

Lane Code  
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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 State Building Code as defined in ORS 455.010(9) expressly including buildings and structures unless specifically exempted from permits under section 101.2 & 105 of the Oregon Structural Specialty Code, 2014 and R101.2 and R105 of the Oregon Residential Specialty Code, 2017 in the administrative sections of the Building Code.
- (2) The following Appendices are adopted:
  - (a) Appendix O Tsunami Loads: Building and structures required to be categorized in risk category IV (OSSC 2019, section 1604.5) located within a Tsunami Inundation Zone, as determined by DOGAMI (Oregon Department of Geology and Mineral Industries), will further comply with the requirements of Appendix O of the current code, as adopted by the County.
  - (b) Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, with the following additions:
    - (i) In addition to Section 205 in Chapter 2 of the Uniform Code for the Abatement of Dangerous Buildings, 1997:
      - (1) The Building Appeals and Advisory Board will be assembled on an as-needed basis with Appeals and Advisory Board members selected in accordance with requirements set forth in Section 205, and will serve as the Section 205 Board of Appeals.
    - (ii) Lane Code Chapter 11 hereby adds Section 405 to Chapter 4 of the Uniform Code for the Abatement of Dangerous Buildings, 1997:
      - (1) 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 1997 Uniform Code for the Abatement of Dangerous Building, 1997, has determined the building to be a dangerous building pursuant to Section 302(12), the Building Official may also order and specify the method by which the structure and immediate area must 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 UCADB 1997. *(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; 20-01, 6.2.20)*

### 11.015 Permits, Fees and Refunds.

- (1) Permits. Permits are required for all work covered by the Building Codes of Lane County except where specifically designated as exempt pursuant to Lane County adopted code. A structure approved by the Planning Department as an “agricultural building” or “equine facility” is exempt from the structural permit requirement.
- (2) Fees. Building code permit fees are those established by the Board in accordance with ORS 455.210 and 479.845.

- (3) Refunds. All , or a portion, of the fee accompanying an application may be refunded, if the applicant withdraws the application in advance of permit issuance and prior to substantial staff review such as the initial plan review. A portion of the application fees may be retained to address the cost of refund processing. The amount of refund will be determined by the Building Official and will be based upon the proportion of staff time allotted to processing the permit relative to complete processing of a permit and refund. *(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 will have the responsibility and the authority to administer its building regulations on urbanizable land within the Springfield Urban Growth Boundary as defined in Lane Code Chapter 10, and the same building regulations are adopted by Lane County Board of County Commissioners for the purpose of this subsection.

- (1) For the purpose of this subsection, the following words and phrases will mean:
- Building Regulations.** The building regulations administered by the City of Springfield within the Springfield Urban Growth Boundary urbanizable lands.
- (a) Codes and Ordinances adopted by the City of Springfield.
- Urbanizable Lands.** Urbanizable lands, as defined by the Eugene-Springfield Metropolitan Area Plan, are those unincorporated lands between 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; 20-01, 6.2.20)*

### **11.026 Eugene Urban Growth Boundary.**

Notwithstanding other subsections of this chapter, the City of Eugene will have the responsibility and the authority to administer its building regulations on urbanizable land within the Eugene Urban Growth Boundary. As defined in Lane Code Chapter 10, and the same building regulations are adopted by Lane County for the purpose of this subsection.

- (1) For the purpose of this subsection, the following words and phrases will mean:
- Building Regulations.** The building regulations administered by the City of Eugene within the Eugene Urban Growth Boundary urbanizable lands.
- (a) Codes and Ordinances adopted by the City of Eugene.
- Urbanizable Lands.** Urbanizable lands, as defined by the Eugene-Springfield Metropolitan Area Plan, are those unincorporated lands between the Eugene City Limits and the Eugene Urban Growth Boundary.

