



City of Hillsboro Building Division

**APPLICATION FOR APPROVAL OF ALTERNATIVE TO OR MODIFICATION OF
THE 2022 STATE OF OREGON MECHANICAL SPECIALTY CODE (OMSC)**

Date: _____ Permit No. _____

Project Name: _____ Project Address: _____

Owner's Name: _____ Phone: _____

Owner's Address: _____

Applicant's Name: _____ Phone: _____

Applicant's Address: _____

Building Division Contact: _____

NOTE TO APPLICANT: Sections 105.1 and 105.2 of the Oregon Mechanical Specialty Code grant the Building Division Director the ability to consider alternatives to or modifications of the Code in unusual cases. It is the policy of this Division that the use of these Sections of the Code be limited, and that individual cases be considered carefully within the context of the requirements of these provisions.

A. Section 105.2: Alternate Materials, Methods, Equipment and Appliances:

1. Pursuant to Section 105.2 of the Oregon Mechanical Specialty Code, the undersigned Applicant hereby requests approval of an alternative to Section _____ of the Code, which requires that (cite that portion of the Code from which the Applicant is seeking relief based upon the proposed alternative):

2. The undersigned Applicant proposes the following alternative to Section _____ of the Oregon Mechanical Specialty Code (provide a detailed description of your proposed alternative):

3. For the following reasons, Applicant believes that the proposed alternative to Section _____ of the Oregon Mechanical Specialty Code complies with the provisions of the Code, and that the material, method or work offered is, for the purpose intended, *at least* the equivalent of that prescribed in this Code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

B. Section 105.1: Modification (s):

1. Pursuant to Section 105.1 of the Oregon Mechanical Specialty Code, the undersigned Applicant requests approval of a modification to Section _____ of the Code, which requires that (cite that portion of the Code from which the Applicant is seeking relief based on the proposed modification):

2. The undersigned Applicant states the following reason(s) why strict compliance with Section _____ of the Code is impractical or presents extreme difficulty (provide a detailed, specific statement of the reason for your request):

3. For the following reasons, Applicant believes that the proposed modification to Section _____ of the Oregon Mechanical Specialty Code meets the intent of the Code, and neither lessens any fire protection requirements of the Code nor compromises the structural integrity of the structure.

Applicant/Owner's Signature

Date:

APPLICATION DETERMINATION

Upon reasonable consideration the City of Hillsboro Building Division determines that the above application is:

_____ Denied.

_____ Approved Without Conditions.

_____ Approved, Subject to the Following Conditions:

Date: _____ Building Division Director: _____

APPLICANT’S AGREEMENT TO ABIDE BY CONDITIONS

The undersigned expressly acknowledges and agrees that acceptance of this application and any subsequent issuance of a permit(s) based upon the proposed alternative(s) or modification(s), has been made subject to certain conditions which the Building Division, in its sole discretion, deems necessary. The undersigned agrees to comply strictly with all conditions imposed by the Building Division. With respect to all permit(s) issued based upon any alternative to or modification of the Oregon Mechanical Specialty Code, the undersigned’s failure to comply strictly with all conditions imposed by the Building Division in granting any permit(s) pursuant to this application will render any right to proceed with construction, occupancy or use of any property or premises pursuant to said permit VOID, and will subject the undersigned to immediate revocation of any permit(s) issued in connection with this application. The undersigned and all subsequent owners, occupants or users of these premises claiming any right of occupancy or use of the premises through the undersigned, shall be liable for all costs and expenses, including any reasonable Attorney’s Fees and Expert Witness Fees, for enforcement of any condition or term of any permit(s) issued to this application.

The undersigned acknowledges that this agreement does not in any way limit any remedy or right the City may otherwise have with respect to enforcement of any of its Codes or Ordinances.

The undersigned acknowledges that any delay by the City with respect to enforcing strict compliance with any conditions imposed on any permit(s) issued based upon the proposed alternative(s) or modification(s) shall not be deemed to be a waiver and shall not stop or bar the City from enforcing compliance with any conditions, including the City’s right to issue, cease and desist orders and/or to seek immediate relief, as appropriate.

AGREED AND ACCEPTED:

Owner’s Signature: _____ Date: _____

(If Applicant is not the Owner or the Owner’s Architect or Engineer)

Applicant Signature/Title: _____ Date: _____