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BUILDINGS

11.005 Authority for Enactment.

This chapter is enacted pursuant to the authority vested in the County by its Charter and ORS Chapters 215, 455 and 479. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 9-04, 6.18.04)*

11.010 Building Codes.

This subsection adopts the following, except as modified or supplemented in this chapter, as the Building Codes of Lane County:

(1) The Building Code as defined in ORS 455.010(8), which shall expressly include the State of Oregon Electrical Specialty Code and Administrative Rules, 2000 edition, which shall be referred to as "The Oregon Electrical Specialty Code," adopted in accordance with ORS 479.510 through 479.990, to be effective July 1, 2004.

(2) Code for the Abatement of Dangerous Buildings, 1982 Edition, with the following additions:

Section 405. Cleanup and Closure Pending Exhaustion of Appeal Rights. In the event the building official, in the order issued under Section 401 of this Act, has determined the building to be a dangerous building pursuant to Section 302(12), he or she may also order and specify the method by which the structure shall be cleaned up and closed within 10 days of service of the order. If the person to whom the notice and order is directed does not fulfill the order to clean up and close, the building official may order the cleanup and closure occur at County expense with the costs to be charged against the owner or property, or both, as specified in Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings, 1982 Edition.

Section 205. The Building Appeals and Advisory Board as currently constituted in Lane County shall serve as the Section 205 Board of Appeals. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 18-80; 9.5.80; 14-83; 6.22.83; 1-85; 5.10.85; 15-86; 10.31.86; 1-00, 4.12.00; 9-04, 6.18.04)*

11.015 Permits, Fees and Refunds.

(1) Permits. Permits are required for all work covered by the Building Codes of Lane County and agricultural buildings.

(2) Fees. Building code permit fees shall be as required by separate Order of the Board and shall not exceed the limits in ORS 455.210 and 479.845.

(3) Refunds. All fees are nonrefundable, except in cases when the processing of an application was terminated prior to the incurring of any substantial administrative expenses. The amount of refund shall be determined by the Director and shall be based upon the proportion of staff time allotted to processing the permit relative to complete processing of a permit. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 3-76; 4.7.76; 18-80; 9.5.80; 1-00, 4.12.00; 9-04, 6.18.04)*

11.020 Designation of Building Official.

In accordance with ORS 455.150, there is hereby appointed the Building Official for Lane County. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 18-80, 9.5.80; 10-82, 7.9.82; 1-00, 4.12.00)*

11.025 Springfield Urban Growth Boundary.

Notwithstanding other subsections of this chapter, the City of Springfield shall have the responsibility and the authority to administer its building regulations on urbanizable land within the Springfield Urban Growth Boundary, and the same building regulations are

adopted by Lane County for the purpose of this subsection. For the purpose of this subsection, the following words and phrases shall mean:

Building Regulations. The City of Springfield's currently adopted version of the State Building Specialty Codes and applicable Oregon Administrative Rules. These regulations shall include, but shall not be limited to, the following:

- (1) Structural Specialty Code and Fire and Life Safety regulations.
- (2) Council of American Building Officials 1 and 2 Family Dwelling Code.
- (3) Mechanical Specialty Code and Mechanical Fire and Life Safety regulations.
- (4) Plumbing Specialty Code.
- (5) OAR 814-23-055 to 814-23-080 Mobile Home Installation, Tie-down and Accessory Building Requirements.
- (6) Uniform Code for the Abatement of Dangerous Buildings.
- (7) Electrical Specialty Code and Oregon State Electrical Code for 1 and 2 Family Dwellings.
- (8) OAR Chapter 837, Division 40, Fire and Life Safety Code.

Refer to City of Springfield Ordinance No. 5188 (general), adopted August 15, 1983, Ordinance Nos. 5343 (general), 5344 (general), 5345 (general), and 5346 (general), adopted July 21, 1986 as amended by Lane County Ordinance No. 10-00.

Springfield Urban Growth Boundary. All land within the Urban Growth Boundary, as defined by the Eugene-Springfield Metropolitan Area General Plan on November 21, 1989, or as amended thereafter on the effective date of any Plan amendment enacted by Lane County, east of I-5.