*(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; 20-01, 6.2.20)*

### **11.035 Definitions.**

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

- Agricultural Building.** A specific type of structure located on a farm or forest operation, as defined in ORS 455.315.
- Architect.** An individual who holds a current certificate of registration to practice architecture in the State of Oregon.
- Building.** Any structure utilized or intended for supporting or sheltering any use or activity.
- Camper.** An individual that is occupying a camping space for a temporary period of time. (For a structure designed to be mounted upon a vehicle, which may or may not be permanently

attached thereto, as defined in ORS 801.180, for the purpose of this section, see Recreational Vehicle.)

Camp Trailer. See "Camping Vehicle."

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

Campsite. Any location where bedding, sleeping bag, or other material used for bedding purposes, or any stove or campfire has been placed in order to establish or maintain a temporary place to occupy, whether or not said occupancy incorporates the use of any tent, lean-to, shack, any structure, or any vehicle or part thereof.

Camping Space. An area of ground within a recreation park intended for the accommodation of a recreational vehicle, camping vehicle, tent vehicle, tent, or other individual camping unit on a temporary basis.

Camping Vehicle. A tent trailer, travel trailer, or other vehicle with or without sanitary or kitchen facilities that is a type designed for use on the highways for temporary recreational purposes, or a camper as defined by ORS 801.180.

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 manufactured home for the purpose of supplying water for drinking, culinary, or household use.

County Road. A public road which has been expressly accepted by the Board as a part of the County road system defined in LC 15.010.

Department. The Lane County Department of Public Works.

Demolition. The complete removal of a building or structure.

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 the Director's authorized representative. Such a representative includes, but is not be limited to, the Building Official for LC Chapter 11.

Dwelling. A building intended or designed to be occupied for living purposes, as defined in the State Building Code and administered by Lane County pursuant to ORS 455.150 and 455.153.

Engineer. An individual who holds a current certificate of registration to practice engineering in the State of Oregon.

Existing Manufactured Home Park. Any lot where two or more permanent manufactured 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 manufactured 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 Manufactured Home Park. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured 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 Sewerage Facility. A privately owned sewerage facility which serves a single- or two-family residence, dwelling or manufactured 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 manufactured home for the purpose of supplying water for drinking, culinary or household use.

Initial Plan Review. The period between the time plans are submitted for permits and the time when either (a) a list or letter addressing issues that need to be resolved prior to permit issuance has been sent to the applicant, or (b) where there are no such issues and the permit is ready to issue.

Land Surveyor. An individual who holds a current certificate of registration to practice land surveying in the State of Oregon.

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.

Manufactured Home. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, is intended for residential purposes, and is identified by the manufacturer as a manufactured home and not as a recreational vehicle.

Manufactured Home Park. Any lot where more than one permanent manufactured 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.

Place of Business. A building where a commercial, professional, or nonprofit enterprise transacts business with its clients or customers.

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 as further defined in LC Chapter 15.

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. As defined in OAR 918-650-0005.

Recreational Vehicle. As defined in ORS 174.101 and for the purpose of this section, a structure designed to be mounted upon a vehicle, which may or may not be permanently attached thereto.

Recreational Vehicle Park. As defined in OAR 918-650-0005.

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 manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For manufactured homes not within manufactured home parks, "start of construction" means the affixing of the manufactured home to its permanent site. For manufactured homes within manufactured home parks, "start of construction" is the date on which the construction of facilities for servicing the site on which the manufactured 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.

**Structure.** Any assembly of connected parts that is created to provide enclosure or bear loads; whether intended to be occupied or not.

**Tent.** A temporary, portable shelter made of fabric (such as nylon, cloth, vinyl, or similar), supported by poles or other method, intended for recreational use, for camping outdoors.

