



BUILDING SAFETY DEPARTMENT
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BUILDING SAFETY DEPARTMENT POLICY EXPIRED PERMITS AND WORK PERFORMED WITHOUT PERMITS

November 1, 2014

The Medford Building Safety Department is frequently asked to inspect and certify construction for which a permit was never issued or for which a permit was issued, but not all of the inspections were completed. To insure public safety, our general policy is to never certify any construction that we have not seen. Further, to follow different rules for non-compliant structures would contribute to an "un-even playing field" and, in effect, punish the law-abiding citizen.

The following policy is based on both the Oregon One- and Two-Family Dwelling Code and the Oregon Structural Specialty Code.

1. **Expired Permits.** Permits that have expired due to limitation will follow the procedure outline in the Oregon Structural Specialty Code, section 106.4.4.
2. **Work Started Without Permits.** Whenever construction is started without permits, the project will be "Red Tagged", all work will be ordered to stop, and plans must be submitted with a permit application. The plans will be reviewed in the order in which they are received (i.e. no expedited review). Per the Oregon specialty codes, an "investigation fee" will be charged in addition to the normal permit fees. The investigation fee will be equal to the permit fee for each discipline in violation.
3. **Old Work Without Permits.** In some situations, construction without permits has been completed, and it is not possible to determine how long ago the work was done. In such cases where work such as remodeling, renovations, additions, accessory buildings, etc. is found to have been completed without permits, one of the following options will apply:
 - a. A demolition permit must be obtained, and the structure in question removed, and the original condition restored.
 - b. Submit all required plans and other documents, apply for a new permit for the intended use. Under option "b" an initial, special inspection will be required and performed upon the issuance of the permit. Construction must be removed to expose any construction described below. It is up to the Inspector's discretion to decide if any additional areas must be removed to verify compliance. Revisions may be required at this time and submitted for review. Special inspection fees are included in the application. All construction will be required to meet the building codes in effect at the time plans are submitted for review. If zoning or other restrictions prohibit the issuance of a permit, return to option "a".

Option "b": existing construction must be removed insofar as is necessary to allow all

Option "b": existing construction must be removed insofar as is necessary to allow all the required inspections, including: 1) Foundation, including setbacks, depth, width, and presence of reinforcing. 2) Floor joists (including lumber grades). 3) Structural frame, including lateral bracing, nailing and lumber grade. 4) Rough electrical wiring, including grounding and fastening of wiring. 5) Rough plumbing, including all hot and cold supply pipes, and all drain, waste, and vent pipes and fittings. 6) Gas piping, duct-work and installation of all mechanical equipment. 7) Floor, wall and ceiling insulation.

4. **Permit Issued, Inspections Incomplete.** In situations where a permit was issued, and the work was completed without all of the required inspections, we will require that the original permit be reinstated by payment of either one-half the original fee (if less than one year since expiration) or the entire original fee (if over one-year since expiration), or a minimum fee of \$60.00. The work will be inspected for compliance to the current code as far as is practical. Existing construction should be removed to expose the structure back to the point of the last recorded inspection.
5. **Work Exceeds the Scope of The Permits.** In some cases, permits are issued for a building of one type, but the building is now used for another purpose. For example, a permit is issued for a garage, and inspected as such, but after final inspection the garage was converted to a dwelling unit. In such cases, plans must be submitted, and permits issued for a change of occupancy. Items originally inspected may remain covered. Optionally, a demolition permit could be issued to remove the non-permitted improvements, returning the building to its original use.
6. **County Buildings Annexed into Medford.** Jackson County did not have a building Inspection Program until 1972. Buildings built in unincorporated county areas *prior* to 1972 will not have a permit for that construction. Some investigation may be required to ascertain the actual date of construction. Additions or remodels *after* 1972 to such buildings whether in county or city jurisdiction will be treated as per section 1 through 5 above.

Effective Date: November 1, 2014 (rev. 10/31/14)



Sam Barnum, Building Safety Director