Urbanizable Land. Urbanizable lands, as defined by the Eugene-Springfield Metropolitan Area Plan, are those unincorporated lands between the Springfield City Limits and the Springfield Urban Growth Boundary. *(Revised by Ordinance No. 12-86, Effective 11.1.86; 12-89, 11.21.89; 3-99, 8.27.99; 10-00, 12.13.00)*

11.026 Eugene Urban Growth Boundary.

(1) The City of Eugene shall have the responsibility and authority to administer its building regulations on urbanizable land within the Eugene Urban Growth Boundary. For the purpose of this subsection, the following words and phrases shall mean:

Building Regulations. The City of Eugene's currently adopted version of the State Building Specialty Codes and applicable Oregon Administrative Rules, together with modifications and supplements to the building codes, contained in Eugene Code Chapter 8 in effect on January 1, 1991 as amended by Lane County Ordinance Nos. 13-92 and 10-00. These regulations shall include, but shall not be limited to, the following:

- (a) Structural Specialty Code and Fire and Life Safety regulations.
- (b) Council of American Building Officials One and Two Family Dwelling Code.
- (c) Mechanical Specialty Code and Mechanical Fire and Life Safety Regulations.
- (d) Plumbing Specialty Code.
- (e) OAR 814-23-055 to 814-23-080, Mobile Home Installations, Tiedown and Accessory Building Requirements.
- (f) Uniform Code for the Abatement of Dangerous Buildings, as Amended.
- (g) Electrical Specialty Code and Oregon State Electrical Code for 1 and 2 family dwellings and the Electrical Safety Law.
- (h) Fire Prevention Code.

- (i) Weatherization Code.
- (j) Sign Code.
- (k) Administrative Code.
- (l) Swimming Pool Code.

Eugene Urban Growth Boundary. All urbanizable land within the urban growth boundary, as defined by the Eugene-Springfield Metropolitan Area General Plan, on November 21, 1989, or as amended thereafter on the effective date of any Plan amendment enacted by Lane County, which is west of I-5.

Urbanizable Land. Urbanizable land, are those unincorporated lands between the Eugene City limits and the Eugene Urban Growth Boundary.

(2) Applicable Building Regulations. Lane County has adopted the above building regulations to be applied by Eugene on urbanizable land within the Eugene Urban Growth Boundary, and copies of these building regulations shall be on file at the Lane County Land Management division. *(Revised by Ordinance No. 17-86, Effective 4.27.87; 2-91, 3.29.91; 13-92, 10.28.92; 3-99, 8.27.99; 1-00, 4.12.00; 10-00, 12.13.00)*

11.035 Definitions.

For the purposes of this chapter, the following words and phrases shall mean:

Agricultural Building. As defined in ORS 455.315(2).

Architect. An individual qualified and licensed to practice architecture under ORS 671.010 through 671.220.

Building or Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built upon or composed of parts joined together in some definite manner, and shall specifically include, but shall not be limited to, house trailers which are placed upon property, other than a licensed trailer park, for the apparent use as a living unit.

Camper. A structure designed to be mounted upon a vehicle, which may or may not be permanently attached thereto.

Campground. Any lot, tract or parcel of land where two or more camping spaces are located which provide facilities for living in any manner other than in a permanent residence.

Camping Space. An individual camp space intended for overnight camping by only one camping vehicle, tent vehicle or tent.

Camping Vehicle. See "Recreational Vehicle."

Camping Vehicle Park. See "Recreational Vehicle Park."

Community Water System. A water supply system, whether publicly or privately owned, which serves more than a single- or two-family residence dwelling or mobile home for the purpose of supplying water for drinking, culinary or household use.

County Road. A public road in the County which has been expressly accepted by the Board as a part of the County road system as provided for in ORS Chapter 368, or a road which has been adjudicated to be a part of the County road system by a court of competent jurisdiction, and which road the County thereafter has the obligation for its maintenance or improvement.

Department. The Lane County Department of Public Works.

Development. A human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

Director. The Director of the Department of Public Works or his or her duly authorized representative. Such representative shall include, but not be limited to, the Building Official for LC Chapter 11.

Dwelling. As defined in the Building Code and administered by Lane County pursuant to ORS 455.150 and 455.153.

Engineer. An individual who is registered in the State of Oregon and holds a valid certificate to practice a particular branch of engineering as provided by ORS 672.020.

Engineer Designed Fill. The depositing of earth material placed by artificial means and compacted to a minimum of 90 percent of maximum density as determined by ASTM test method D1556-58T.

Existing Mobile Home Park. Any lot where two or more permanent mobile homes are located or proposed to be located for the primary purpose of being rented or leased for residential purposes, for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed.

Expansion of an Existing Mobile Home Park. The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

Frontage. The entire lot or parcel line which abuts any public road, approved private road or approved private road easement.

Individual Sewage Facility. A privately owned sewerage facility which serves a single- or two-family residence, dwelling or mobile home for the purpose of disposal of domestic waste products.

Individual Water System. A privately owned water supply system which serves a single- or two-family residence, dwelling or mobile home for the purpose of supplying water for drinking, culinary or household use.

Land Surveyor. An individual who is registered in the State of Oregon and holds a valid certificate to practice land surveying in this State as provided by ORS 672.025.

Legal Interest. An interest in property not confined solely to ownership or possessory interest, but including all interests in property which, in the discretion of the Director, are not inconsistent with the intent and purposes of this chapter. Such interests may include, but are not limited to, the following: owner, contract purchaser, lessee, renter, licensee, easement, resolution or ordinance of necessity to acquire or condemn adopted by a public or private condemnor.

M.A.W. Minimum average width.

Mobile Home. A vehicle or structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, is intended for residential purposes, is identified by the manufacturer as a mobile home and not as a recreational vehicle and is not regulated under Chapter 50 of the Structural Specialty Code adopted pursuant to ORS 455.010 through 455.990.

Mobile Home Park. Any lot where more than one permanent mobile home is located or proposed to be located for the primary purpose of being rented or leased for residential purposes, except as otherwise allowed by LC Chapter 10.

Public Road. Any legal State or County road or any other road which has been dedicated to the use of the public by the Board and placed on record or by a map or plat presented to and accepted by the Board, but shall specifically exclude forest service road, BLM road, any gateway or way of necessity as defined by ORS Chapter 376 and any other road which has nominally or judicially gained a "public character" by prescriptive or adverse use.

Public Sewerage Facility. A sewerage facility, whether publicly or privately owned, which serves a sole user for the purpose of disposal of sewage and which facility is provided for or is available for public use.

Public Water System. A water supply system, whether publicly or privately owned, which serves a sole user for the purpose of supplying water for drinking, culinary or household uses and where such water is provided for or is available for public consumption.

Recreation Park. See "Campground" and "Recreational Vehicle Park."

Recreational Vehicle. As defined in ORS 446.003.

Recreational Vehicle Park. As defined in OAR 918-650-005.

Replacement in Kind. The replacement of a structure of the same size as original and at the same location on the property as the original.

Sanitary Dump Station. A sewage facility for disposal of sewage and liquid wastes from self-contained camping vehicles.

Sewerage or Sewage Facility. The sewers, drains, treatment and disposal works and other facilities useful or necessary in the collection, treatment or disposal of sewage, industrial wastes, garbage or other wastes.

Start of Construction. The first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For mobile homes not within mobile home parks, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is complete.

Substantial Improvement. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(a) before the improvement or repair is started, or
 (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either

(i) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or

(ii) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Travel Trailer or Tent Trailer. A trailer with or without sanitary or kitchen facilities that is of a type designed for use on the highways for temporary recreational purposes.

Vacation Trailer. See "Recreational Vehicle."

Waste Water Disposal Station. A sewage facility for disposal of liquid wastes.

Water Hydrant. A discharge pipe with a valve and spout at which water may be drawn from an approved water system for domestic purposes.

Water System. A source of water and any associated distribution system for water. (Revised by Ordinance No. 9-74, Effective 7.3.74; 6-75, 3.26.75; 11-75, 9.5.75; 16-79; 1.18.80; 18-80; 9.5.80; 10-82, 7.9.82; 2-91, 3.29.91; 1-00, 4.12.00)

11.040 Permit Denial Standards - Water Supplies.

Permits shall be denied when the proposed structure or structures will be served by a community or public water supply as defined in LC 9.552 that has not received required State and County approvals, or for which a complaint as to a public health hazard or an inadequate water supply has been filed within the preceding six months with the Administrator of the Health Division of the Oregon Department of Human Resources and such complaint is still pending final action. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 18-80, 9.5.80)*

MOBILE HOME/RECREATIONAL VEHICLE SITING**11.100-05 Purpose.**

The provisions of this subchapter are to establish procedures and criteria necessary for approval of permanent or temporary mobile home and recreational vehicle permit applications. *(Revised by Ordinance No. 3-72, Effective 4.7.72)*

11.100-10 Permits.