**Travel Trailer or Tent Trailer.** See "Camping Vehicle."

**Vacation Trailer.** See "Camping 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; 20-01, 6.2.20)*

#### **11.040 Permit Denial Standards - Water Supplies.**

Permits will 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; 20-01, 6.2.20)*

### **MANUFACTURED HOME, RECREATIONAL VEHICLE, AND TENT SITING**

#### **11.105 Purpose.**

The provisions of this subchapter are to establish procedures and criteria necessary for approval of permanent or temporary manufactured home and recreational vehicle permit applications. *(Revised by Ordinance No. 3-72, Effective 4.7.72; 20-01, 6.2.20)*

#### **11.110 Permits.**

Unless otherwise exempted by this subchapter, an approved building permit must be issued for every permanent or temporary manufactured home or recreational vehicle being used for residential purposes in Lane County. Occupancy does 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. Manufactured 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; 20-01, 6.2.20)*

#### **11.115 Application.**

Manufactured home or recreational vehicle permit applications must 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; 20-01, 6.2.20)*

#### **11.120 Criteria for Issuance.**

Manufactured homes must be used only for single-family residential purposes. Recreational vehicles must be used only for temporary recreational, medical hardship, or emergency use, in accordance with provisions of LC 11.120(3) below.

- (1) Manufactured Home, Permanent. Permanent manufactured home sites may be maintained where permitted by LC Chapter 10, "Zoning," and in authorized manufactured home parks.
  - (a) The site and location of a permanent manufactured home must meet area frontage, access, setback and other pertinent requirements of LC Chapters 10, 13 and 15.

- (b) The manufactured home must be served by a sewage disposal system approved by the Land Management Division's Sanitation Program.
  - (c) Minimum elevations may be established for manufactured homes being installed in floodplain areas. New installations will not be approved in floodways.
  - (d) Construction and installation of plumbing, gas piping, electrical equipment and wiring must comply with all laws and administrative rules of the State of Oregon.
  - (e) Foundations, tie-downs, over-the-top ties and skirting must comply with applicable Federal, State, and local rules and regulations.
- (2) Temporary Manufactured Home or Recreational Vehicle. 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 Manufactured Home Permit may be issued, subject to the following.
- (a) All initial permits will expire on December 31 of the year following original Permit issuance. Permit renewals will be valid for a two-year period or until the hardship ceases, whichever occurs first.
  - (b) The manufactured home must be connected to a sewage system serving an existing dwelling or manufactured home on the same lot, said system to meet requirements of DEQ for personal hardship connections.
  - (c) Satisfactory evidence of family member disability must 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 manufactured home on a lot will not be considered a separate dwelling site and the lot area, frontage, and access requirements of LC Chapters 10, 13, and 15 will not apply. Setbacks must be in accordance with LC 15.095, "Building Setback Line Chart."
  - (e) Temporary manufactured home hardship permits will, in addition to the requirements of this subsection, be subject to all regulations set forth in LC Chapter 11(1)(b)(c)(d)(e).
  - (f) For the purpose of this subsection, the temporary manufactured home may be used by the family member providing care and the person receiving care may reside in the principal dwelling.
- (3) Recreational Vehicle Permits. A six-month permit may be issued for a recreational vehicle to be connected to an existing sewage disposal system for temporary emergency use, subject to (3)(a) through (d) below. The nature of the emergency must be submitted in writing and must accompany the application. Acceptance of the request will be at the discretion of the delegee of the Director of the Land Management Division. Requests for additional six-month periods must be resubmitted as new applications.
- (a) The recreational vehicle must observe setback requirements of LC Chapter 15 and applicable DEQ regulations.
  - (b) When permitted, only one recreational vehicle must be connected to a system serving an existing dwelling, unless the property receives approval as a recreational vehicle park.
  - (c) Recreational vehicles connected to a system in an approved recreational vehicle park are exempt from permit requirements of this subsection.
  - (d) The County may revoke a temporary recreational vehicle permit if the placement or occupancy of the recreational vehicle:
    - (i) Is in violation of DEQ regulations; or
    - (ii) Appears to create a nuisance, such as by the:
      - (1) Accumulation, proliferation, or dispersal of trash, debris, or personal possessions; or

