

Repairs, Remodeling and Workers in the Building

This section contains an excerpt from the Portland Plaza Rules and Regulations that specifically relate to repairs, remodeling and workers in the building. The rules apply to owners who do their own work as well as owners who use contractors or other outside help, whether paid or not. Compliance with these rules is critical for the safety of all residents and for the respect of the needs and rights of all residents.

After the excerpt from the Rules, there is a Contractor Worksheet form that the owner must provide the Building Manager to identify contractors working in the building. The owner must provide this information before any work begins. Owners shall only engage contractors who have a current license that is issued by the Oregon Construction Contractors Board and that is properly endorsed for the work to be performed for any work for which such a license is required by Oregon law. The Building Manager will not allow unlicensed contractors into the building.

There is also a Summary of Rules for Working in the Portland Plaza. This is a handout for workers that summarizes the rules that are most likely affect their work. Regardless of what is listed in the Summary, all workers and owners engaged in repairs and remodeling must comply with all Portland Plaza Rules and Regulations.

Before beginning work, an owner must provide the Building Manager with detailed plans of the work, the schedule, and copies of building permits, if any are required by the City of Portland; and, the owner must receive written acknowledgment from the Building Manager that he or she has reviewed the documents. Once the Building Manager has reviewed the information, the owner can arrange access to the building for workers through the Front Desk or can begin work on his or her own unit.

The rules are divided into two parts. The first part, Section 3.4 A, relates to any modifications that require prior written approval by the Board of Directors. These include any structural changes or changes to any common systems or common elements. The owner is responsible for obtaining this approval. If there is any doubt about the need for written approval from the Board, the owner must resolve the issue with the Board directly. Neither a committee nor the Building Manager has the authority to approve any work that is subject to Section 3.4A.

The remaining rules, beginning at Section 3.4 B, apply to all repairs and remodeling. Owners are ultimately responsible for their workers' compliance with all the rules and are themselves responsible for complying in any work they do themselves

3.4A. An owner shall make no structural changes or changes to any common systems or other common elements without prior written approval of the Board of Directors, pursuant to the Declaration of Unit Ownership of Portland Plaza and the current By-Laws of the Portland Plaza Unit Owners Association. Only the owner of a unit is authorized to carry out remodeling or repairs under this section.

- a. The determination of what remodeling work or repairs constitutes a change to the structure, common systems, or other common elements shall be at the absolute and sole discretion of the Board of Directors.
- b. The Board of Directors shall not delegate approval of structural changes or changes to any common systems or other common elements to the Building Manager, other staff, or any committee established by the Board of Directors.
- c. The owner is solely responsible for notifying the Board of Directors in writing in advance of any plans that may involve structural changes or changes to any common system or other common elements. Discussion of plans with the Building Manager, the Front Desk Staff, contractors, or committees does not constitute notice to the Board of Directors nor does it in any manner substitute for written approval by the Board of Directors.
- d. In all matters relating to remodeling, the Declaration of Unit Ownership of Portland Plaza and the current By-Laws of the Portland Plaza Unit Owners Association take precedence over these rules.
- e. Structural means any of the concrete, steel reinforced walls, columns, floors, or ceilings in the building.
- f. Common systems, include, but are not limited to, electrical wiring, plumbing, air supply ducts, and bath and laundry exhaust ducts.
- g. Common elements are as defined in the Declaration.
- h. An owner shall submit detailed plans to the Board of Directors, in advance of any work having commenced, to obtain approval of any action that would affect the structure or any common system or other common elements of the building.
- i. All repairs or remodeling work carried out after written approval of the Board of Directors shall be in full compliance with all applicable building codes and other regulations.
- j. If the Board of Directors has provided an owner written permission after February 2005 for structural changes or changes to any common systems or other common elements pursuant to rule 3.4A and if the Board of Directors subsequently rescinds that written permission, the Association shall reimburse the owner for the costs to restore the structural changes or changes to any common systems or other common elements to the condition the Board of Directors requires or to such other condition as the Board of Directors and the owner may agree.
- k. If the Board of Directors has provided an owner written permission after February 2005 for structural changes or changes to any common systems or other common elements pursuant to rule 3.4A, the owner shall comply with the requirements of rules 3.4B through 3.4L.

3.4B. Owners planning to remodel (or change) their units in a manner that does not require Board of Directors approval pursuant to rule 3.4A and owners who have obtained written approval from the Board of Directors pursuant to rule 3.4A must obtain written acknowledgement in advance from the Building Manager for the remodeling before the Building Manager will allow workers into the building.

- a. In requesting written acknowledgement of such remodeling plan, an owner shall submit detailed plans, schedules and copies of building permits, if any, to the Building Manager.
- b. The owner shall identify the contractor(s) and provide the Building Manager contact information for the contractor(s).
- c. An owner shall coordinate the schedule for the remodeling with the Building Manager. The Building Manager shall have authority to approve the schedule.
- d. An owner may appeal a decision of the Building Manager that relates to remodeling to the Board of Directors.
- e. An owner shall give the contractor(s) and workers a copy of Section 3.4 rules and a copy of the instructions for contractors and workers.

3.4C. Owners shall only engage contractors who have a current license that is issued by the Oregon Construction Contractors Board and that is properly endorsed for the work to be performed for any work for which such a license is required by Oregon law.

3.4D. Owners shall ensure that any remodeling of a unit shall be performed in a manner that minimizes disturbance to other residents.