Unless otherwise exempted by this subchapter, an approved building permit must be issued for every permanent or temporary mobile home or recreational vehicle being used for residential purposes in Lane County. Occupancy shall not preclude physical inspection of the installation, including utilities. Construction or conversion of a vehicle for human habitation must receive State of Oregon approval for such use prior to application for a building permit. Mobile homes or vehicles being occupied without a permit as required by this section will be abated, and violators and owners of property allowing such use thereon will be subject to penalties provided by LC 11.990, "Enforcement, Failure to Comply." *(Revised by Ordinance No. 3-72, Effective 2.10.72; 18-80, 9.5.80; 1-00, 4.12.00)*

11.100-15 Application.

Mobile home or recreational vehicle permit applications shall be submitted on the prescribed form to the Lane County Department of Public Works. *(Revised by Ordinance No. 16-79, Effective 1.18.80; 18-80, 9.5.80)*

11.100-20 Criteria for Issuance.

Mobile homes shall be used only for single-family residential purposes. Recreational vehicles shall be used only for temporary recreational or emergency use, in accordance with provisions of LC 11.100-20(3) below.

(1) Mobile Home, Permanent. Permanent mobile home sites may be maintained where permitted by LC Chapter 10, "Zoning," and in authorized mobile home parks.

(a) The site and location of permanent mobile home shall meet area frontage, access, setback and other pertinent requirements of LC Chapters 10, 13 and 15.

(b) The mobile home shall be served by a sewage disposal system approved by the Land Management Division's Sanitation Program.

(c) Minimum elevations may be established for mobile homes being installed in floodplain areas. New installations shall not be approved in floodways.

(d) Construction and installation of plumbing, gas piping, electrical equipment and wiring shall comply with all laws and administrative rules of the State of Oregon.

(e) Foundations, tiedowns, over-the-top ties and skirting shall comply with applicable Federal, State and local rules and regulations.

(2) Temporary Mobile Home. Upon receiving satisfactory evidence that a hardship exists within a family in that a family member is suffering either physical or mental impairment, infirmity, or is otherwise disabled and must be near another family member to receive adequate care, a Temporary Mobile Home Permit may be issued, subject to the following.

(a) All initial permits shall expire on December 31 of the year following original Permit issuance. Permit renewals shall be valid for a two-year period or until the hardship ceases, whichever occurs first. Biennially thereafter, if a satisfactory Application is submitted, notification of pending approval shall be mailed to the applicant and owners of all property within 100 feet of the contiguous boundaries of the property for which the Temporary Mobile Home Permit is being requested. For the purpose of this subchapter, property owners shall be those identified by current tax rolls of Assessment and Taxation. The Temporary Permit shall not be issued for 10 calendar days following date of mailing notification of intent to issue.

(b) The mobile home shall be connected to a sewage system serving an existing dwelling or mobile home on the same lot, said system to meet requirements of DEQ for personal hardship connections.

(c) Satisfactory evidence of family member disability shall be in the form of a written communication from the disabled person's physician, therapist or other professional counselor.

(d) For the purposes of issuing a Temporary Permit, the location of a mobile home on a lot shall not be considered a separate dwelling site and the lot area, frontage and access requirements of LC Chapters 10, 13 and 15 shall not apply. Setbacks shall be in accordance with LC 15.095, "Building Setback Line Chart."

(e) Temporary mobile home hardship permits shall, in addition to the requirements of this subsection, be subject to all regulations set forth in LC 11.100-20(1)(c), (d) and (e) above.

(f) For the purpose of this subsection, the temporary mobile home may be used by the family member providing care and the person receiving care may reside in the principal dwelling.

(3) Recreational Vehicles. A six-month permit may be issued for recreational vehicles to be connected to an existing sewage disposal system for temporary emergency use. The nature of the emergency shall be submitted in writing and must accompany the application. Acceptance of the request shall be at the discretion of the delegee of the Manager of the Land Management Division. Requests for additional six-month periods must be resubmitted as new applications. A self-contained unit used periodically for recreational purposes does not require a building permit unless the unit is in continuous use on private property for more than two weeks.

(a) The recreational vehicle must observe setback requirements of LC Chapter 15 and applicable DEQ regulations.

(b) No notification of neighboring property owners is required.

(c) Only one recreational vehicle shall be connected to a system serving an existing dwelling, unless the property receives approval as a recreational vehicle park.

(d) Recreational vehicles connected to a system in an approved recreational vehicle park are exempt from permit requirements of this subsection.