- (2) Constitutes an unlawful activity; or
  - (3) Creates a disturbance. *Reference LC 6.450.550 or LC 6.225.010.*
- (4) Notwithstanding other subsections of this chapter, a self-contained recreational vehicle unit or tent used periodically for recreational purposes does not require a permit approval unless the unit that is located on the property is in use for more than 14 consecutive days for one period within a 365 day cycle and a maximum of 30 days in the same 365 day cycle. The owner may not charge any fee, rent or other monetary charge for overnight sleeping.
  - (a) The County may revoke permissions under the above exception LC 11.120(4) if either the placement or the period of occupation exceeds these specified periods or if the use:
    - (i) Is in violation of DEQ regulations; or
    - (ii) Appears to create a nuisance, such as by the:
      - (1) Accumulation, proliferation, or dispersal of trash, debris, or personal possessions; or
      - (2) Constitutes an unlawful activity; or
      - (3) Creates a disturbance. *Reference LC 6.450.550 or LC 6.225.010.*
- (5) Tents, Campsites, and Camp Trailer Permits. Camping in a tent, camp trailer, recreational vehicle, or establishing a campsite requires a Campground Permit in accordance with LC 11.430 or Temporary Campground Permit in accordance with LC 11.443 except whereby exempted by LC 11.120(4). Permit approval is subject to the standards of subsection (5)(a) through (e) below.
  - (a) The tent, campsite, recreational vehicle, or camp trailer must be located in accordance with the setback requirements of LC Chapter 10, 15, and 16.
  - (b) There must be a functioning bathroom or an approved sanitation system available to campers. In lieu of a functioning bathroom, portable toilets may be used.
  - (c) The total number of tents or camp trailers allowed may not exceed five and must be limited to a maximum aggregate area of 1000 square feet.
  - (d) No notification of neighboring property owners is required unless the property receives approval as a recreation park.
  - (e) The County may revoke permission for tents, campsites, or camp trailers if the placement or occupancy:
    - (i) Is in violation of DEQ regulations; or
    - (ii) Appears to create a nuisance, such as by the:
      - (1) Accumulation, proliferation, or dispersal of trash, debris, or personal possessions; or
      - (2) Constitutes an unlawful activity; or
      - (3) Creates a disturbance. *Reference LC 6.450.550 or LC 6.225.010.*
- (6) Permitted Temporary Overnight Camping at Religious Institutions and Places of Business. Notwithstanding any other provision of Lane Code, persons may sleep overnight in vehicles located on a parking lot of a place of business or religious institution that owns or leases property on which a parking lot and structure containing the business or religious institution are located, with the permission of the business or religious institution. The place of business or religious institution may not grant permission for overnight sleeping to occupants of more than three vehicles for any one night. For the purposes of this subsection, "place of business" means a building operating within a commercial or industrial zone where a commercial, professional, or nonprofit enterprise transacts business with its clients or customers.
  - (a) Any place of business or religious institution that allows a person or persons to sleep overnight in vehicles in its parking lot pursuant to LC 11.120(6):
    - (i) Must provide or make available sanitary facilities, including toilet, handwashing, and trash disposal facilities, for the use of persons sleeping in the parking lot.



- (ii) Must not require payment of any fee, rent or other monetary charge for the privilege of using the parking lot as authorized by LC 11.120(6); 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 place of business or religious institution as provided for in LC 11.120(6) must 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; 20-01, 6.2.20)*

### 11.130 Appeal Procedures.

#### (1) Administrative Review.

- (a) Before permit denial because of a staff decision involving LC 11.120(2)(c) or 11.120(3) above, the application will 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 will 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 will then proceed as set forth in LC Chapter 14.

#### (2) Temporary Manufactured Homes.

- (a) Any objection by a neighboring resident to permit issuance must be in writing and must be received by the Planning Director before 4:00 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 will be considered as the 10th day. The burden of proof will be upon the appellant. Surrounding property owners will be notified of the date and place of the hearing at least 10 days in advance. If the application is approved, the permit will be issued with no further delay. Basis for appeal of permit issuance will be:
  - (i) That the family hardship does not exist, or
  - (ii) In the case of an existing manufactured home, that sanitation or other physical requirements do not meet regulations.
- (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 will be given as per LC 11.120(2)(a) above.
- (c) Applications that have been denied after review by the Hearings Official or the Board of County Commissioners must 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; 20-01, 6.2.20)*

### 11.150 Prior Approvals.

Temporary manufactured 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; 20-01, 6.2.20)*

**11.155 Cessation of Hardship.**

When the hardship ceases for which a temporary manufactured home or recreational vehicle permit is issued, the manufactured home or recreational vehicle must be disconnected from the sewage disposal system and all utilities, and must no longer be used for residential purposes, unless:

- (1) The applicant obtains approval from the Planning Director, pursuant to LC Chapter 10 and Chapter 16 as applicable, and:
- (2) The applicant obtains a change of use permit with a new certificate of occupancy for storage only. A permit must be obtained to convert the building to storage. The conversions must remove all kitchen cooking and storage appliances and plumbing fixtures. All connection to utilities must be permanent connections rather than RV type connections. Foundation and seismic anchoring of building must be permanent. Construction documents submitted for the change of use must show compliance with current ORSC. *(Revised by Ordinance No. 16-79, Effective 1.18.80; 20-01, 6.2.20)*

**11.180 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)*

**11.185 Fees.**

The Board will establish permit applications fees for Manufactured Home and Recreational Vehicle Placement permits by separate order. *(Revised by Ordinance No. 3-76, Effective 4.7.76; 16-79, 1.18.80; 20-01, 6.2.20)*

## **HISTORIC STRUCTURES OR SITES**

**11.305 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)*

**11.310 Definitions.**

For the purpose of this subchapter, the definitions provided in LC Chapter 11.035 will 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 Lane Manual 11.300) *(Revised by Ordinance No. 10-82, Effective 7.9.82; 20-01, 6.2.20)*

**11.315 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)*

**11.320 Issuance of Permits.**

An application for a permit to alter or demolish a Historic Structure or Site must be made by the owner or the owner's authorized agent in the same manner as provided for in this chapter for any building permit. The application will be referred to the Planning Director. *(Revised by Ordinance No. 10-82, Effective 7.9.82; 1-00, 4.12.00; 20-01, 6.2.20)*

**11.325 Planning Director Review.**

The Planning Director will make or cause to be made an investigation to provide necessary information to ensure that the action on each application is consistent with LC 11.330 below. The application must be processed according to a Type II procedure pursuant to LC Chapter 14. Prior to rendering a decision, notice of the application must 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; 20-01, 6.2.20)*

**11.330 Criteria.**

- (1) A permit to demolish a Historic Structure must be approved only upon submission of evidence that the following criterion is met:
  - (a) Every reasonable effort must 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 must 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 will be allowed. (Consideration must be given to the development guidelines listed below.) *(Revised by Ordinance No. 10-82, Effective 7.9.82; 20-01, 6.2.20)*

**11.335 Development (Alteration) Guidelines.**

Due consideration will 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 will 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 will be recognized and respected. *(Revised by Ordinance No. 10-82, Effective 7.9.82; 20-01, 6.2.20)*

**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 must 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; 20-01, 6.2.20)*

**11.415 Effective Date.**

The provisions of this subchapter will 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; 20-01, 6.2.20)*

**11.418 Permits Required.**

No person, firm, corporation, or State of Oregon representative is permitted to 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; 20-01, 6.2.20)*

**11.421 Applications.**

To obtain a building permit, the applicant must first file an application with the Building Official. Every such application must be accompanied with three (3) sets of plans (if submissions are not electronically submitted) and specifications. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 1-00, 4.12.00; 20-01, 6.2.20)*

**11.424 Plans and Specifications.**

The plans and specifications must 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 must include the following:

- (1) A plot plan of the park and plans for all park buildings or structures. The plot plan must show the layout of the entire area to be developed and any existing development. The following information must 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) Parking lot location and configuration.
  - (d) An enlarged plot plan of a typical camping space, showing location of all utility connections.
- (2) The plans must 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; 20-01, 6.2.20)*

**11.427 Buildings and Structures.**

The construction of buildings and structures must conform to the requirements of LC 11.010, Building Codes subchapter. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 20-01, 6.2.20)*

**11.430 Special Rules for Campgrounds.**

LC 11.433 through 11.442 will apply only to campground facilities. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 20-01, 6.2.20)*

**11.433 Water Supply.**

- (1) Campground Water Supply must meet the criteria in Oregon Health Authority 333-031-0004.
  - (a) All campgrounds must 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.
  - (b) Campgrounds must have individual water hydrants for not less than twenty-five (25) percent of the approved camping spaces.
  - (c) Camping spaces not provided with an individual water hydrant must be located within one hundred (100) feet of a campground water hydrant, of approved design.
  - (d) Approved angle jet type drinking fountains with adequate water pressure must be located within two hundred (200) feet of each camping space.
  - (e) Campgrounds not equipped with individual water hydrants at the camping spaces must have a watering station with a water supply outlet with adequate pressure for filling camping vehicle water storage tanks. The fill hose must 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; 20-01, 6.2.20)*

**11.436 Sewage and Liquid Water Disposal.**

- (1) All campgrounds must have a sewerage or sewage facility.
- (2) Campgrounds must 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 must 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 must 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 must 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 must be surrounded by a concrete apron sloped to the inlet and the vehicle sewage holding tanks and waste hose. This water outlet must be protected against back siphoning and backflow by an approved vacuum breaker installation. The wash downhose must be suspended so that the hose and its appurtenances will be at least eighteen (18) inches above the ground. No sanitary dump station will be within fifteen (15) feet of a camping space. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 20-01, 6.2.20)*

**11.439 Camping and Related Facilities.**

- (1) Size of Camping Space. No camping space will be less than twenty-four (24) feet by thirty-six (36) feet.
- (2) Garbage Cans. At least one (1) garbage can will be provided for each four (4) camping spaces.
- (3) Park Lighting. Lighting fixtures for lighting the park grounds must be provided.
- (4) Service Electrical Outlets. Each camping space provided with individual water and sewer connections must have an electrical outlet. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 20-01, 6.2.20)*

**11.442 Signs.**

- (1) Sanitary Dump Station Signs. Two (2) signs must be posted near the sanitary dump station.
  - (a) One (1) sign must be designated "Notice" (in letters four (4) inches high) and must state "This Water for Flushing and Cleaning Purposes Only" (in letters two (2) inches high).

- (b) One (1) sign must be designated "Sanitary Dump Station" (in letters four (4) inches high) and must 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 must be posted near the water station. The sign must be designated "Water Station" (in letters four inches high) and must state "This water for filling vehicle water storage tanks only" (in letters two inches high).
- (3) Signs General. All park signs must be maintained in a legible manner by the park owner or the owner's agent. *(Revised by Ordinance No. 9-74, Effective 7.3.74; 20-01, 6.2.20)*

### **11.443 Special Rules for Temporary Campgrounds.**

LC 11.443 through LC 11.446 will apply only to temporary campgrounds.

- (1) Temporary campgrounds may not be occupied until a permit is obtained under this chapter. Applications for permits must be submitted not later than 21 days prior to occupancy of the temporary campground.
- (2) Temporary campground occupancy may not continue for more than 120 hours in duration within any 90 day period.
- (3) Temporary campground permits may only be issued for campgrounds of fewer than 3,000 campers.
- (4) A permit for a temporary campground event that constitutes an outdoor assembly as defined in LC 3.995(3)(c) will not be issued unless the event has obtained all permits required under LC 3.995 and ORS 433.735 to ORS 433.770.
- (5) Disposal of waste and reasonable restoration of the site to conditions existing prior to the event must be completed within 96 hours of the end of the event.
- (6) The County may revoke a temporary campground permit if the placed or occupied area:
  - (a) Is in violation of DEQ regulations; or
  - (b) Appears to create a nuisance, such as by the:
    - (i) Accumulation, proliferation, or dispersal of trash, debris, or personal possessions; or
    - (ii) Constitutes an unlawful activity; or
    - (iii) Creates a disturbance. *Reference LC 6.450.550 or LC 6.225.010. (Revised by Ordinance No. 20-01, Effective 6.2.20)*

### **11.444 Areas Within Temporary Campgrounds.**

- (1) Temporary campgrounds must be sited to maintain the same building setback requirements per zoning rules in Lane Code Chapter 10, 15, and 16.
- (2) Size of temporary camping spaces. Temporary camping spaces are limited to a minimum of 20 feet by 20 feet or equivalent square footage in size. Up to five occupants are allowed per temporary camping space. Up to six camping spaces and 30 occupants may be combined for camping clusters, providing 10 feet distance is maintained in all directions between camping clusters.
- (3) Emergency Access Aisles. Temporary campgrounds must have emergency access aisles delineated and clearance maintained. Emergency access aisles must be provided such that no campsite is distanced in excess of 150 feet from an emergency access aisle. Emergency access aisles must provide an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet and 6 inches. Individual campsites and camping clusters must be visibly numbered with numbers not less than 4 inches high. Signage must be visible from fire access lanes and must clearly, logically, or sequentially inform the location or direction of given camp group numbers, site, or camping cluster. Signage identification utilized may be numerical, alphabetical, or provided with a namesake to

distinguish a given site or grouping of such from one another. Where the campsite identification varies from the site plan submitted with the permit, a copy of the site plan with the revised identification must be provided to Lane County Land Management Division for the building permit record and to the Fire District.

- (4) Emergency vehicle access must be maintained from a County or State road to and through the temporary campground and emergency access aisles in compliance with current Oregon Fire Code Chapter 5, Section 503 Fire Apparatus Access Roads. Directional signage (in letters not less than six inches high) must be provided from a County or State road to the temporary campground.
- (5) Dead-end end fire apparatus access roads in excess of 150 feet must be provided with width and turnaround provisions in accordance with table Oregon Fire Code D103.4. *The fire code official has the authority to modify the distance, clearances, and requirements in 11.444(3), 11.444(4), and 11.444(5). (Revised by Ordinance No. 20-01, Effective 6.2.20)*

**11.445 Water Supply in Temporary Campgrounds.**

- (1) All potable and non-potable water sources must be labeled with signage (in letters not less than four inches high).
- (2) Potable water supply must comply with Oregon Health Authority Section 333-031-0004. *(Revised by Ordinance No. 20-01, Effective 6.2.20)*

**11.446 Required Facilities in Temporary Campgrounds**

All temporary campgrounds must provide, at a minimum, the following facilities for use by campers. In addition, all required facilities provided under this section must meet Oregon Health Authority standards.

- (1) Portable toilets maintained by a licensed provider must be supplied in a quantity not less than specified by Oregon Health Authority 333-031-0066 Table 2.

Table 2 333-031-0006 (2)

Number of Picnic Spaces, Camping Spaces, or Car Parking Spaces	Number of Toilets
1-15	2
16-30	3
31-60	5
61-100	7
Over 100	7 Toilets for Each 100 Spaces

Accessible toilets must be provided: 2% of units with minimum of one unit.

- (2) Portable toilets may be clustered together provided that the maximum travel distance to a portable toilet from the camp space it serves is limited to 500 feet.
- (3) Handwashing stations must be provided. One handwashing station for every portable toilet location must be provided and not less than one handwashing station per every four portable toilets.
- (4) All grey water disposal must comply with ORS 918-650-0025(d), OAR 333-031-0006, and OAR 340-071-0100 to 340-071-0600.
- (5) Accessible dishwashing and handwashing facilities must be provided in a manner that meets ADA reach and approach requirements.
- (6) Not less than one garbage receptacle and one recycling receptacle is required per every six campsites or equal. The minimum receptacle size is 30 gallons in capacity. Garbage and recycling receptacles are to be labeled with signage (with letters not less than four inches high). Garbage and recycling receptacles may be clustered providing that the distance is no more than 500 feet from any camp space served by the receptacles or equivalency in capacity and accessibility. Solid Waste must be collected, stored, and disposed of according to OHA 333-031-0007.
- (7) Fire Protection Equipment Requirements:

- (a) One container not less than fifty gallons in capacity filled with water and two burlap bags not less than eighteen inches by thirty inches in size and one shovel and one bucket between four gallons and six gallons must be provided per every six camp spaces. Water containers must be tightly covered in a manner that prevents children from drowning.
  - (b) Fire protection equipment must be located not more than 150 feet from any camp space. Fire protection equipment must be provided with a sign and labeled (in letters not less than four inches high).
  - (c) Campers must be provided with information as to the location of the fire protection equipment and shovel and how to use it.
  - (d) All temporary campgrounds must have one Class 2A10BC functioning portable fire extinguisher. The campground host or monitor must be knowledgeable of its use.
  - (e) The *fire code official* has the authority to modify the Fire Protection Equipment Requirements in LC 11.446(7).
- (8) Temporary Campground Lighting. Within the temporary campgrounds footpaths and required facilities must be lit to the following minimum levels: Footpaths: 0.25 foot-candle at 12" above the walking surface. Required facilities including toilets, handwashing, waste disposal, dishwashing, and fire protection equipment: 0.50 foot-candle at the height of the required signage. Lighting may be battery powered and must not be fueled by combustibles or flammables.
- (9) Parking. One parking space with a minimum size of 8 feet by 18 feet must be provided for each camp space, either adjacent to the camp space or in a temporary parking area. Temporary parking areas must be laid out with parking space sizes and driving aisles widths in accordance with standard practices. Accessible parking spaces must be provided and identified by signage (in letters not less than four inches high) and provided such that the quantity of accessible spaces are in compliance with current Oregon Structural Specialty Code Table 1106.1.
- (10) All signage must be in clearly legible and posted between 42 inches and 60 inches above ground level in a manner that is visible to users. (*Revised by Ordinance No. 20-01, Effective 6.2.20*)

#### **11.450 Variances.**

- (1) Generally. The Division Manager may grant a variance to LC 11.433, 11.436, 11.439 and 11.442 if, from investigation, the Division Manager 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 will be as established by separate order of the Board.
- (3) Conditions. In granting a variance, the Division Manager may impose any conditions which the Division Manager 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 Division Manager to the hearings official.
  - (a) Within 10 days after the denial of a permit or issuance or denial of a variance.
  - (b) A permit will be denied where the application has not been finally acted upon by the Division Manager before the 15th day following the date of application, and the time for appeal in such case must commence on the 15th day.



- (5) Manner of Taking Appeal. Appeal to the hearings official under LC 11.446(4) above must 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; 20-01, 6.2.20)*

### **ENFORCEMENT, FAILURE TO COMPLY**

#### **11.990 Enforcement, Failure to Comply.**

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

- (1) It will be the duty of the Division Manager to enforce the provisions of this chapter. The enactment or amendment of this chapter will 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 Division Manager, 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 Division Manager discovers any person doing or causing to be done any work without the permit required by this chapter, the Division Manager must notify the person to cease the act or acts, and such person must cease such acts until a permit is secured, and must pay additional fees as required, noted above in section 11.015.
- (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 Division Manager 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 Division Manager 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 must immediately stop such work until authorized by the Division Manager to proceed.
- (5) No person will 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) The Division Manager will deliver the notice of failure to comply to the alleged responsible person by personal service or by certified mail with return receipt requested to the last known address of the alleged responsible person. If the violation continues 10 or more days following mailing or personal service, the continued violation will constitute a separate occurrence for each day the failure to comply continues. The Division Manager will type the article number at the bottom of the failure to comply, if the notice of failure to comply was sent by certified mail.
- (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, will constitute a separate occurrence for each day work continues.
- (8) The Division Manager will 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; 20-01, 6.2.20)*