyone off. I truly in every sense of the word thought I was doing it the legal and right way. Once I left the job with the Woungs that is when I was notified that once again I had proceeded the wrong direction. I truly thought that I was helping a neighbor's daughter out and would be able to get ahead financially, that is the only reason I took the job on. I would never have taken the job on had I not been misdirected. I accept responsibility for my actions but had I not been misled I would never have done it. I can tell you that I will not make this mistake again as the only person that I will be working for is my employer. I apologize for misunderstanding the laws and not seeking advice from a different source. I propose a settlement of \$6000, and I would like to be able to keep my electrical license, so that I can afford to make the payments on that settlement. I thank you in advance for your time and consideration on this matter.

Sincerely,  
Kurt Hauth

## Electrical and Elevator Board Enforcement Report for January 28, 2016

<b>Agenda Item III.F.</b>
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### Summary Report - Cases Previously Resolved by Division

Case #	Name	Violation	Location of Violation	Date of Violation	Penalty Assessed	Penalty to Pay	Other Comments
C2015-0190 Russ	Imagine Energy, LLC	Installation of solar photovoltaic modules, inverters, and associated wiring and conduit. ●No electrical contractor license	Oregon	July 2014 to September 2015	\$123,000	\$10,250	Consent Order Complaint submitted by Portland inspector
C2015-0203 Juliet	PDX Home Care Company	Advertised on craigslist as a business to perform electrical work ●No electrical contractor license	Portland	September 2015	\$6,000	\$6,000	Default Order Complaint submitted by BCD Enforcement
C2015-0079 Russ	Varde, James K.	Entered into a contract to remove existing neon lights, install LED lights and complete all internal wiring. ●No electrical contractor license	Hillsboro	March 2015	\$3,000	\$3,000	Default Order Complaint submitted by business owner
C2015-0222 Skip	Leon, Jose M.	Installed exterior lighting fixtures for a new residence. ●No journeyman electrician license	Hermiston	October 2015	\$2,000	\$300	Consent Order Citation issued by BCD Enforcement
C2014-0212 Russ	Caron, Harvey Anthony	Installed a light receptacle, new wire plugs, goxes and switches. ●No electrical contractors license ●No journeyman or supervising electrician license	Cave Junction	August 2014	\$6,000	\$2,000	Consent Order Related to C2014-0240 Complaint submitted by field licensing inspector
C2015-0224 Roseanne	Mottern, Daniel K.	Installed ceiling fan and the wiring for ceiling light. ●No journeyman electrician license	Willamina	September 2015	\$2,000	\$750	Consent Order Complaind submitted by CCB investigator

\* Total penalties assessed for violations in more than one program

**State of Oregon**

**Board memo**

**Building Codes Division**

**January 28, 2016**

**To:** Electrical and Elevator Board

**From:** Tyler Larson, policy analyst, Policy and Technical Services

**Subject:** City of Turner application for electrical program delegation

**Action requested:**

Provide comments and recommendations on the City of Turner's application for electrical program delegation from Marion County.

**Background:**

Marion County currently operates a building inspection program which includes service to the City of Turner. On September 30, 2015, the Division received notice from the City of Turner of its intent to assume a comprehensive building inspection program. This application was presented to the Board at the [November 19, 2015](#), meeting. Since that meeting, Marion County provided to the Division additional permit revenue data for the City of Turner and the City of Turner provided a response to that data, both of which are attached.

A municipality seeking to administer and enforce a building inspection program under Oregon Revised Statutes (ORS) [455.148](#) and [479.855](#) must submit an application to the Division. This application must meet the requirements of Oregon Administrative Rules (OAR) Chapter 918 Divisions [20](#) and [308](#). OAR 918 Division 308 explains the requirements for administration of an electrical program. OAR 918-308-0060(1) states:

***“The division shall, after review of the application, submit the application to the board for comments and recommendations. . .”***

The Division respectfully requests the Board provide a recommendation on the City of Turner's application for delegation of the electrical program from Marion County.

