



May 22, 2020

Rulemaking Advisory Committee

Department of Consumer and Business Services, Building Codes Division

Re: Local Building Programs/3rd Party Building Officials

Dear Committee Members,

The following comments, provided jointly by the Cities of Eagle Point, Rogue River, Jacksonville and Phoenix are respectfully submitted for consideration at meetings to be held related to the topic of 3rd party building officials in Oregon.

In administering its Building program, the City of Eagle Point relies on a Permit Technician who is a full-time city employee, along with a 3rd party building official and associated outside staff who perform plan review and inspection services for us along with a few other small neighboring cities. The 3rd party professionals are relied on as our technical experts, though all final legal discretionary decisions are made and approved by the City in the administration of our program. We use a 3rd party because it provides better service and efficiency than we could provide with our constrained budget and limited in-house staff, especially given the overhead costs of insurance and other benefits required for City employees.

The City of Eagle Point is not the technical expert regarding construction codes, means and methods, and instead relies on properly licensed and certified technical staff such as our third party building official, plan reviewers and inspectors. The City manages and administers our Building program – not the 3rd party building official. The building official administers the Building Code via applicable sections of the Oregon codes and statutes, and follows the associated Administrative rules and requirements. Our 3rd party contractor provides timely and legal building official & inspector services, and excellent customer service while we maintain administrative control of our Building program. We evaluate the quality of the services provided and have a reporting system and an appeal process for complaints on technical decisions.

But building services aren't the only area where the city uses an outside party to provide assistance with our operations. We use private consultants for certain engineering services, especially for large public works projects. And we use outside contractors to assist in many of our other core operations such as information technology and public facility maintenance. In all cases they hold the same or better certifications and qualifications than would be required by in-house staff, and they are required to follow the same rules of performance and conduct.

The City of Rogue River echoes Eagle Point's sentiments on this matter. They've have been using a third-party inspection provider for over 35 years, primarily because they could not afford to keep the program in their community with the few permits they issue each year. Abolishing the 3rd party building official option would force their citizens to travel 25 miles to Jackson

County for a permit. The 3<sup>rd</sup> party system has been working perfectly for them for all of these years and is such a tremendous program for their community. If they were forced to contract with another city, or turn their program over to the county, they would lose the continuity that their program currently has. Applicants would lose the local knowledge of city staff, coordination with things such as pre-application conferences, day-to-day contact with citizens with building questions, and the city staff would be forced to travel to meetings outside their jurisdiction with no source of income.

The Cities of Jacksonville and Phoenix concur, with Jacksonville staff sharing that their community appreciates the responsiveness and attention to detail that the 3rd Party Inspection program offers. Both cities feel that the level of service they provide could not be matched if they were to house their inspection program at Jackson County, and add that it is essential for them to have a responsive team that coordinates closely with their Planning Department.

Especially for the many very small cities throughout Oregon, entering into an agreement with other local governments to share a building official and building inspectors or hire one of the very high in demand individuals to perform those services are not reasonable solutions. Instead, what's been found to work very well is an operational model that is immediately responsive to variable demand. Regardless of the amount of building-related work present, we are all required to meet plan review, permit issuance and building inspection timelines. We are only able to do that consistently by using the 3rd party method.

This method of doing business and providing service has served our small communities well for decades. Our preference is to continue to be allowed to operate this way, especially given the significant cost, time and efficiency compromises that would have to be made if forced to provide these services by in-house staff and/or rely on another jurisdiction.



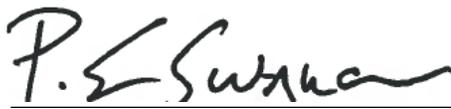
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