(4) Permitted Temporary Overnight Camping at Religious Institutions. Notwithstanding any other provision of Lane Code, persons may sleep overnight in vehicles located on a parking lot of a church, synagogue, or other religious institution that owns or leases property on which a parking lot and structure containing a place of worship are located, with the permission of the religious institution. The religious

institution may not grant permission for overnight sleeping to occupants of more than three vehicles for any one night.

(a) Any church, synagogue or other religious institution that allows a person or persons to sleep overnight in vehicles in its parking lot pursuant to LC 11.100-20(4):

(i) Shall provide or make available sanitary facilities, including toilet, handwashing and trash disposal facilities, for the use of persons sleeping in the parking lot.

(ii) Shall not require payment of any fee, rent or other monetary charge for the privilege of using the parking lot as authorized by LC 11.100-20(4); and

(iii) May revoke permission to sleep in the parking lot at any time and for any reason.

(b) Any person who receives permission to sleep in a vehicle in a parking lot of a church, synagogue or other religious institution as provided for in LC 11.100-20(4) shall leave the property immediately after permission has been revoked. *(Revised by Ordinance No. 3-76, Effective 4.7.76; 9-76, 8.27.76; 16-79, 1.18.80; 18-80; 9.5.80; 9-99, 12.14.99; 1-00, 4.12.00)*

11.100-30 Appeal Procedures.

(1) Administrative Review.

(a) Before permit denial because of a staff decision involving LC 11.100-20(2)(c) or 11.100-20(3) above, the application shall be reviewed by the Planning Director of the Land Management Division of the Department of Public Works. If, after review, the application is found to be acceptable, permit issuance shall proceed as prescribed by the relevant subsection.

(b) If the application is deemed to be unacceptable, the applicant may appeal in writing to the Planning Director within 10 days of the date of denial. The appeal shall then proceed as set forth in LC Chapter 14 "Appeals."

(2) Temporary Mobile Homes.

(a) Any objection by a neighboring resident to permit issuance must be in writing and must be received by the Planning Director before 5:00 p.m. of the 10th day following the date of mailing the notification of intent to issue. If the 10th day is a Saturday, Sunday or holiday, the first following working day shall be considered as the 10th day. Basis for appeal of permit issuance shall be:

(i) That the family hardship does not exist, or

(ii) In the case of an existing mobile home, that sanitation or other physical requirements do not meet regulations.

The burden of proof shall be upon the appellant. Surrounding property owners, as per LC 11.100-20(2)(a) above, shall be notified of the date and place of the hearing at least 10 days in advance. If the application is approved, the permit shall be issued with no further delay.

(b) In the event of permit denial because of noncompliance with any physical requirement, the applicant may seek relief through variance procedures established to review sewage disposal systems, elevations or pertinent regulations of LC Chapters 10, 13 or 15. If the variance is approved, notification of pending permit issuance shall be given as per LC 11.100-20(2)(a) above.

(c) Applications that have been denied after review by the Hearings Official or the Board of County Commissioners shall not be resubmitted for at least one year.

(3) Recreational Vehicles. Denial of a permit application based upon an inadequate subsurface sewage disposal system may be appealed through procedures

established by the State Department of Environmental Quality. *(Revised by Ordinance No. 16-79, Effective 1.18.80; 5-81, 4.8.81; 1-00, 4.12.00)*

11.100-50 Prior Approvals.

Temporary mobile homes approved for family member hardships prior to adoption of this subchapter will be allowed to remain until the hardship ceases, subject to required two-year renewal procedures. *(Revised by Ordinance No. 16-79, Effective 1.18.80)*

11.100-55 Cessation of Hardship.

When the hardship ceases for which a temporary mobile home or recreational vehicle permit is issued, the mobile home or recreational vehicle shall be disconnected from the sewage disposal system and all utilities, and shall no longer be used for residential purposes. *(Revised by Ordinance No. 16-79, Effective 1.18.80)*

11.100-80 Enforcement.

Failure to comply with any subsection of LC 11.100 may be subject to administrative enforcement pursuant to LC Chapter 5, to forfeiture, or may be enforceable under applicable State law. *(Revised by Ordinance No. 16-79, Effective 1.18.80; 1-00, 4.12.00)*

11.100-85 Fees.

The Board shall establish permit applications fees for Mobile Home and Recreational Vehicle Parking permits by separate order. *(Revised by Ordinance No. 3-76, Effective 4.7.76; 16-79, 1.18.80)*

HISTORIC STRUCTURES OR SITES

11.300-05 Purpose.

By reason of having a special historical character, an association with historic events or persons, their antiquity, uniqueness or representative style of their architectural design or method of construction, Historic Structures or Sites are deserving of special consideration. This subchapter is intended to allow the County to review building permits or demolition permits to ensure that these and other Historic Structures and Sites identified in the future are preserved. *(Revised by Ordinance No. 10-82, Effective 7.9.82)*

11.300-10 Definitions.

For the purpose of this subchapter, the definitions provided in LC Chapter 11.035 shall be applicable to this subchapter, unless otherwise provided herein:

Historic Structure or Site. Property currently listed in the National Register of Historic Places, established and maintained under the National Historic Preservation Act of 1966 (PL 89-655). (See LM 11.300) *(Revised by Ordinance No. 10-82, Effective 7.9.82)*

11.300-15 Permit Required.

No person may alter or demolish any Historic Structure or Site as defined in this subchapter unless a permit to do so has been issued by the Department of Public Works upon review in accordance with the provisions of this subchapter. *(Revised by Ordinance No. 10-82, Effective 7.9.82; 1-00, 4.12.00)*

11.300-20 Issuance of Permits.

An application for a permit to alter or demolish an Historic Structure or Site shall be made by the owner or his or her authorized agent in the same manner as provided for in

this chapter for any building permit. The application shall be referred to the Planning Director. *(Revised by Ordinance No. 10-82, Effective 7.9.82; 1-00, 4.12.00)*

11.300-25 Planning Director Review.

The Planning Director shall make or cause to be made an investigation to provide necessary information to ensure that the action on each application is consistent with LC 11.300-30 below. The application shall be processed in the manner provided for in LC 14.100. Prior to rendering a decision, notice of the application shall be given to the Lane County Museum Director and the Oregon State Historic Preservation Officer. *(Revised by Ordinance No. 10-82, Effective 7.9.82; 1-00, 4.12.00)*

11.300-30 Criteria.

(1) A permit to demolish a Historic Structure shall be approved only upon submission of evidence that the following criterion is met:

(a) Every reasonable effort shall be made to maintain the Historic Structure by any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project. (A demonstrated lack of private and public funding for maintenance of a structure is sufficient cause to allow demolition.)

(2) A permit to alter a Historic Structure or Site shall be approved only upon submission of evidence that the following criteria are met:

(a) Any use or change of use of the building or property should be compatible with the historical nature of the property.

(b) Only the minimum alteration of the Historic Structure or Site and its environment necessary to achieve the intended use shall be allowed. (Consideration shall be given to the development guidelines listed below.) *(Revised by Ordinance No. 10-82, Effective 7.9.82)*

11.300-35 Development (Alteration) Guidelines.

Due consideration shall be given to the following guidelines, based on their relative importance:

(1) Only the minimum alteration of the designated historic building, structure or site and its environment necessary to achieve the intended use should be allowed.

(2) The distinguishing original qualities or character of a designated building, structure or site and its environment should not be destroyed. The removal or alteration of any historical material or distinctive architectural features should be avoided.

(3) All designated building, structures and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance should be discouraged.

(4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected. *(Revised by Ordinance No. 10-82, Effective 7.9.82)*

RECREATION PARKS

11.403 Purpose.

The provisions of this subchapter are intended to establish standards governing public health and safety for the design and construction of private and public recreation parks in the unincorporated areas of Lane County. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.406 Conflict with State Statutes.

None of the provisions of this ordinance is intended to establish a standard lower than provided in ORS 446.310 through 446.350 nor any administrative rules adopted by a state agency pursuant thereto. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.409 Compliance with State Statutes and Rules.

All recreational park developments shall comply with the provisions of ORS 446.310 through 446.350 and any administrative rules adopted by a state agency pursuant thereto in addition to the provisions of this ordinance. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.415 Effective Date.

The provisions of this subchapter shall apply to all recreational parks and overnight campground facilities built or remodeled after June 30, 1973. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.418 Permits Required.

No person, firm, corporation or State of Oregon shall construct, enlarge repair or improve a recreation park without first obtaining a building permit from the building official. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 1-00, 4.12.00)*

11.421 Applications.

To obtain a building permit, the applicant shall first file an application with the building official. Every such application shall be accompanied with two (2) sets of plans (blue prints or other approved prints) and specifications. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 1-00, 4.12.00)*

11.424 Plans and Specifications.

The plans and specifications shall be of sufficient clarity to indicate the extent of the work proposed and show in detail that it will conform to the provisions of this section and all relevant laws, ordinances, rules and ordinances of Lane County. The plans shall include the following:

(1) A plot plan of the park and plans for all park buildings or structures. The plot plan shall show the layout of the entire area to be developed and any existing development. The following information shall be included on the plans:

(a) North point of the site.
(b) Vicinity map, showing relationship of the developed area to adjacent properties and roads.