An approved application must demonstrate:

- The municipality shall create and maintain services at least reasonably the same level as the electrical administrative, enforcement, and inspection services presently provided to

the area, and the application must note any differences in services or inspections from present services, OAR 918-308-0010(2) and OAR 918-308-0020(2)(e)

- Operation of the program shall be financially feasible without unduly increasing short- or long-term costs of electrical inspection services to the public, both in the areas delegated and, if applicable, the remaining program in the surrounding area, OAR 918-308-0010(3)
- The municipality has the ability to carry out the proposed electrical program, OAR 918-308-0010(4)
- The municipality has an operating plan which meets the requirements of 918-308-0040, OAR 918-308-0020(2)(d)
- The municipality has applied based on a resolution of the municipality which states that, if the assumption is granted, the municipality will be bound by the Electrical Delegation Rules, OAR 918-308-0020(2)(b)
- The municipality has a proposed ordinance for administration and enforcement of the electrical program, OAR 918-308-0020(2)(c)

**Options:**

- Recommend the Division approve the City of Turner's application for delegation of an electrical program because the City's application meets the minimum standards adopted by the Electrical and Elevator Board by rule for inspections, permit applications and other matters to ensure adequate administration and enforcement
- Recommend the Division deny the City of Turner's application for delegation of an electrical program because the City's application does not meet the minimum standards adopted by the Electrical and Elevator Board by rule for inspections, permit applications and other matters to ensure adequate administration and enforcement

PERMIT DATA FOR THE CITY OF TURNER PROVIDED BY MARION COUNTY DECEMBER 24, 2015

Row Labels	Sum of FEES		
2000	\$33,852.52		
2001	\$69,122.47		
2002	\$78,265.12		
2003	\$28,035.08		
2004	\$35,352.25		
2005	\$44,005.71		
2006	\$75,076.35		
2007	\$73,465.57		
2008	\$21,455.79		
2009	\$24,573.42		
2010	\$24,116.06		
2011	\$14,547.21		
2012	\$19,641.31		
2013	\$44,574.84		
2014	\$47,051.94		
2015	\$28,446.23		
<b>Grand Total</b>	<b>\$661,581.87</b>	41348.87	20845.8

Total Fees Collected by Year for Permits  
withing the city limits of Turner

Note: Not adjusted for inflation or fee changes.

Total Fees includes permits issued at the City and  
at Marion County and online.

**Average**                **\$41,348.87**

## LARSON Tyler J \* DCBS

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**From:** David Sawyer <manager@cityofturner.org>  
**Sent:** Thursday, December 31, 2015 2:32 PM  
**To:** LARSON Tyler J \* DCBS  
**Cc:** David Sawyer  
**Subject:** RE: Turner permit fees 2000-2015

Tyler,

I was on vacation and not sure I responded to this e-mail.  
I looked at two years:

	My books	County report
2013	16,000	19,000+
2012	32,000	44,000+

Some difference could be accounted for due to small permits coming in on-line, etc.  
But \$12,000??

I would have to say that if these differences MATTER, they could be researched more.  
Thoughts?

David Sawyer, City Administrator  
City of Turner  
POBox 456  
Turner, OR 97392  
503-743-2155  
503-743-4010(f)  
[manager@cityofturner.org](mailto:manager@cityofturner.org)

---

**From:** LARSON Tyler J \* DCBS [mailto:[Tyler.J.Larson@oregon.gov](mailto:Tyler.J.Larson@oregon.gov)]  
**Sent:** Tuesday, December 29, 2015 8:39 AM  
**To:** David Sawyer <[manager@cityofturner.org](mailto:manager@cityofturner.org)>  
**Cc:** Jack Applegate <[jack@mortierengineering.com](mailto:jack@mortierengineering.com)>  
**Subject:** Turner permit fees 2000-2015

Hello David –

Attached is an excel spreadsheet detailing permit fees collected for the City of Turner from 2000 to 2015. Marion County provided this information in response to concerns expressed in the City's letter to Brett Salmon dated November 12, 2015.