3.4E. Removal of the original textured ceiling material must be carried out by Oregon Department of Environmental Quality-approved contractors and methods.

3.4F. Owners shall not penetrate the exterior glass or aluminum skin of the building except to install an approved window vent. The Building Manager maintains specifications for approved window vents and approved installers. At the request of an owner, the Building Manager may arrange for the installation of an approved window vent. The owner requesting the installation shall pay the supplier and installer directly.

3.4G. Owners are responsible for repairing and restoring at their expense any alterations to structural elements, common systems, or other common elements that may result from their activities that the Board of Directors did not approve pursuant to Section 3.4A. An owner shall grant to the Association, upon its timely request, access for a person designated by the Board of Directors to his or her unit while the repair or remodeling is underway in order for the Association to verify that the structure, common systems and/or common elements have not been changed or encroached upon.

3.4H. Employees or contractors of the Association shall not perform any maintenance services for residents in a unit during their hours of employment or contracting by the Association.

3.4I. Workers shall not use the hobby shop.

3.4J. Workers shall use Elevator No. One only, except as provided in subparagraph (b) below.

- a. Elevator No. One is for transporting materials and equipment. Workers carrying tools or construction materials or equipment shall not use Elevators No. Two or No. Three.
- b. Workers who clean units shall use Elevator No. One except that, at the discretion of the Front Desk Staff, such workers may use Elevators No. Two or Three when Elevator One is not available. [March 29, 2006]
- c. Workers may reserve Elevator No. One, if it is available. It should be reserved in advance by contacting the Front Desk Staff at the lobby desk. Elevator No. One is available by advance reservation use 8:00 a.m. to 5:00 p.m., Monday through Saturday. Workers shall not use elevators on Sundays and the following Holidays: New Year's Day, Dr. Martin Luther King, Jr., Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, and Christmas, as those days are observed. [March 29, 2006]
- d. The elevator is not to be left out of service any longer than necessary. Workers shall plan the movement of materials to minimize elevator time.
- e. Workers shall use wall and floor coverings to protect the elevator surfaces from damage when they are transporting equipment, materials, or other supplies that could damage the interior surface of the elevator. The Front Desk Staff is responsible for the installation and removal of the wall and floor coverings upon reasonable notice.

3.4K. Working within the Portland Plaza Building.

- a. Normal work hours within the condominium units are 8:00 a.m. to 5:00 p.m., Monday through Saturday. Non-emergency work outside of those hours must be approved in advance by the Building Manager. The Front Desk Staff may approve emergency work outside of normal work hours, but the Front Desk Staff shall promptly notify the Building Manager.
- b. Workers shall register with Front Desk Staff at the lobby desk when working within the building.
- c. Parking in the garages is limited. Requests for parking may be arranged through the Front Desk Staff at the lobby desk, if it is available. There is no assurance that parking will be provided. Parking spaces are individually owned and not usually available for use by workers or others.

- d. Noise is to be kept to a minimum so that other residents are not disturbed. If the work would cause noise that will carry to other residential units, the workers shall notify the Building Manager in advance. (503.228.6569).
- e. Workers are responsible for keeping the halls, elevators, elevator lobbies, garages, and all other common areas free of construction material at all times. Materials cannot be stored in common areas.
- f. All common areas shall be kept free of litter, dirt, dust, and debris from construction work at all times. Workers shall not dump trash down the trash chute and workers shall not dispose of construction debris in the Portland Plaza trash dumpsters. Workers are responsible for taking debris off site and shall not leave it in the common areas. The Building Manager shall charge the unit owner for the cost of clean up, with a minimum of \$25.00 for each incident related to construction that requires cleanup.
- g. Owners and residents shall not dispose of large quantities of construction debris in the Portland Plaza trash dumpsters. [August 22, 2006]
- h. Grocery carts located in the loading dock area are available for workers. Workers shall not use the rectangular carts located in the elevator lobbies. Workers shall return grocery carts to loading dock for use by others.
- i. Workers who fail to cooperate may be asked to leave the building. The Building Manager or the Front Desk Staff may deny access to the building to workers who do not cooperate with the Building Manager's or the Front Desk Staff's orders or who damage or soil any common elements. Unit owners are ultimately responsible for actions of their contractors or workers and are responsible for any damage to common elements caused by their contractors or workers. The Board of Directors may charge an owner who employed a worker for any repairs of damage or cleaning required as a result of actions of that worker. [August 22, 2006]
- j. The loading dock area must be reserved in advance for pick up or delivery of materials. Workers are responsible for replacing safety railing immediately after use..
- k. Oversized vehicles less than 10 feet high that have the Front Desk Staff authorization to use the loading dock shall use the exit garage door as directed by the Front Desk Staff. Vehicles taller than 10 feet will not fit in the doorway.
- l. Vehicles taller than 7 feet are not allowed on level P-1 and vehicles taller than 6 feet, 6 inches are not allowed on level P-2.
- m. If an owner is not at home to provide access to his or her residential unit for a worker(s) or company, the Front Desk Staff may provide access if the owner has provided the Front Desk Staff with a key and has provided staff with written entrance permission on the appropriate form on file at the concierge desk for the specifically-named worker or company.

3.4L.The terms “contractor” and “worker” used in Rule 3.4 shall apply to any owner doing his or her own construction work in a residential unit.