

ORDINANCE NO. 185521

Clarify Billing Responsibility for water service issues (Ordinance; amend Code Section 21.16.030)

The City of Portland ordains:

Section 1. The Council finds:

1. The Water Bureau presently has authority under City Code 21.16.030 to bill water services to a customer in actual possession or control of vacant property, even if the customer has not acquired title to the property.
2. Foreclosure activity remains high within the City of Portland, and this condition is not expected to improve dramatically as many distressed properties remain to be processed by lenders. These properties are the principal reason for dramatic increases in vacancies that are no longer in the possession or control of the legal owner as recorded with the County.
3. Owners may no longer have access to these properties once vacated and secured by lenders. Therefore, it is the lender in possession or control of the property who directly or indirectly benefits from water services provided by the City to the property.
4. Bureau representatives responding to customer concerns worked with the City Attorney's Office and created language that clarifies existing responsibility for billing, and that expressly includes those in possession or control of property.
5. The Code amendments contained in Exhibit A of this Ordinance achieve the clarification sought by citizens and the Water Bureau.

NOW, THEREFORE, the Council directs:

- a. Amend City Code Title 21, chapter 21.16.030 Billing Responsibility as set forth in Exhibit A of this Ordinance to clarify the responsibility of Water billings.

Passed by the Council, JUL 25 2012

Commissioner Leonard
John Popenuk
June 28, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland
By *Gayla Jennings*
Deputy

Agenda No.
ORDINANCE NO. 185521
Title

Clarify Billing Responsibility for water service issues (Ordinance; amend Code Section 21.16.030)

INTRODUCED BY Commissioner/Auditor: Commissioner Leonard	CLERK USE: DATE FILED <u>JUL 18 2012</u>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard <i>(Signature)</i>	By: <u><i>(Signature)</i></u> Deputy
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Water	JUL 18 2012 PASSED TO SECOND READING JUL 25 2012 9:30 A.M.
Bureau Head: David G. Shaff <i>(Signature) (FOR DES)</i>	
Prepared by: J Popenuk Date Prepared: June 28, 2012	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date July 18, 2012	
City Attorney Approval <i>(Signature)</i>	

AGENDA

TIME CERTAIN ☐
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT ☒

REGULAR ☐
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	<input checked="" type="checkbox"/>	
Adams	<input checked="" type="checkbox"/>	