Please let me know if you have any questions or if I can be of any assistance –

**Tyler Larson** | Policy Analyst  
[Oregon Building Codes Division](#)  
503.373.1227  
[tyler.j.larson@oregon.gov](mailto:tyler.j.larson@oregon.gov)

**State of Oregon**

**Board memo**

**Building Codes Division**

**January 28, 2016**

**To:** The Electrical and Elevator Board

**From:** Richard Baumann, policy analyst, Policy and Technical Services

**Subject:** Continuing Education Course Approval Process

**Action requested:**

Electrical and Elevator Board consideration of the Continuing Education Committee's recommendations regarding continuing education courses and instructors.

**Background:**

The Electrical and Elevator Board establishes continuing education (CE) requirements for all electrical licensees in order to ensure licensees possess up-to-date knowledge of the code and administrative requirements. They set standards for approval of courses and instructors in order to have a sufficient number and variety of CE courses available to licensees. The Board's continuing education committee has been meeting to evaluate courses and instructors on the Board's behalf. The committee met on December 15, 2015, to review CE course and instructor applications. The committee reviewed 24 applications from 8 organizations:

- 10 courses were recommended for approval.
- No courses were recommended for denial.
- 11 instructors were recommended for approval.
- No instructors were recommended for denial.
- 3 applications are pending waiting for additional information from the provider.

See attached summary for more information.

In addition to the Oregon Rule and Law criteria, the committee is using the following when reviewing applications:

- NFPA 70E courses are eligible for a maximum of eight hours code-related credits.
- OSHA 10 courses are eligible for a maximum of four hours code-related credits.
- OSHA 30 courses are eligible for a maximum of sixteen hours code-related credits.
- First Aid/CPR courses are eligible for a maximum of four hours code-related credits (two hours for each course).
- For correspondence courses – Provider must submit complete course.

- For online courses – Provider must submit a log-on or screen shots of course content.

**Options:**

- Approve the committee's recommendations for approval or denial of courses or instructors
- Amend and approve the committee's recommendations for approval or denial of courses or instructors
- Disapprove the committee's recommendations for approval or denial of courses or instructors

**Electrical and Elevator Board**  
**Committee on Continuing Education Course and Instructor Review**  
**1/28/16**

**Courses**

	<b>Applicant</b>	<b>Course Name</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1	IAEI Oregon Chapter	Oregon Rule & Law (4 hours ORL)	Approve	
2	IAEI Oregon Chapter	NEC Calculations (8 hours CR)	Approve	
3	IAEI Oregon Chapter	Hazardous Locations (8 hours CR)	Approve	
4	IAEI Oregon Chapter	Grounding & Bonding (8 hours CR)	Approve	
5	Ewing-Foley	NEC 410, 411 & 700.15-25 Appropriate and Safe Installation of Luminaires, Ballasts and Drivers (2 hours CR)	Approve – course hours reduced from 4 to 2 hours. Course did not contain sufficient code content for 4 hours of instruction.	
6	Eaton Corporation	Equipment Short Circuit Current Ratings – Codes & Applications (4 hours CR)	Approve	
7	UA Local 290, Plumbers and Steamfitters	Electrical Workplace Safety (8 hours CR)	Approve – course hours reduced from 9 to 8 hours. NFPA 70E courses are eligible for a maximum of 8 hours of code-related credit.	
8	IEC of Oregon	Firestop Training (4 hours CR)	Approve	
9	Transtector Professional Services – RO Associates	Comprehensive Grounding and protection of Communication Sites (8 hours CR)	Approve – course hours increased from 4 to 8 hours. Committee determined that course content was equal to 8 hours of cod-related credit.	
10	Transtector Professional Services – RO Associates	Grounding for AC & DC Electrical Distribution Systems (8 hours CR)	Approve – course hours increased from 4 to 8 hours. Committee determined that course content was equal to 8 hours of cod-related credit.	

