



City of Eagle Point

Policy: Requirements for Geotechnical/Soils Tests and Reports

Adopted: October 4, 2019

Purpose: To clarify soils investigation report requirements

Background:

Per the building code, foundations shall be capable of accommodating all loads and transmitting the resulting loads to the supporting soil (e.g. R401.2). The quality and capacity of the soil varies from location to location and is determined by its unique and specific characteristics. As described, and provided for in the building code, a soils investigation is required, “*where data indicates expansive, compressible, shifting or other questionable soil characteristics are likely to be present.*”.

Poor soils have the potential of having a negative impact on the structure. This can be caused by compressible or shifting soils. Negative impacts, sometimes significant, can also be caused by expansive soils that include clays. When moisture is present, soils with clay will expand and when they dry they will shrink. This differential settlement is significant enough to move the structure and can cause damage ranging from minor cracking, sticky doors and windows to severe foundation cracking and settlement. Where these soils are suspected or known, a site-specific investigation is required and shall include analysis/description of the soil type(s) and conditions, recommendations such as excavation and extent of removal, structural fill, compaction and testing requirements and soil capacities including allowable bearing pressures.

Soils data, including Jackson County Maps, past site observations and previous soils report, indicates that much, or most, of the soils in the City of Eagle Point are either expansive or highly expansive. In addition to requirements for compressible, shifting or other questionable soils, the code has specific requirements for investigation of expansive soils (e.g. R403.1.10).

The City is establishing this policy to create consistent procedures to verify and assure that the soils report and remedial work is completed.

Policy:

A soil investigation report, prepared by an Oregon-licensed Registered Design Professional-RDP (Architect or Engineer) with knowledge and experience in soils, is required to be submitted to the Building Department for all new buildings and additions in areas known or suspected of having poor, questionable or expansive soils as determined by the building official. This shall include all areas of expansive or highly expansive soils identified on the Expansive Soils overlay on Jackson County Interactive Mapping (www.jacksoncounty.org/jim).

The **soils investigation report** shall be provided to the Building Department **prior to the plan review and issuance of a permit** and shall include analysis of soil conditions and provisions to safeguard damage due to soil conditions in accordance with the building code requirements (e.g. OSSC 1803) and accepted engineering practice. (*Note: A specific, initial, detailed “soils report” may not be required when the soil is readily identified by an RDP and excavation/fill is done under their direction/observation. In this case, applicable information shall be provided to the Building Official and the observation report(s) noted below are required prior to foundation inspection.*)

Site preparation shall be done in accordance with the recommendations provided in the report. This includes required site observations for excavations, structural fill placement and compaction testing by a registered design professional or an approved agency. After site preparation (including excavation, fill and compaction) the **observation reports** prepared by an RDP or an approved testing agency shall be provided to the Building Official for review **prior to requesting a foundation inspection**.

A general, preliminary soils investigation report shall be done for new subdivisions and expansions of existing subdivisions. Based on the general soils investigation in the subdivision, further testing may be required on individual lots where determined necessary by the building official due to data on mapped areas of poor or expansive soils, site observations or as recommended in the soils report.

Recording:

Oregon Revised Statue (ORS) 455.440 requires recording with County Clerk, of a report that identifies the presence of “highly expansive soil”; ORS 455.440 is reprinted below:

455.440 When site soil analysis required; filing and notice; duty of transferor of property; effect of failure to comply.

(1) If a city, county or government agency requires a site soil analysis and site recommendation report as a condition of approval for issuance of a building permit for a residence for human habitation, and the analysis and report identify the presence of highly expansive soils, then prior to issuance of the building permit the city, county or government agency shall:

a) Include a copy of that report with the construction plans filed with the building permit issuing agency; and

b) Record, with the County Clerk Lien Record in the county in which the property is located, a notice containing:

A) The legal description of the property; and

B) An informational notice in substantially the following form:

This property has been identified as having highly expansive soils. This condition may create special maintenance requirements. Before signing or accepting any instrument transferring title, person acquiring title should check with the appropriate planning or building department.

(2) No action may be maintained against a city, county or government agency for failing to meet the requirements of subsections (1) and (2) of this section.

(3) If a report described in subsections (1) and (2) of this section identifies the presence of highly expansive soils, the first transferor shall supply to the first transferee written suggestions for care and maintenance of the residence to address problems associated with highly expansive soils.

(4) If the first transferor violates the provisions of subsection (3) of this section, the first transferee shall have a cause of action to recover damages of \$750 from the first transferor. The court may award reasonable attorney fees to be prevailing party in an action under this section. [1989 c.1026 ss. 1,2,3; 1995 c.618 s. 71]

Note: 455.440 and 455.445 were enacted into law by the Legislative Assembly but were not added to or made part of ORS chapter 455 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Robert Rice, C.B.O., C.B.C.O.

Eagle Point Building Official

Date: October 4, 2019