

ADMINISTRATIVE ORDER NO. 53-25-02-F
of the
City Manager of the City of Eugene

**TEMPORARY AMENDMENT OF REGULATIONS FOR ADMINISTRATION
AND ENFORCEMENT OF THE BUILDING, FIRE AND OTHER TECHNICAL
CODES ADMINISTRATIVE RULE R-8.005 ADOPTED BY ADMINISTRATIVE
ORDER NO. 53-23-03-F.**

The City Manager of the City of Eugene finds that:

A. Pursuant to the authority contained in Sections 2.019 and 8.005(1) of the Eugene Code, 1971 (EC), Regulations for Administration and Enforcement of the Building, Fire and Other Technical Codes Administrative Rule R-8.005 was adopted by Administrative Order No. 53-23-03-F on November 6, 2023.

B. Administrative Rule R-8.005 states that all construction or work for which a permit is required shall be subject to inspection by the Building Official. If inspections do not occur within the times set out in Rule R-8.005, permits eventually expire. No work may take place on a building or structure that is subject to an expired permit. R-8.005 allows the Building Official to approve the re-issuance of an expired permit under certain circumstances, if the applicant pays a reinstatement fee, which is currently set at an amount equal to half the total permit fee using the permit rates at the time of renewal.

C. During the COVID-19 pandemic, high construction material costs, financing costs, market uncertainty, supply-chain issues in critical industries, and the availability of contractors and subcontractors increased the risks and timelines associated with development and caused permit applicants to reanalyze and sometimes delay moving forward with their projects. Permit holders whose work was subject to inspection did not request inspections at the same frequency as they did prior to the pandemic, and as a result permits expired at a higher rate. Approximately 2-3 times as many permits expired each month after the start of the pandemic, relative to the period immediately prior to the pandemic. The City's Building & Permit Services Division has implemented measures to address the expiration of building permits that occurred during and following the pandemic and the rate at which permits expire has now decreased to pre-pandemic levels. However, there still exists a significant backlog of expired permits where the work authorized by those permits is substantially complete, and no changes to the original plans or specifications are required to complete the work. I find that it will benefit the public if the work authorized by those expired permits is completed in a safe, compliant, and timely manner.

D. The requirement for payment of a reinstatement fee may dissuade permit holders from completing the work authorized under expired permits. In addition, in the cases where the work is already substantially complete and completion of the work does not require any changes to the plans and specifications already submitted and reviewed by City staff, there is less of a

need to charge a reinstatement fee to cover the cost of additional staff work required to re-issue an expired permit.

E. On January 22, 2025, I issued Administrative Order No. 53-25-02 ordering Notice be given of the opportunity to submit written comments on a proposal to temporarily amend the Rule to waive reinstatement fees for permits that expired on or before March 1, 2024, where the work authorized under the original permit is substantially complete and the reissued permit would include no changes to the original plans and specifications for such work, in order to allow for an additional period during which the work authorized by those permits may be completed in a safe and compliant manner.

F. Notice of the proposed amendments to the Rule was given by making copies of the Notice available to any person who had requested such notice and by publication of the Notice in the Register Guard newspaper on January 23, 2025, providing interested persons an opportunity to submit comments on the proposed amendments until the end of the day on February 7, 2025. No comments concerning the proposed Rules were submitted within the time or in the manner set out in the Notice.

Now, therefore, based upon the above findings which are adopted and pursuant to the authority in Sections 2.019 and 8.005(1) of the Eugene Code, 1971:

IT IS HEREBY ORDERED THAT:

1. Section R-8.005-B(3)(e)2 of Rule R-8.005 is temporarily amended as shown in legislative format below.
2. A copy of this Order shall be appended to Administrative Order No. 53-23-03-F.
3. This Order and the temporary amendments to Section R-8.005-B(3)(e)2 of Rule R-8.005 shown in legislative format below shall automatically expire and be repealed on September 1, 2025, unless earlier replaced by an emergency rule, temporary rule, or permanent rule adopted in accordance with the provisions of Section 2.019 of the Eugene Code, 1971.

**TEMPORARY AMENDMENT TO ADMINISTRATIVE RULE R-8.005
REGULATIONS FOR ADMINISTRATION AND ENFORCEMENT OF THE
BUILDING, FIRE AND OTHER TECHNICAL CODES**

R-8.005-B PERMITS

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(3) Determination and Issuance of Permits

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(e) Expiration

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2. **Permits.**

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c. The Building Official may approve the re-issuance of an expired permit if:

- (1) The applicant pays a reinstatement fee
- (2) The reissued / new permit would include no changes to the original plans and specifications for such work; and
- (3) The time between the permit's expiration and the application for re-issuance has not exceeded one year.

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e. *Notwithstanding subsection (3)(e)2.c., the Building Official may approve the re-issuance of an expired permit without requiring payment of a reinstatement fee if the Building Official determines that:*

- (1) *The original permit expired on or before March 1, 2024;*
- (2) *The work authorized under the original permit is substantially complete; and*
- (3) *The reissued permit would include no changes to the original plans and specifications for such work.*

Notwithstanding any other provisions of this subsection (3), any permit reissued under the authority of this subsection (3)(e)2.e., shall automatically expire and become null and void if the owner or builder fails to call for an inspection pursuant to R-8.005-C(3) within 90 days of reissuance.

Dated and effective this 14th day of February, 2025.

mdw
mdw

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MR
MR

Sarah Medary

Sarah Medary
City Manager