

BILL BRADBURY
SECRETARY OF STATE



ELECTIONS DIVISION
JOHN LINDBACK
DIRECTOR
141 STATE CAPITOL
SALEM, OREGON 97310-0722
ELECTIONS — (503) 986-1518

April 19, 2006

To All Interested Parties:

Secretary of State Bill Bradbury is responsible for the pre-election review of proposed initiative petitions for compliance with the procedural constitutional requirements established in the Oregon Constitution for initiative petitions. This review will be completed before approving the form of the cover and signature sheets for the purpose of circulating the proposed initiative petition to gather signatures.

The Secretary of State is seeking public input on whether proposed initiative petition (#21), satisfies the procedural constitutional requirements for circulation as a proposed initiative petition. Petition #21 was filed in our office on April 18, 2006, by Alan Grosso, for the General Election of November 4, 2008.

Enclosed is a copy of the text of this proposed initiative petition. If you are interested in providing comments on whether the proposed initiative petition meets the procedural constitutional requirements, please write to the secretary at the Elections Division in the State Capitol. Your comments, if any, must be received by the Elections Division no later than May 10, 2006, in order for them to be considered in the review.

BILL BRADBURY
Secretary of State

BY:

Carla Corbin
Compliance Specialist

The Oregon Revised Statutes are hereby amended by adding the following new section, which section shall read:

Section 1. Right to make minor improvements to real property without a building permit. Whereas a property owner should not be required to obtain the approval of government to make improvements to his or her property, therefore, hereafter, the owner of a parcel of real residential or farm property shall not be required to obtain a building permit or otherwise obtain the approval of any government entity in order to make minor improvements to the property.

(a) For purposes of this section, "minor improvements" shall mean any addition or other improvement or combination of improvements to one or more existing residential or farm structures located on a single parcel of land or adjacent parcels owned by same owner, or the construction of a new farm building, the total value of which improvement(s) or addition(s) to said property in a single calendar year do not exceed ~~Thirty-Five Thousand Dollars (\$35,000)~~.

(b) This section does not authorize the addition of an additional story to all or part of an existing residential structure without a building permit, or authorize the construction of an addition: (i) in violation of uniformly applied setbacks from property lines, or (ii) in violation of regulations establishing reasonable, uniformly applied limitations on the height of buildings.

(c) If a property, which has been improved without a building permit under this section, is placed on the market or otherwise offered for sale or exchange, the owner(s) of the property, prior to the acceptance of an offer to purchase the property, shall provide the prospective buyer a detailed description of all improvements made without a building permit since the owner has owned the property.

(d) The \$35,000 exemption authorized by this section shall increase annually to account for inflation.

(e) This section does not exempt the owner of a property from paying ad valorem property taxes on the improvements to the property.

(f) Changes to the electrical wiring of a structure or new wiring added to an existing structure may only be made under this section if the work is performed by a licensed electrical contractor or if the completed work has been inspected and approved by a licensed electrical contractor, who shall be responsible for the work as if the contractor had provided the materials and performed the work.

(g) No building permit shall be required for the construction of a new farm building, which is not for human habitation, provided that the cost of the new building does not exceed the aforementioned \$35,000 and otherwise complies with this section.

(h) This section supersedes any pre-existing, state, local or regional government laws, rules, codes, ordinances or other enforceable government actions with which it conflicts.

(i) If any phrase, clause, or part of this 2008 Act is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

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