(c) An enlarged plot plan of a typical camping space, showing location of all utility connections.

(2) The plans shall include detailed drawings of the following facilities when provided:

(a) Water hydrants.
(b) Water stations.
(c) Water systems, including storage facilities and treatment works.
(d) Waste water disposal facilities.
(e) Sanitary dump stations.
(f) Sewer connections.
(g) Sewer facilities.
(h) Street or road construction details. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.427 Buildings and Structures.

The construction of buildings and structures shall conform to the requirements of LC Chapter 11, Building Code subchapter. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.430 Special Rules for Campgrounds.

LC 11.433 through 11.442 shall apply only to campground facilities. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.433 Water Supply.

(1) All campgrounds shall have a public water system. When the public water system is supplied from a well, a well log is required to show an ample supply of water will be available for the campground it will serve.

(2) Campgrounds shall have individual water hydrants for not less than twenty-five (25) percent of the approved camping spaces.

(3) Camping spaces not provided with an individual water hydrant shall be located within one hundred (100) feet of a campground water hydrant, of approved design.

(4) Approved angle jet type drinking fountains with adequate water pressure shall be located within two hundred (200) feet of each camping space.

(5) Campgrounds not equipped with individual water hydrants at the camping spaces shall have a watering station with a water supply outlet with adequate pressure for filling camping vehicle water storage tanks. The fill hose shall be suspended so that the hose and its appurtenances will be at least thirty-six (36) inches above the ground. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.436 Sewage and Liquid Water Disposal.

(1) All campgrounds shall have a sewerage or sewage facility.

(2) Campgrounds shall have individual sewer connections for not less than twenty-five (25) percent of the approved camping spaces.

(3) Campgrounds not equipped with individual sewer connections at each camping space shall have approved waste water disposal stations, for the disposal of camper's waste water, located within one hundred (100) feet of each camping space.

(4) Campgrounds not equipped with individual sewer connections at each camping space shall provide a sanitary dump station in the ratio of one (1) for every one hundred (100) spaces or fractional part thereof. Unless otherwise approved by the Department, a sanitary dump station shall consist of a trapped four (4) inch sewer of cast iron soil pipe and vented within fifteen (15) feet of the downstream side of the trap by a four (4) inch cast iron vent adequately supported and extending at least eight (8) feet above the ground sewerage facility. The inlet shall be surrounded by a concrete apron sloped to the inlet and the vehicle sewage holding tanks and waste hose. This water outlet shall be protected against back siphonage and backflow by an approved vacuum breaker installation. The washdown hose shall be suspended so that the hose and its appurtenances will be at least eighteen (18) inches above the ground. No sanitary dump station shall be within fifteen (15) feet of a camping space. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.439 Camping and Related Facilities.

(1) Size of Camping Space. No camping space shall be less than twenty-four (24) feet by thirty-six (36) feet.

(2) Garbage Cans. At least one (1) garbage can shall be provided for each four (4) camping spaces.

(3) Park Lighting. Lighting fixtures for lighting the park grounds shall be provided.

(4) Service Electrical Outlets. Each camping space provided with individual water and sewer connections shall have an electrical outlet. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.442 Signs.

(1) Sanitary Dump Station Signs. Two (2) signs shall be posted near the sanitary dump station.

(a) One (1) sign shall be designated "Notice" (in letters four (4) inches high) and shall state "This Water for Flushing and Cleaning Purposes Only" (in letters two (2) inches high).

(b) One (1) sign shall be designated "Sanitary Dump Station" (in letters four (4) inches high) and shall state "Holding Tank Disposal Instructions" (in letters two (2) inches high), "Connect your hose to holding tank - Place end securely in drain while holding cover open with foot. Open trailer tank drain valve. Flush away any spillage on concrete apron into drain" (in letters one (1) inch high).

(2) Water Station Sign. A sign shall be posted near the water station. The sign shall be designated "Water Station" (in letters four inches high) and shall state "This water for filling vehicle water storage tanks only" (in letters two inches high).

