

**SECTION 105
PERMITS**

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, change the character or use of the occupancy, or change the occupancy of a building or structure which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*. [See ORS 455.020(2)].

Exceptions:

1. Construction subject to minor labels and master permits when authorized by the inspection authority under Oregon Administrative Rules Chapter 918, Division 100.
2. Temporary (180 days) structural supports, structural replacement or repairs performed in an emergency on an existing structure. The authority having jurisdiction shall be notified of this work within 72 hours and permit application for the temporary work shall be submitted within the next 10 business days.

For prohibitions against siting new essential facilities and new special occupancy structures in tsunami inundation zones, see Section 1802.

ORS 455.020 (2) is not a part of this code but is reprinted here for the reader's convenience:

455.020 (2) Purpose: scope of application; exceptions; scope of rules; fees by rule.

(2) The rules adopted pursuant to this chapter shall include structural standards; standards for the installation and use of mechanical, heating and ventilating devices and equipment; and standards for prefabricated structures; and shall, subject to ORS 455.210, prescribe reasonable fees for the issuance of building permits and similar documents, inspections and plan review services by the Department of Consumer and Business Services. The department may also establish, by rule, the amount of any fee pertaining to the state building code or any specialty code that is authorized by statute, but for which an amount is not specified by statute.

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L)

and the ratio of height to diameter or width does not exceed 2:1.

6. Platforms, sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
13. Farm agricultural buildings exempted in ORS 455.315 (see also Appendix C).
14. Equine facilities exempted in ORS 455.315.

Note: Unless otherwise exempted, separate plumbing, electrical and mechanical permits may be required for the above-exempted items. Additionally, all new construction and substantial improvements (including the placement of prefabricated buildings and certain building work exempt from permit under Section 105.2) shall be designed and constructed with methods, practices and materials that minimize flood damage in accordance with this code, FEMA regulations and ASCE 24.

105.2.1 Repairs. Application or notice to the *building official* is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe.

Note: Unless amended locally by a municipality under authority of ORS 455.020 the requirements of Sections 105.3 through 105.6 apply.

105.3 Application for permit. To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the *permit* for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar