



**MEMORANDUM**  
**City of Beaverton**  
**Community Development Department**

*"make it happen"*

**To:** Board of Construction Appeal Applicants  
**From:** Brad Roast, Building Official  
**Date:** February 16, 2010  
**Subject:** **Board of Construction Appeals, Application, Hearing Dates, Filing Deadline, Filing Fee, Alternate Method for Appeals**

Appeals cannot be made to request a waiver of any portion of the State Building Code (Code). Appeals can be made on the interpretation and intent of the Code. Appeals can also be made on the denial of the use of an alternate method or material of construction. Alternate methods or materials of construction cannot reduce or lessen the structural or fire and life safety of the Code. Appeals may also be made from a notice and order from any official action taken by the Building Official as to designating a building to be a dangerous building under the Dangerous Buildings Code (only appeal method 1 below applies).

**Appeals Process**

Any person who is disagrees with the decision of a building division plans examiner or inspector staff member with respect to the application or interpretation of a code or denial of an alternate material or method of construction, may file an appeal. The appellant must first submit an appeal in writing to the Building Official, who will, after consulting with the applicable Lead Inspector respond in writing with a decision within a two-week (maximum) time period. Any person who disagrees with the decision of the Building Official may appeal to the local Beaverton Board of Construction Appeals in accordance with BC 8.02.030 or to the applicable State Building Codes Division Chief Inspector in accordance with ORS 455.475.

Appeals shall be submitted to:

Brad Roast, Building Official  
City of Beaverton  
Building Division  
PO Box 4755  
Beaverton, OR 97076-4755

Phone: (503) 526-2524  
Fax: (503) 526-2550

Exception: Pursuant to ORS 479.853, appeals to the application, interpretation or approval of an alternate material or method of construction regulated by the Electrical Specialty Code must be made in writing to the Lead Electrical Inspector of the City.

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If the appellant is aggrieved with the Building Officials or Lead Inspector's final decision, an appeal may be filed in one of two methods:

1. An appeal to the local City of Beaverton Board of Construction Appeals (on a form provided below) may be submitted, along with the required fee of \$20.00. The City of Beaverton Board of Construction Appeals (as established by BC 2.03.030) will hear such appeal and render a decision. The Board of Construction Appeals meets on the first Tuesday of each month. All appeals must be filed a minimum of 15 days prior to the hearing date. Pursuant to ORS 455.690. Appeals of decisions by the Lead Electrical Inspector shall go to the State Electrical Board.

Or

2. An appeal to the applicable State Code "Chief" Inspector (on a form provided by the State of Oregon Building Codes Division) may be submitted, along with the required fee of \$50.00 pursuant to ORS 455.475

The Board meets on the first Tuesday of each month. All appeals must be filed a minimum of 15 days prior to the hearing date.

An appellant aggrieved with the decisions of the Beaverton Board of Construction Appeals or Chief Inspector may appeal to the appropriate State Board:

- Structural, Mechanical and Dwelling Codes: Building Code Structures Board.
- Plumbing Code: Plumbing Board.
- Electrical Code: Electrical Board.
- Manufactured Home Installation Standards and Park and Camp Rules: Manufactured Structures and Parks Board.

For information regarding filing an appeal to the above State Boards, contact:

The State of Oregon Building Codes Division  
1535 Edgewater NW  
PO Box 14470  
Salem, OR 97309  
(503) 378-4133



BEFORE THE BOARD OF CONSTRUCTION APPEALS

Appeal of \_\_\_\_\_ Date Submitted \_\_\_\_\_  
(Name of project or development)

Permit No. \_\_\_\_\_ Received by \_\_\_\_\_  
Job Address \_\_\_\_\_ Fee Paid \_\_\_\_\_

Please type or print all information below

Applicant (if different than owner) All Property Owners  
(Person to be notified of hearing) (If more than 1 owner attach separate sheet)

Name \_\_\_\_\_ Name \_\_\_\_\_  
(please print) (please print)

Company Name \_\_\_\_\_

Address \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Phone ( ) \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Legal or property interest – (Lessee, Contract purchaser, builder, mortgager) Legal or property interest – (Lessee, contract purchaser, builder, mortgager)

Appellant requests that the Board consider (check one) :

\_\_\_\_ Approval of an alternate material/method  
of construction

\_\_\_\_ Appeal of a code interpretation

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Applicable code reference(s):

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Give specific reasons for the request:

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**VERIFICATION**

I verify that the statements contained in this application are true. I understand that if this application contains a false statement, I can be prosecuted under BC 5.08.600 and, if convicted, I could be subject to a fine of up to \$1,000.00 or imprisonment of up to six months, or both. Note: All parties who are named as appellants must sign this notice of appeal.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

The Construction Board of Appeals meets the first Tuesday of each month. All appeals must be filed a minimum of 15 days prior to the meeting date. Appellant has the right to be notified by mail at least ten days before the hearing of the date, time, and place for the hearing, unless the right to the notice is waived.

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Appellant may waive the ten-day written notice by signing the following waiver.

I understand that I have the right to ten days written notice of the date, time, and place for the hearing. I choose to waive the ten-day written notice of Construction Appeals hearing date, time, and place.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date