(3) Signs General. All park signs shall be maintained in a legible manner by the park owner or his or her authorized agent. *(Revised by Ordinance No. 9-74, Effective 7.3.74)*

11.446 Variances.

(1) Generally. The Director may grant a variance to LC 11.433, 11.436, 11.439 and 11.442 if, from investigation, the Director determines:

(a) That the requested variance is not in conflict with the general purpose and intent of this subchapter, and

(b) That the variance will not be detrimental to the public welfare or convenience, and

(c) That such a variance is necessary for the preservation and enjoyment of a property right of the petitioner, and to prevent unreasonable property loss or unnecessary hardship, and will not be detrimental or injurious to the property or improvements of other owners of property.

(2) Fees. Fees for obtaining variances shall be as established by separate order of the Board.

(3) Conditions. In granting a variance, the Director may impose any conditions which he or she deems reasonable under the circumstances.

(4) Appeal. Any person aggrieved by the denial of a permit, or the granting or denial of a variance under this section of this subchapter may appeal any ruling of the Director to the hearings official.

(a) Within 10 days after the denial of a permit or issuance or denial of a variance.

(b) A permit shall be deemed to be denied where the application has not been finally acted upon by the Director before the 15th day following the date of application, and the time for appeal in such case shall commence on the 15th day.

(5) Manner of Taking Appeal. Appeal to the hearings official under LC 11.446(4) above shall be taken by filing an appeal to the hearings official as set forth in LC Chapter 14 "Appeals." *(Revised by Ordinance No. 9-74, Effective 7.3.74; 5-81, 4.8.81; 1-00, 4.12.00)*

11.600 Additional Fees.

For the purpose of partially defraying expenses involved in processing applications, the Department of Public Works shall collect fees in the amounts established by order of the Board of County Commissioners for the following applications.

- (1) Loan review, sewage disposal and water supply system.
- (2) Engineering Review - sewerage and water supply system.
- (3) Lawn Sprinkler permit. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 1-00, 4.12.00)*

ENFORCEMENT, FAILURE TO COMPLY**11.990 Enforcement, Failure to Comply.**

The purpose of this subchapter is to ensure compliance with the Building Codes and shall apply to the enforcement of this chapter, but shall not be deemed exclusive.

(1) It shall be the duty of the Director to enforce the provisions of this chapter. The enactment or amendment of this chapter shall not invalidate any prior, existing or future prosecutions for violation of or failure to comply with, the Building Codes committed under previous applicable County ordinances then in effect.

(2) In addition to the enforcement provisions of this subchapter upon request by the Director, the District Attorney or County Counsel may institute any additional proceedings, including, but not limited to, seeking injunctive relief to enforce the provisions of this chapter.

(3) If the Director discovers any person doing or causing to be done any work without the permit required by this chapter, the Director shall notify the person to cease the act or acts, and such person shall cease such acts until a permit is secured, and shall pay for such permit twice the amount of the fee otherwise required.

(4) Whenever any work is being done contrary to provisions of this chapter or an approved discretionary permit issued pursuant to the requirements of any of the sections of this chapter, or the Director has probable cause to believe that any other provision of the Lane Code is not being complied with in connection with the project of which the work being performed is a part, the Director may order the work stopped by notice in writing, posted on the project, or served on any person engaged in the doing or causing of such work to be done. Upon the posting or service of notice, all persons engaged in doing or causing the work to be done shall immediately stop such work until authorized by the Director to proceed.

(5) No person shall fail to comply with any of the provisions of this chapter. Any failure to comply may be subject to an administrative enforcement as provided by LC Chapter 5.

(6) Continued failure to comply with this chapter 10 days from the mailing of the notice of failure to comply by registered or certified mail to the last known address of the alleged responsible person or after personal service constitutes a separate occurrence for each day the failure to comply continues. At the time of the mailing of the notice, the Director shall note in ink on the copy the fact that the notice was sent by registered or certified mail. The notation on the copy is prima facie evidence that the notice was sent.

(7) Notwithstanding LC 11.990(6) above, failure to comply with this chapter after a stop work order is posted on property for which a permit is required or personally delivered to an individual who is without the required permit, shall constitute a separate occurrence for each day work continues.

(8) The Director shall have the authority to issue a notice of failure to comply which may be served by registered or certified mail to the last known address of the

alleged responsible person. *(Revised by Ordinance No. 2-76, Effective 3.17.76; 18-80, 9.5.80; 1-93, 4.16.93; 1-00, 4.12.00)*