**Instructors**

	<b>Applicant</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1	Anthony Wilson IBEW Local 46	Approve	
2	Robert Costello IBEW Local 46	Approve	
3	Maggie Ely IBEW Local 46	Approve	
4	Joseph Kraft IBEW Local 46	Approve	
5	Sharyl Leabo-Straub IBEW Local 46	Approve	
6	Erik Lee IBEW Local 46	Approve	
7	Gary Winninghoff IBEW Local 46	Approve	
8	Karlana Allbery (Bromiley) IBEW Local 46	Approve	
9	Ronald E. Chapman UA Local 290, Plumbers and Steamfitters	Previously approved by the board (July 24, 2015)	
10	Allan Rebeck Transtector Professional Services – RO Associates	Approve	
11	Matt Fisk Transtector Professional Services – RO Associates	Approve	

**Applications Pending**

	<b>Applicant</b>	<b>Course Name</b>	<b>Information Requested by Committee</b>
1	Oregon Solar Energy Industries	Solar 101 for electricians (4 hours CR)	Course content does not contain sufficient code references.
2	Oregon Solar Energy Industries	Solar PV Best Practices & Energy Trust Installation Guidelines (4 hours CR)	Course content does not contain sufficient code references.
3	Transtector Professional Services – RO Associates	Site Inspection Training (2-4 hours CR)	Course content does not contain sufficient code content to be considered at this time.

**State of Oregon**

**Board memo**

**Building Codes Division**

**January 28, 2016**

**To:** The Electrical and Elevator Board

**From:** Shawn Haggin, electrical program assistant chief, Policy and Technical Services

**Subject:** Costel Popovici, request to consider license equivalency

**Action requested:**

Evaluate and approve or deny Costel Popovici's application to sit for the general supervising electrician license examination.

**Background:**

The Division received an application from Costel Popovici for a general supervising electrician license. Mr. Popovici submitted documentation of approximately 14 years of experience as an electrician and electrical engineer, along with diplomas from Romania for completion of an industrial high school program in 1983 and an electrical engineering program in 1990. The application materials describe the nature of Mr. Popovici's work, experience, and education.

Under Oregon Revised Statutes [\(ORS\) 479.630\(2\)](#), an applicant for a general supervising electrician license must submit proof satisfactory to the Board that the person has had at least four years of experience as a general journeyman electrician or its equivalent in installing, maintaining, and repairing electrical wires and equipment, and passes a written examination prepared by the Board and administered by the Division.

Oregon Administrative Rules [\(OAR\) 918-282-0140](#) requires applicants who have not completed an approved training program to verify at least 16,000 hours of journeyman work experience, 4,000 of which must align with the following categories:

- Stock room and material handling, 100 hours
- Residential wiring, 1,000 hours
- Commercial installations, 1,000 hours
- Industrial installations, 1,000 hours
- Intercommunication, signal, and control systems, 500 hours
- Underground construction, 100 hours
- Trouble shooting and maintenance, 250 hours
- Finishing and fixture hanging, 50 hours

The Division is requesting that the Board review the information provided and determine whether Mr. Popovici demonstrates that he has met the requirements of ORS 479.630(2) and OAR 918-282-0140. The Board should provide specific reasons for its determination.

**Options:**

- Approve the application based on a finding that the Mr. Popovici has demonstrated that he has 8,000 hours of experience as a general journeyman electrician
- Approve the application based on the finding that Mr. Popovici has demonstrated that he has 16,000 hours of journeyman work experience as required under OAR 918-282-0140
- Deny the application because Mr. Popovici has not demonstrated that he meets the requirement of ORS 479.630(2), or OAR 918-282-0140