

**Responsibilities of  
Building Officials, Inspectors, and Plans Examiners  
January 1, 2006**

**918-008-0110**

**Enforcement**

All jurisdictions administering and enforcing the state building code must enforce statewide code interpretations and allow the use of alternate method rulings consistent with the original scope of the ruling. Failure to enforce statewide code interpretations or allow statewide alternate method rulings may subject building officials, plans examiners and inspectors to revocation or suspension of certifications.

**918-098-1470**

**Duties and Responsibilities of Certified Building Officials, Inspectors, and Plans Examiners**

(1) Persons who hold an Oregon Inspector Certification or an Oregon Code Certification must act in the public interest in performing their duties as a building official, inspector, or plans examiner, including but not limited to:

(a) Obtaining and maintaining any appropriate national or Oregon Code Certification prior to performing their duties;

(b) Completing all required continuing education requirements and maintaining records of completion of continuing education courses required for each national and Oregon certification sufficient to demonstrate compliance with OAR 918-098-1450;

(c) Enforcing all appropriate building code statutes, and rules adopted thereunder, including but not limited to specialty codes, including statewide code interpretations, directives, orders, or other building program requirements and allowing the use of alternate method rulings;

(d) Adhering to all applicable building code statutes and rules adopted thereunder; and

(e) Notifying the division of any changes of name or address in a manner prescribed by the division within 10 business days.

(2) After a code or code edition is adopted by the division, persons who hold an Oregon Inspector Certificate and hold the national certification for that specialty code must re-certify their national certification to the new code or code edition at the next available renewal cycle of the national certification. If an inspector re-certifies a national certification to the newest edition of the national code(s) before that code edition is adopted in Oregon, such re-certification shall be considered as a current national certification for the purposes of these rules.

(3) If an inspector fails to maintain or does not possess a current national certification, the inspector shall not perform inspections or plan review for that particular specialty code.

**918-098-1480**

**Additional Responsibilities for Building Officials**

In addition to the above responsibilities, all certified individuals who are performing the duties of the building official shall also:

(1) Ensure a person is properly certified under these rules and meets the minimum experience requirements prior to allowing the individual to perform plan reviews and inspections;

(2) Ensure all inspectors and plans examiners in the municipality take all required continuing education and track the continuing education in a manner prescribed by the division; and

(3) Ensure all applicable building code statutes and rules, including statewide code interpretations, directives and other building program requirements and allowing the use of statewide alternate method rulings are enforced and carried out through their certified individuals in their municipality.

## **918-098-1500**

### **Building Official and Inspector Sanctions Process**

(1) The division shall establish uniform procedures for the processing and resolution of complaints relating to building officials and inspectors certified pursuant to ORS 455.735. The division may condition, suspend or revoke a certification in the course of resolving a complaint.

(2) Failure to act "in the public interest in the performance of their duties" in accordance with ORS 455.740 shall include, but not be limited to:

(a) Providing or having knowledge of, false education, work experience or documentation being used to meet certification or continuing education requirements, or during the examination, using unauthorized notes, examinations or examination answers at an examination, copying from another, allowing another to copy or otherwise use unauthorized methods to gain an advantage or give another person an advantage during an examination;

(b) Failing to complete continuing education requirements;

(c) Permitting, allowing or performing plan reviews or inspections without proper certification;

(d) Engaging in a pattern that fails to enforce the specialty code, including statewide code interpretations, site-specific interpretations, directives or other building program requirements and failure to allow the use of alternate method rulings;

(e) After notification, engaging in a pattern of requiring construction or installations to exceed the requirements of the specialty codes, unless otherwise specified by the designer(s);

(f) Requiring an individual to approve structures or installations that do not comply with the specialty codes;

(g) Failing to properly perform inspections or plan reviews;

(h) Engages in unprofessional behavior; or

(i) Any other activity prejudicial to the administration and enforcement of the state building code.

(3) Applicants sanctioned under this rule may be required to wait at least one year from the date the application was denied before they may re-apply for any certification.

(4) Upon a finding of a violation of section (2) of this rule, the director may, in accordance with the requirements of ORS chapter 183, place conditions on a certification in lieu of suspension or revocation.

(5) In determining the appropriate sanction any applicable factors shall be taken into account, including, but not limited to:

(a) Prior history of violations;

(b) Extent to which corrective action was taken; and

(c) The element of risk or danger to any person caused by the violation.

(6) Certifications of building officials, plans examiners and inspectors who do not comply with the code-change education or continuing education requirements contained in these rules shall lapse. Persons whose certifications have lapsed for failure to comply with code-change or continuing education requirements shall be required to re-apply for certification and take a division-approved examination in the same manner as a new applicant.

## **918-098-1900**

### **Citation Requirement Effective January 1, 2006**

In addition to any other requirements set forth in statute and rule, beginning January 1, 2006, all inspectors and plans examiners certified under Division 098, OAR 918-225-0540, 918-281-0020 918-695-0400, and ORS 460.055 issuing corrective notices at construction sites or to buildings or related appurtenances during a plan review must adequately cite the applicable specialty code sections, Oregon administrative rules, or statutes whenever a re-inspection is required as a result of the inspection or plan review.