

City of Durham

ORDINANCE 271-25

**AN ORDINANCE OF THE CITY OF DURHAM ADOPTING A BUILDING CODE FOR APPLICATION
WITHIN THE CITY, REPEALING ALL PRIOR ORDINANCE REGARDING BUILDING CODE
ADOPTION, AND DECLARING AN EMERGENCY**

WHEREAS, the State of Oregon Building Codes Division frequently updates building codes the City of Durham is required to adopt; and

WHEREAS, the Durham City Council wishes to change its practice of adopting specialty codes by ordinances and adopt all applicable State building codes by resolution; and

WHEREAS, the City desires to add a penalty specific to building code violations, and;

WHEREAS, the Durham City Council find the above-described changes are necessary, appropriate and an emergency.

NOW, THEREFORE, THE CITY OF DURHAM, OREGON ORDAINS AS FOLLOWS:

- Section 1.** Ordinance 271-25 is adopted: The regulations regarding building code and the inspection of buildings are set forth in Exhibit “A” are hereby adopted and incorporated into this Ordinance by reference. The City Administrator is authorized to correct any scrivener’s errors that may be found in Exhibit “A” during codification.
- Section 2.** Ordinances 268-24, 265-21, 264-20, 239-07, 195-99, and all other ordinances that may be currently in effect that adopt or amend city specialty codes are hereby repealed in their entirety:
- Section 3.** If any provision, section, phrase, or word of this Ordinance or its application to any person, or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.
- Section 4.** With this Ordinance being necessary to protect the public’s health and safety, an emergency is declared, and the Ordinance shall take effect immediately upon being passed and adopted by the City Council, along with the adoption of a corresponding, applicable, and enforceable State building codes resolution .

PASSED AND ADOPTED by the City of Durham, Oregon, this 30th day of September 2025.

First Reading: September 30, 2025

Second Reading: September 30, 2025

CITY OF DURHAM

By: _____
Joshua Drake, Mayor

ATTEST:

Jordan Parente, City Administrator/Recorder

City of Durham

ORDINANCE 271-25 Exhibit "A"
BUILDING CODE

1. Standards Applicable to Building.

Durham City Council shall adopt all applicable specialty codes, rules and standards via resolution that will be enforced by the city. Notwithstanding Ordinance 271-25, Durham City Council may, by ordinance, adopt building code provisions that are in addition to those required by Oregon State Building Codes.

2. Building Official Services.

Durham City Council from time to time may provide the services of a person to act as the City Building Official by employment contract managed by the City Administrator or designee, by intergovernmental agreement with another local government under authority of ORS Chapter 190, or by professional services contract with a private person or entity.

3. Building Permit Life.

- A. If an inspection approval has not occurred within six months after a building permit is issued, it is void and no further work may be done at the identified premises until a new building permit has been obtained.
- B. Extension.
 - a. An inspection approval automatically extends the building permit for six months, or until final approval or occupancy is granted if sooner.
 - b. The City Administrator, or designee, may extend a building permit once, for a period of six months, upon a written finding that the permittee was unable to commence or continue work during the preceding six months for reasons beyond permittee's control provided:
 - i. A written request for extension is received by the city before the expiration date; and
 - ii. An inspection approval has occurred during the extension period.
 - c. A building permit may not be renewed if it has been expired for more than six months. A building permit may be renewed once provided:
 - i. It has been expired for six months or less;
 - ii. No changes have been made to the original plans and specifications for such work;
 - iii. A renewal fee of 50 percent of the initial fee is paid, or otherwise prescribed by resolution; and
 - iv. An inspection approval has occurred since the expiration date.

4. Standards for Fees by Resolution.

Durham City Council shall, by resolution, provide fees to be charged to persons seeking a permit under the codes effective within the City.

5. Penalty.

Violation by any person of the provisions of this ordinance shall be deemed a Municipal Violation and is punishable by a fine not to exceed \$1,000. Each calendar day of violation shall constitute a separate violation for the purposes of imposing a penalty. Violations shall be processed in accordance with Ordinance 270-25.