

## ORDINANCE No. 189342

\*Authorize the Director of the Bureau of Transportation and the City Engineer to permit construction related lane closures on the SW 5<sup>th</sup> Ave Transit Mall Auxiliary Lane during the Development Project at SW Montgomery, 4<sup>th</sup> Ave, Harrison and 5<sup>th</sup> Ave (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Whereas Portland City Code Chapter 16.50.41 regulates closures of the Auxiliary Lanes on the Transit Mall by Ordinance No. 182921; Amended by Ordinance No. 183979, effective August 13, 2010.
2. Chapter 16.50.41 states that the Auxiliary Vehicular Lane may be closed by permit from the City Engineer per Title 17, or TriMet access permit, and the vehicle is specifically authorized to do so by the permit.
3. Chapter 16.50.41 also states that except in the case of emergency and as otherwise provided for herein, the City Engineer shall not issue permits for the use of Auxiliary Vehicular Lanes between the hours of 6:00 AM and 7:00 PM Monday through Friday.
4. Whereas the authority to issue lane closure permits for Auxiliary Vehicular Lanes is designed to protect Public Transit from undue interruptions by construction activities.
5. Whereas the development site is bounded on two frontages by Portland Streetcar tracks, the Transit Mall on one side and a street that is a main bus route on the fourth side, creating limited access to the job site.
6. Whereas TriMet and Portland Streetcar are supportive of this Ordinance to authorize a lane closure permit for the Auxiliary Vehicular Lane of the Transit Mall on SW 5<sup>th</sup> between Montgomery and Harrison.

NOW, THEREFORE, the Council directs:

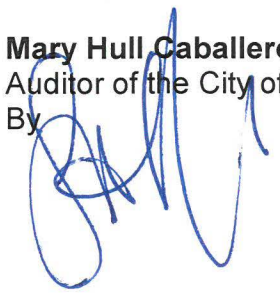
- a. For the duration of the development project at the above described location, the City Engineer and the Director of the Bureau of Transportation are exempt from the restrictions of the policy in Chapter 16.50.41 and are authorized to grant lane closure permits for the Auxiliary Vehicular Lane on SW 5<sup>th</sup> between Montgomery and Harrison, for the hours between 6AM-7PM Mon-Fri.
- b. This ordinance will be executed through a valid Temporary Street Use Permit and in agreement with TriMet and Portland Streetcar organizations.

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Section 2. The council declares that an emergency exists because the development project is targeted to begin work at the above location December 17, 2018 and will require the ability to intermittently close the Auxiliary Vehicular Lane starting in the middle of January 2019, therefore, this Ordinance shall be in full force and effect from and after its passage by the council.

Passed by the Council, JAN 09 2019

Commissioner Chloe Eudaly  
Prepared by: Alex Bejarano;CB  
Date Prepared: Dec 10, 2018

**Mary Hull Caballero**  
Auditor of the City of Portland  
By 

Deputy

28-1

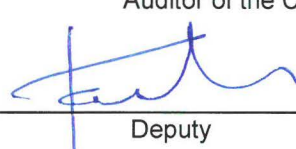

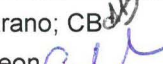
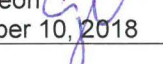

Agenda No.


Ordinance NO.

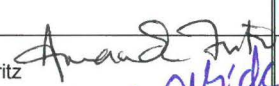
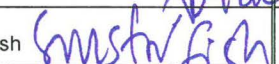


Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Chloe Eudaly</b>	CLERK USE: DATE FILED <u>JAN 08 2019</u>
<b>COMMISSIONER APPROVAL</b>  Mayor—Finance & Administration – Wheeler <b>KID</b> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By:  Deputy  <b>ACTION TAKEN:</b>
<b>BUREAU APPROVAL</b> Bureau: PBOT Group: Dev., Permitting & Transit Group Manager: Christine Leon Director: Chris Warner  Prepared by: Alex Bejarano; CB  Supervisor: Christine Leon  Date Prepared: December 10, 2018 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 checked="" type="checkbox"/> No <input type="checkbox"/> <b>City Auditor Office Approval:</b> required for Code Ordinances <b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan  Council Meeting Date <b>January 16, 2019</b>	

<b>AGENDA</b>  <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> 
<b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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