

ORDINANCE No. 189479

*Amend documentation of compliance section for required placarding and prospective tenant notification for unreinforced masonry buildings (Ordinance; amend Code Section 24.85.065)

The City of Portland Ordains:

Section 1. The Council finds:

1. On February 27, 2019, the City Council passed Ordinance No. 189399 that, among other actions, removed the requirement that owners of unreinforced masonry buildings record documentation of compliance with the placarding and tenant notification requirements. The Ordinance also extended the date for complying with the documentation requirement to November 1, 2020.
2. The language in Ordinance No. 189399 states the building owner has to “agree” not to remove the placard and acknowledge compliance with the prospective tenant notification requirements. The word “agree” is superfluous because PCC 24.85.065.C already prohibits removing the placard, and the purpose of the acknowledgement is for BDS to attach the form to the City’s property file for potential enforcement.
3. In addition, the language mandated for the placards in 24.85.065.C. does not specify that it is government-mandated language.
4. This ordinance amends the documentation of compliance section to remove the word “agree” and clarifies that the documentation of compliance applies to both the placarding and prospective tenant notification requirements. It also adds a citation to Portland City Code (PCC) 24.85.065 to the mandated placard language to make it clear the placard content is government-mandated language.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Section 24.85.065 is amended as follows.

[A. - B. No change]

C. Placard requirement for unreinforced masonry buildings.

On or before the dates set forth in the timetable below, all unreinforced masonry buildings that have not been retrofitted to the standard specified in Subsection 24.85.065 F. below must be posted with a placard in a conspicuous place on the exterior at the main entrance of the building. The criteria for the placard are as follows:

1. Font. The font must be at least 50-point bold type, legible sans serif.
2. Size. The placard must be at least 8 inches by 10 inches.

3. Material. The placard must be constructed of a durable material that can withstand the elements and must be maintained to ensure that it is not defaced, removed, damaged, or degraded to the point where the placard is no longer legible.
4. Content. The placard must contain the following language: "THIS IS AN UNREINFORCED MASONRY BUILDING. UNREINFORCED MASONRY BUILDINGS MAY BE UNSAFE IN THE EVENT OF A MAJOR EARTHQUAKE. P.C.C. 24.85.065"
5. Duration. The placard must remain in place until the building is either: retrofitted and the Bureau of Development Services confirms that the retrofit specified in Subsection 24.85.065 F. has been completed and approved by BDS; or the building is demolished.
6. Timeline. Placards must be posted according to the following timeline:
 - a. Publicly-owned buildings. Publicly-owned URM buildings must post the required placard on or before January 1, 2019.
 - b. All other buildings. All other URM buildings that do not fall into a. above must post the required placard on or before November 1, 2020.

[D. No change]

E. Documentation of compliance.


The owner of a building subject to Subsections 24.85.065 C. and D. must ~~agree~~ not to remove the placard required in Subsection 24.85.065 C. and must acknowledge compliance with the placarding requirements outlined in Subsection 24.85.065.C. and prospective tenant notification requirements outlined in Subsection 24.85.065 D. on a form provided by the Bureau of Development Services. This documentation of compliance must be submitted to the Bureau by November 1, 2020.

[F. - I. No change]

Section 2. The Council declares that an emergency exists because the requirements for documenting compliance with the placarding and prospective tenant notification in City Code Section 24.85.065.E. need to be clarified, so building owners know how to comply with the requirements. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: MAY 01 2019

Mayor Ted Wheeler and
Commissioner Jo Ann Hardesty
Prepared by: Nancy Thorington, BDS
Date Prepared: May 1, 2019

Mary Hull Caballero
Auditor of the City of Portland
By  Deputy

Agenda No.
ORDINANCE NO. 189479
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler and Commissioner Jo Ann Hardesty</p>	<p>CLERK USE: DATE FILED <u>APR 23 2019</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>MP</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Hardesty <i>[Signature]</i></p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau of Development Services <i>[Signature]</i> for RE Rebecca Esau, Director</p>	<p>ACTION TAKEN:</p>
<p>Prepared by: Leanne Torgerson Date Prepared: April 23, 2019</p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances <i>Toni/pa</i></p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p>	
<p>Council Meeting Date May 1, 2019</p>	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Hardesty	3. Hardesty	✓	
4. Eudaly	4. Eudaly	—	
Wheeler	Wheeler	✓	