

Rule Advisory Committee – Program Delegation

Public Testimony – Email transcript

From: AnneMarie Skinner

Sent: Monday, May 11, 2020 9:33 AM

To: GRAHAM Lori L * DCBS

Subject: 3rd party building officials for small jurisdictions

Please ensure my comments below are submitted for consideration at meetings to be held related to the topic of 3rd party building officials for small jurisdictions in Oregon.

1. Lincoln City Planning & Community Development administers its Building program, not the 3rd Party Building Official. All final legal discretionary decisions are made and approved by myself (the director) in consultation with the city manager and the city attorney. The 3rd party Building Official serves as the technical and certified individual and is relied on similar to any other reliance on technical and certified individuals for technical matters.
2. It is imperative that Lincoln City continue to be allowed to appoint or themselves act as the Administrative Building Official. This is already allowed under current rules, provided an individual completes the 2-day administrative Building Official class and obtain the Building Official certification to be the Building Official as long as the individual holds the Oregon Building Official certification. This class and the Oregon certification have never been based upon technical code knowledge but on administrative rules, statutes, and architectural barrier laws. Jurisdictions in Oregon have proven that the Administrative Building Official model not only works, but has worked very well in the past. Jurisdictions such as Portland, Washington County, and even Oregon Building Codes Division have all had Building Officials who were not technical Building Officials with any Inspector or Plans Examiner Certifications. Nothing in any of the AG opinions would have prevented this in the past or now. These Administrative Building Officials have relied on Oregon certified technical staff, and have successfully used this model not only in Oregon but across the country.
3. Although the City is not the technical expert, we often rely on properly licensed and certified technical staff who may be third party or may be directly hired. In all cases they still require the same certifications, same continuing education, and must follow the same rules and statutes as Building Officials, inspectors, and plans examiners. In addition third party inspectors and plans examiners have an additional individual license which may be revoked by BCD if they are not following the rules.
4. Please consider that no rules are created that would prevent jurisdictions in Oregon from hiring an Oregon Certified Building Official who also works for a third party company provided they have no legal conflicts of interest.

Anne Marie Skinner

DIRECTOR

City of Lincoln City | Planning and Community Development