

1 WHEREAS, the City of Ashland adopted Ordinance No. 3158 on September 18th, 2018 which
2 expanded the Wildfire Lands overlay boundary to include all properties within the City within a
3 designated Wildfire Hazard Zone as set forth by OAR Chapter 629, Division 044; and

4 WHEREAS, the City of Ashland has determined that the application of wildfire hazard
5 mitigation building standards, within wildfire lands, supports the following City Comprehensive
6 Plan Environmental Resources Goal: "Protect life, property and environmental resources in
7 Ashland's suburban/wildland interface area from the devastating effects of wildfire. Lessen the
8 possibility of wildfire spreading to the Ashland watershed from the urban/wildland interface
9 area", and

10 WHEREAS, the City of Ashland has determined that implementation of this ordinance will
11 assist in preparing the City to be more resilient to climate change impacts, including wildfire, as
12 expressed in the 2017 Climate Energy Action Plan, and

13 WHEREAS, the City Council of the City of Ashland wishes to protect and benefit the health,
14 safety and welfare of existing and future residents of the City by adopting provisions of Oregon
15 Residential Specialty Code Section R327.4 to provide minimum standards for dwellings and
16 their accessory structures, to reduce or eliminate hazards presented by wildfires on all properties
17 within the City.

18 **THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:**

19 **SECTION 1.** Chapter 15.04.010 [Code Adoption] of the Ashland Municipal Code is hereby
20 amended as follows:

21 **15.04.010 Code Adoption**

22 A. The ~~following codes~~ current version of the following building codes are adopted as a part
23 of this chapter and are further referred to in this title as "the specialty codes".

- 24 1. ~~2010~~ The Oregon Structural Specialty Code as defined in Oregon Administrative Rule
25 918-460-0010, and including Appendices J, and G, ~~and L.~~
- 26 2. ~~2009~~ The Oregon Plumbing Specialty Code as defined in Oregon Administrative Rule
27 918-750-0110.
- 28 3. ~~2010~~ The Oregon Mechanical Specialty Code as defined in Oregon Administrative Rule
29 918-440-0010.

1 4. ~~2008~~ The Oregon Residential Specialty Code as defined in Oregon Administrative Rule
2 918-480-0010, including ORSC R327.4.

3 a) The provisions of Oregon Residential Specialty Code (ORSC)

4 Section R327.4.1 are not herein adopted except that the following
5 section of R327.4.1 shall apply within the City of Ashland:

6 R327.4.1. Qualifying lots of record. Qualifying lots of record
7 shall meet all the following:

8 1. Be located in a wildlife hazard zone as identified by the local
9 municipality using criteria established by the Oregon
10 Department of Forestry. The local municipality is not required
11 to include all areas identified by the Oregon Department of
12 Forestry as wildfire hazard zones. The zone shall be detailed in
13 the local adopting ordinance.

14 b) The City of Ashland Building Official has discretion to waive the
15 requirements of R327.4 for any particular property upon making
16 a written determination that the purposes of R327.4 have been
17 achieved through substantial compliance with its standards.

18 5. ~~2008~~ The Oregon Electrical Specialty Code as defined in Oregon Administrative Rule
19 918-305-0100.

20 6. ~~2010~~ The Oregon Energy Efficiency Specialty Code as defined in Oregon
21 Administrative Rules 918-460-0500, through 918-460-0510.

22 B. The current Oregon-adopted version of the following code is ~~are~~ adopted as a part of this
23 chapter except those portions of these codes which conflict with or overlap the specialty codes.

24 1. ~~2009~~ International Existing Building Code as published by the International Code
25 Council, a copy of which is on file with the Building Official.

26 ~~2. Appendix G of the 2010 Oregon Structural Specialty Code, except when in conflict~~
27 ~~with a provision of the Ashland Municipal Code.~~

28 ~~3. Appendix J of the 2010 Oregon Structural Specialty Code.~~

29 ~~4. Appendix L of the 2010 Oregon Structural Specialty Code, except when in conflict~~
30 ~~with a provision of the Ashland Municipal Code.~~

1 **SECTION 2. Effective Date.** This ordinance shall be effective beginning October 1, 2021.

2 **SECTION 3. Savings.** Notwithstanding this amendment, the City ordinances in existence at the
3 time any criminal or civil enforcement actions were commenced, shall remain valid and in full
4 force and effect for purposes of all cases filed or commenced during the times said ordinances(s)
5 or portions thereof were operative. This section simply clarifies the existing situation that
6 nothing in this Ordinance affects the validity of prosecutions commenced and continued under
7 the laws in effect at the time the matters were originally filed.

8 **SECTION 4. Severability.** The sections, subsections, paragraphs, and clauses of this ordinance
9 are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the
10 validity of the remaining sections, subsections, paragraphs, and clauses.

11 **SECTION 5. Codification.** Provisions of this Ordinance shall be incorporated in the City Code
12 and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another
13 word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however
14 that any Whereas clauses and boilerplate provisions (i.e. Sections 2-4) need not be codified and
15 the City Recorder is authorized to correct any cross-references and any typographical errors.


16 The foregoing ordinance was first read by title only in accordance with Article X,

17 Section 2(C) of the City Charter on the 18th day of May, 2021,

18 and duly PASSED and ADOPTED this 1st day of June, 2021,

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20 
21 Melissa Huhtala, City Recorder

22 SIGNED and APPROVED this 15th day of June, 2021.

23
24 
25 Julie Akins, Mayor

26
27 Reviewed as to form:

28 
29 David H. Lohman, City Attorney
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