



## COMMUNITY DEVELOPMENT- BUILDING DIVISION

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### ONE- & TWO-FAMILY WORK EXEMPT FROM PERMITS

- **Separate permits are required for plumbing, electrical, and mechanical work.**
  - **Exemption from Building Code permit requirements is not authorization for any work to be done in any manner in violation of the provisions of the Oregon Building Code or the City of Albany Development Code.**
  - **Projects located in a natural resource or hazard overlay (e.g.: historic, floodplain, wetlands, and riparian) may require review and approval from the Planning Division. Please contact a planner for more information at 541-917-7550.**
  - **The following items are exempt from building permits and fees provided they do not encroach over disposal systems or into required yards, or violate the City of Albany Development Code:**
1. Non-habitable one-story detached accessory structures, provided the floor area does not exceed 200 square feet; and does not exceed a height of 15' measured from grade plane to the average height of the highest roof surface.  

Exception: Where the structure is located on a parcel of two acres or greater in area, and the structure is located a minimum of 20 feet from all property lines, the floor area may be increased to 400 square feet.
  2. Concrete sidewalks, slabs, platforms, driveways and similar work.
  3. Painting, papering, tiling, carpeting, cabinets, counter tops, interior walls, floors, or ceiling coverings, shelving, and similar finish work.
  4. Above-grade and on ground swimming pools, required barrier are not exempt.
  5. Swings and other playground equipment.
  6. Patio covers, as defined in AH102 and porch covers not over 200 square feet (11 m<sup>2</sup>) and supported by an exterior building wall.
  7. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
  8. Nonbearing partitions, except when such partitions create habitable space.
  9. Replacement or repair of siding not required to be fire resistive.
  10. Retrofitted insulation.
  11. Masonry repair.
  12. Porches and decks where the floor or deck is not more than 30 inches (762 mm) above adjacent grade measured at any point within three feet (914 mm) horizontally of the floor or deck and where in the case

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of a covered porch, the covered portion of the porch does not come closer than three feet (914 mm) to property lines.

13. Gutters and downspouts.
14. Door and window replacements (where no structural member is changed).
15. Reroofing where replacement or repair of roofing does not exceed 30 percent of the required live-load design capacity, where the roof is not on a Townhouse or consisting of building integrated solar roof coverings.
16. Frame-covered, non-habitable accessory structures not more than 500 square feet (46.45 m<sup>2</sup>) in area, one story in height, and not closer than three feet (914 mm) to a property line, where the structure is composed of a rigid framework that supports a fabric membrane.
17. Ground-mounted photovoltaic arrays (*electrical permits and land use review are still required*).

**The following are exempt from the permit requirements of Albany Municipal Code (AMC) 18.06.020:**

1. Retaining walls that are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge. *For the purpose of this exception, a surcharge is back fill exceeding 3:1 slope or other non-soil surcharge such as a building, walkway, or parking.*
2. Ground mounted flagpoles, antennae, and similar items that do not exceed 25 feet in height.
3. Tanks supported directly upon grade if the capacity does not exceed 1,000 gallons; having a ratio of height to diameter or width that does not exceed 2:1; and does not contain a hazardous or flammable material.

**Consistent with the purpose and scope of application of the Oregon Building Code, as authorized in ORS 455.020, the *Oregon Residential Specialty Code (ORSC)* shall not apply to the following. *Please note that the following list has been revised to remove elements adopted locally through the AMC or ADC.***

1. Fences – When not part of a pool barrier system. However, the ADC has specific regulations regarding maximum allowable fence heights, clear vision requirements, construction materials, corner lots, and fences adjoining streets. In some cases, these regulations are stricter than building construction standards.
2. Public utility towers and poles.
3. The construction, alteration, moving located primarily in a public way.
4. Floating structures and docks.
5. Transitional housing accommodations.
6. Temporary use of streets, alleys, and public property (*see Public Works – Engineering*)
7. Mechanical equipment not specifically regulated in the OSSC or Mechanical Code.