



Application of Fees and Codes for Building and Other Permits for Certain Fee or Code Changes

Approved and Effective: [Rebecca Esau], July 15, 2021
BDS Director

I. Background

The closure of the Development Services Center (DSC) and expanded ability to submit building permit applications electronically has presented new challenges in determining what fees and codes will apply when a permit application is submitted before a fee or code change takes effect. In the past, there was real-time interaction between the Bureau of Development Services (BDS) staff and the customer at application intake in the DSC, or through special permitting programs like Field Issuance Remodel (FIR) or Facilities Permit Program (FPP) prior to fee or code changes taking place. This interaction resulted in real-time determination of whether a permit was eligible for intake and thus subject to the “current” fees or codes.

Now that customers can submit applications electronically at any time, there is lag time between when applications are submitted and when they are approved for intake by BDS. The lag time varies depending on the number of applications received in a given time period and staffing levels. In anticipation of fee and code changes, the number of applications received shortly before the change is likely to increase in the short-term. This is particularly true for major code changes, or multiple simultaneous fee changes which typically happen at the beginning of a new fiscal year.

Having a reasonable and prescribed amount of time for BDS to determine whether submittal documents are adequate for intake, for the customer to provide additional materials and pay fees, and for BDS to move the application to Under Review status will be beneficial and transparent. It will help prevent surprises and frustration for customers, and will provide certainty for staff as to which fees and codes apply to permit applications that are submitted electronically prior to a fee or code change, but are not evaluated for intake until after that change goes into effect.

II. Policy

A. When this Policy Applies

- 1.** This policy applies to BDS fees and BDS-administered codes for permit applications that are administered by BDS and are submitted electronically. Other interagency partners may choose to adopt a similar policy on their own.



2. This policy applies to specific fee or code changes identified and communicated by BDS in advance of the effective date of the fee or code change. Typically, this policy will apply to major code changes affecting more than one Title or multiple sections in one Title, and annual fee increases. Typically, this policy will not apply to technical code amendments or singular fee changes. It may also not apply to code changes that affect only one section of City code.
3. The decision whether to enact this policy will be made by the BDS director on a case by case basis considering the scope of the code or fee change, the number of customers impacted, and the anticipated increase in volume of applications due to the fee or code change.

B. Policy

1. The applicant must submit the permit application in [Development Hub PDX](#) by 11:59PM on the day prior to the effective date of the fee or code change. The permit application must meet [submittal requirements](#); AND
2. After complying with #1 above, the applicant must satisfy all additional requests for more information by the City before BDS will assess and bill intake fees. The applicant may receive requests from Permitting Services, Planning and Zoning or Life and Safety review groups, or other City review groups subsequently added to a pre-screening process. Delayed or incomplete responses may mean missing the deadline in #3, below; AND
3. The applicant must pay intake fees in full before 5 p.m. on the date that is 30 calendar days after the effective date of the fee or code change. This date may be longer than 30 calendar days as determined on a case by case basis by the BDS director, but in no case less than 30 calendar days.

C. Communication

1. BDS will strive to communicate implementation of this policy for specific fee or code changes at least 30 days in advance of the fee or code change. At a minimum, communication will be made to the Development Review Advisory Committee (DRAC), through the BDS subscription e-mail distribution list, and posted on the BDS website. There will also be communication to specific constituent groups depending on the nature of the fee or code change.
2. If other interagency partners adopt a similar policy for specific fee or code changes, BDS will coordinate communications with the relevant interagency partners at the request of the interagency partners.

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