

ORDINANCE No. 189761

Amend Deconstruction of Buildings Law Code to include houses and duplexes built in 1940 or earlier (Ordinance; amend Code Chapter 17.106)

The City of Portland Ordains:

Section 1. The Council finds:

1. On February 12, 2015, City Council directed the Bureau of Planning and Sustainability to develop strategies for increasing deconstruction activity.
2. On April 15, 2015, the Bureau of Planning and Sustainability convened a Deconstruction Advisory Group comprised of deconstruction experts, builders, developers, neighborhood groups and historic preservationists to provide advice on strategies and incentives for advancing deconstruction activities.
3. On June 3, 2015, City Council adopted Resolution 37127, which directed the Bureau of Planning and Sustainability to establish a deconstruction grant program with funding from the Solid Waste Management Fund Reserves and to report back in January 2016 with recommendations for next steps.
4. On September 8, 2015 the Bureau of Planning and Sustainability launched the deconstruction grant program, resulting in innovative approaches, new participants, and increased awareness of the benefits of deconstruction.
5. On February 17, 2016, City Council adopted Resolution 37190 which directed the Bureau of Planning and Sustainability to develop code language for Council consideration to require deconstruction for the city's oldest and most historic houses and duplexes.
6. Bureau of Planning and Sustainability applied (Ordinance 187474) and received notice of award from the Oregon Department of Environmental Quality (DEQ) for \$50,000 in funding to supplement the existing deconstruction grant program.
7. On July 6, 2016, City Council adopted Ordinance 187876 which adopted a new Chapter 17.106, Deconstruction of Buildings Law, requiring deconstruction of houses/duplexes built in 1916 or earlier with a goal of expanding the program to include structures built before 1941 by the year 2019.
8. On July 18, 2016, the Bureau of Planning and Sustainability held a 3-day deconstruction contractor training attended by 16 individuals representing 12 different companies.
9. On October 31, 2016, the Deconstruction of Buildings Law (Ordinance 187876) went into effect.
10. On March 17, 2017, the Bureau of Planning and Sustainability held a 12-day deconstruction workforce training prioritizing participation by people of color, women and other underrepresented/disadvantaged individuals in the field of

construction (15 students participated).


11. In May of 2017 the Bureau of Planning and Sustainability submitted a Six-Month Deconstruction Program Status Report to City Council.
12. In March of 2018 the Bureau of Planning and Sustainability submitted a 12-month Deconstruction Program Status Report to City Council.
13. Currently there are 11 Certified Deconstruction Contractors (companies) available to perform deconstruction work.
14. Two new salvage retail companies have opened as a result of the Deconstruction Ordinance.
15. In February 2019 Earth Advantage received an Innovation & Investment grant from Metro for the purpose of training contractors in deconstruction, prioritizing enrollment of firms owned by people of color, women, or other groups traditionally underrepresented in the building trades (all four firms enrolled to date meet one or more of these criteria).
16. On May 8, 2019, the Deconstruction Advisory Group reached a consensus on advancing the year-built threshold from 1916 to 1940.
17. On July 25, 2019 a draft of the proposed code language was released for a three-week public comment period and a compilation of all received comments are attached as Exhibit B.

NOW, THEREFORE, the Council directs:

- a. City Code Chapter 17 .106, Deconstruction of Buildings Law is amended and attached as Exhibit A.
- b. The City Code amendment to Chapter 17 .106 shall be effective on and after January 20, 2020 to allow adequate time for implementation.






Passed by the Council: NOV 13 2019

Mayor Ted Wheeler
Prepared by: Shawn Wood
Date Prepared: September 18, 2019

Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

Agenda No.
ORDINANCE NO. 189761
 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Wheeler	CLERK USE: DATE FILED <u>OCT 29 2019</u>
COMMISSIONER APPROVAL 	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
Mayor—Finance & Administration - Wheeler	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Hardesty	
Position 4/Safety - Eudaly	ACTION TAKEN: NOV 06 2019 PASSED TO SECOND READING NOV 13 2019 9:30 A.M.
BUREAU APPROVAL Bureau: Planning and Sustainability Bureau Head: Andrea Durbin 	
Prepared by: Shawn Wood Date Prepared: September 18, 2019	
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"/>	
City Auditor Office Approval: required for Code Ordinances 	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter 	
Council Meeting Date 11/6/2019	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 9:45 Total amount of time needed: 1 Hour (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 1 Hour (for presentation, testimony and discussion)

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