

IMPACT STATEMENT

Legislation title: Prohibit transfers of Recreational Vehicles with malfunctioning or non-functioning waste water systems (Ordinance; add Code Section 14A.30.070)

Contact name: Dave Benson

Contact phone: 503.823.5444

Presenter name: Dave Benson

Purpose of proposed legislation and background information:

The Portland Bureau of Transportation (PBOT) is responsible for maintaining a safe and effective transportation system through managing the City's Right of Way. PBOT and other agency partners have seen a significant increase in complaints of derelict RV's, both occupied and abandoned. In 2016 PBOT received approximately 4,000 complaints of derelict or abandoned RVs parked in the right-of-way. In the first half of 2017, PBOT has received over 4,100 such complaints. Older RVs that fall into disrepair generally have no scrap value and are a financial liability for the owner. Proper disassembly and disposal of RVs can cost individuals up to \$2,000 for each unit. Individuals and/or businesses frequently gift or sell derelict RVs at very low cost due to their minimal value and the expense of proper disassembly. PBOT routinely receives reports from Residents that witness businesses giving them away and of online postings advertising their availability at low or no cost. Often RV's that are unable to be repaired have malfunctioning or non-functioning sewage systems, commonly known as black water and gray water systems, meaning disposal of waste from the RV isn't contained to the vehicle and can leak or dump onto other surfaces. Raw sewage is a public health hazard threatening the health and safety of both the occupants of the RV, anyone nearby, the livability of our neighborhoods and our environment. PBOT, the Portland Police Bureau, and residents have observed and reported numerous RVs that are leaking raw sewage onto the streets of Portland of the RVs and any persons who may be nearby. Additionally, malfunctioning fueling systems can put the occupants and passersby at extreme risk of injury or death due to serious fire hazards.

Financial and budgetary impacts:

Removing derelict RV's from city streets has costed PBOT, Police, other city and county agencies more than \$1,000,000 this fiscal year. Council provided \$150,000 in November of 2016 to disassemble derelict RVs, and the added towing surcharge total approximately \$175,000 in revenues this FY. Additional costs to the City are absorbed through internal budgets. We don't anticipate this program to add to the overall cost of the derelict RV program and may result in cost reductions.

Community impacts and community involvement:

Neighborhoods throughout the City are adversely impacted by the presence of derelict RVs that pose a health and safety concern. Residents and neighborhood associations routinely complain about the presence of derelict RVs, leaking sewage, garbage and other associated adverse. This ordinance is designed to address neighborhood concerns by discouraging owners of such vehicles from selling or giving away RV's that would pose a threat to the health and safety of any potential occupants, City streets and our environment.

100% Renewable Goal:

This application prevents derelict RVs from being present on the streets of Portland and does address concerns about protecting our environment, but doesn't impact the community-wide goal of 100% use of renewable energy by 2050.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
 NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Amendment

Date: 10/2/2017

To: City Council

From: Dave Benson, Parking Group Manager
Portland Bureau of Transportation

RE: Amendment request for Council Agenda Item 1101

*** Prohibit transfers of Recreational Vehicles with malfunctioning or nonfunctioning waste water or fuel systems (Ordinance; add Code Section 14A.30.070)**

With further review from City Attorney's office, added clarification regarding the provisions of 14A.30.070 are needed in the Council Directives in Sections B and C on Agenda Item 1101. The amendment will be presented at the Council meeting on October 4th.

- A. The provisions of 14A.30.070 ~~this Section~~ do not apply to:
1. ~~T~~ransfers of recreational vehicles to repair facilities that are registered to do business in the State of Oregon or vehicle dismantlers certified in accordance with ORS 822.110; ~~Nothing in this Section prohibits~~
 2. ~~transfers of recreational vehicles to repair facilities or dismantlers located outside of the City of Portland. Nothing in this Section prohibits transfers of recreational vehicles by lawful repossession, court order, administrative order, governmental enforcement actions to include receiving and transferring recreational vehicles during government sponsored recycling events, or by operation of law. Transfers of recreational vehicles to tow vehicle operators for the purpose of transferring recreational vehicles to repair facilities that are registered to do business in the State of Oregon or vehicle dismantlers certified in accordance with ORS 822.110;~~
 3. Transfers of recreational vehicles to repair facilities or dismantlers located outside of the City of Portland;
 4. Transfers of recreation vehicles to a federal agency or a public body as defined by ORS 174.109; or
 5. Transfers of recreational vehicles by lawful repossession, court order, administrative order, operation of law, governmental action.

B. Definitions

1. As used in this Section, “fuel” means any gas or liquid used to assist in propulsion, cooling, lubrication, environmental control, refrigeration, or cooking.
2. As used in this Section, “fuel system” means any system designed to contain or convey fuel.
3. As used in this Section, “leak” and “leaking” mean a release of any fuel or waste water from a waste water system or fuel system in a manner inconsistent with the original recreational vehicle manufacturer’s design.
4. As used in this Section, “recreational vehicle” means a recreational vehicle as defined by PCC 16.90.290.
5. ~~4.~~As used in this Section, “transfer” means any conveyance of a recreational vehicle from the transferor to the transferee with the consent of the transferee.
- ~~65.~~ As used in this Section, “waste water” means any sewage or liquid wastes, including kitchen, bath, toilet, and laundry wastes.
- ~~76.~~ As used in this Section, “waste water system” means any system designed to contain or convey waste water.