

ENB-18.48 - Paint & Roof Waiver

PAINT & ROOF WAIVER

Administrative Rule Adopted by Office of Neighborhood Involvement

ARB-ENB-18.48

Category: Neighborhood Inspections

Effective Date: April 27, 2004

Responsible Bureau Section:

Neighborhood Inspections
111 SW Columbia St, Suite 670
Portland Oregon 97201
503-823-7306

BACKGROUND:

Title 29 of the Portland City Code is known as the Property Maintenance Code. Among other things, this code sets minimum standards for maintaining residential properties within the City of Portland. This code also includes provisions for citing both nuisance and housing maintenance violations. To gain compliance with this code, Title 29 allows for the charging of Code Enforcement Fines on properties that fail to comply with the cited regulations in a timely manner. To prevent accumulating fines from causing undue hardship and/or when extenuation circumstances may impede timely code correction, Section 29.60.100 authorizes the Director of the Office of Neighborhood Involvement (ONI) to adopt exceptions. This waiver is one of the exceptions that have been adopted. A waiver policy defines the criteria and time frame for suspending Code Enforcement Fines. It also identifies conditions under which a waiver exception will be cancelled and fines re-instated.

PURPOSE:

The purpose of the Paint & Roof Waiver is to assist property owners by giving them additional time to complete required exterior paint and roof work during optimal weather conditions by suspending monthly Code Enforcement Fines for a period of twelve (12) months.

APPLICATION:

A waiver application filled out by the property owner, or referral from a housing inspector.

FEE:

There is no application fee for a Paint and Roof Waiver.

APPEAL:

If the property owner wishes to appeal the denial of a waiver they must request the appeal within fifteen (15) days of the written denial. The appeal must be made in writing and submitted to Neighborhood Inspections, 111 SW Columbia St, Suite 670, PortlandOR97201. The property owner will have the opportunity to present additional information during this appeal. A written determination will be mailed to the owner. This determination can be appealed to the Code Hearings Office within ten (10) business days of its issuance.

POLICY:

The Office of Neighborhood Involvement (ONI) will grant from the date the property qualifies a suspension of Code Enforcement Fines for twelve (12) months if the property owner meets all the requirements listed below. The waiver is not granted automatically. The waiver may be granted to properties referred by a Housing Inspector, or a property owner may send in a written request for waiver. In either case the request is reviewed to ensure it meets all the requirements. Monthly Code Enforcement Fines will be suspended beginning with the first billing cycle following the date the property qualified for the waiver.

A. Requirements to Qualify for a Paint & Roof Waiver

All of the following requirements must be met to qualify for the Paint & Roof Waiver:

1. All property maintenance violations cited in the Notice of Violation, except exterior paint and/or roof work, have been corrected and approved by the inspector;
2. The paint and/or roof waiver does not encompass gutter, chimney, or siding repairs. These corrections, if cited, must be made and approved in order to qualify for the waiver.
3. The property is clear of any other code violations administered by Neighborhood Inspections (Nuisance, Disabled Vehicles, Additional Housing violations, Re-occupancy prior to approval).

B. General Information

1. Upon approval of a Paint & Roof Waiver, monthly Code Enforcement Fines will be suspended for twelve (12)

months beginning with the first billing cycle after the date the property qualifies;

2. At least one month prior to the expiration of the waiver a reminder letter is mailed to the property owner. The reminder letter alerts the owner that the case must be closed by the expiration date of the waiver or monthly Code Enforcement Fines will be billed until the case is closed;
3. The dwelling is a residential or combined use residence. The dwelling can be vacant or occupied;
4. Paint and Roof Waivers are not transferable;
5. This waiver is non-renewable and will not be extended.

C. Waiver Cancellation Policy

Paint and Roof Waivers will be cancelled immediately if any of the conditions listed below occur during the waiver period.

1. New/additional violations of any code administered by ONI are cited twice at the property outside of a 30 day period, after the date the waiver approval letter was mailed to the property owner; for example, the property is cited for a nuisance violation and the housing maintenance conditions worsen;
2. If the property is cited for nuisance conditions under Title 29 Nuisance Code, the owner has 15 days to correct the violations. If the violations are not corrected, resulting in abatement by City Contractors, the waiver will be cancelled.
3. Work is being done at the property without the required permits (note tear-off roof replacement requires permit)
4. Property ownership changes.

NOTE: If this waiver is cancelled for any of the above reasons, it cannot be reactivated until the issue is resolved and approved by the housing inspector.

If this waiver is cancelled, a cancellation letter will be mailed to the owner of the property and monthly Code Enforcement Fines will start with the next billing cycle after the cancellation.

HISTORY

Effective April 27, 2004.

Filed for inclusion in PPD September 30, 2004.

Revised and filed in PPD November 16, 2004.

Revised June 6, 2006 and filed in PPD June 16, 2006.