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By the year 1913 Portland had grown to be a city of considerably over 300,000 inhabitants and many of its citizens were beginning to realize that it had some rather serious housing problems. The Consumer's League and the People's Institute particularly, became concerned, and each group employed a trained social worker to investigate conditions. Through the efforts of these groups the public was aroused to the need of a building code to regulate types of building material, safety in building, etc., and a housing code to ensure proper provision for light, air, sanitation, freedom from crowding, etc., particularly in apartment buildings, tenements, homes for poorer classes, and cheap hotels.

Father O'Hara, who had studied housing problems in this country and in Europe, together with other prominent citizens, prepared a housing code which was an adaptation of codes in operation in prominent eastern cities. This was planned to supplement a building code which was being drawn up and which became a law in 1917. After public hearings before the City Council, the Housing Code was given for revision to the Commission of Public Works. He never revised it, and efforts to have the matter revived failed.

In 1918 the Portland Housing Association was organized. With the support of Commissioner Barbur and the approval of the City Council, the Association appointed a committee of investigation. Under the direction of Mrs. F. T. Munger, a trained social worker, a group of workers from the State Board of Health, Reed College, and the Public Welfare Bureau, made a thorough study of Portland housing conditions, including over 700 buildings used for dwelling places, in the downtown and poorer outlying sections of

the city.

The report made by this group said in part: "It is to be hoped that this report will clearly show the need of an adequate modern Housing Code to prevent the conditions which make inefficient workers and sickly children and cause immorality, disease and crime.---Lack of action at this time will be a disgrace to the community.---Although there are many beautiful residence districts in Portland there are many districts where life can not be maintained properly and where children, if they survive in spite of the unhealthy conditions, will be physically and morally subnormal." In the list of specific unfavorable conditions they reported, were the following: "A number of years ago houses that had been discarded in other neighborhoods were moved to South Portland and placed on lots regardless of light and air. In many cases three were placed on one lot.---Old residences have been converted into multiple dwellings, housing from 5 to 15 families, without the installation of additional plumbing.---Years of unregulated building have produced lot overcrowding, tenements with dark rooms, insufficient plumbing, non-fireproof construction, bakeries and tenements, cellar and basement tenements. In a word, all the evils of tenement and housing problems are in the making in Portland."

Portland prides itself on its lawns and its garden spaces, but 861 of the multiple dwellings examined in this investigation housed more than three times as many families, per house, as the average number of families per acre in Portland as a whole at that time.

In January 1919, the city of Portland adopted a housing

code, and its provisions went into effect in April of that year, in spite of the determined opposition on the part of some builders and property owners who were profiting by the unregulated conditions.

In June of that year Commissioner Barbur appointed a committee of five to suggest points in which the Code might be revised. In September three members of this committee, all three of whom were engaged in the building business or closely affiliated with building enterprises, brought in a report offering a very drastic revision of the Code, all in the financial interest of the builder. The minority report stated that the proposed revision "would so emasculate the Code that it would be rendered practically worthless as a remedy for the unsanitary conditions and incipient slum conditions which now (1919) exist in Portland." The late Mr. A. E. Doyle, architect, and Mr. H. M. Esterly were the members of the revision committee who refused to sign the report brought in by the other three members.

Among the changes that were advocated by the majority report, was one most strenuously opposed by the minority because of its potentialities for destroying the value of the Code, but under pressure brought to bear by real estate dealers and building speculators it was adopted and became a part of the present Housing Code. This amendment provides for the appointment by the Mayor of an Advisory Board of three members. In case the plans of a builder, wishing to build a new dwelling (house, flat, apartment, hotel, or combination store and dwelling) or to remodel an old dwelling, do not conform to the code requirements in matters affect-

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ing the health, comfort or safety of the prospective occupants, the applicant may appeal to the Advisory Board for a special permit. According to the provisions under which the Advisory Board exists, ^{if,} upon considering the reasons why the case should be made an exception, the Advisory Board decides that the provisions of the Code work some real injustice to the property owner, which hardship the Board can alleviate without seriously interfering with the purposes of the Code, the Board may recommend to the City Council that a special ordinance be passed to approve the exception.

The Advisory Board was created in April 1920. At first the operation of the plan appeared to be satisfactory, but by 1923 the Housing Association became convinced that the purpose of the Code was being destroyed by frequent and easy granting of exceptions. Because of this belief the Housing Association had a statistical study made of the special ordinances that had been recommended by the Board and passed by the City Council.

It was found that during the first year in which the Advisory Board was in operation nine special permits were granted, during the second year nineteen, during the third year, (April 1st, 1922 - April 1st, 1923) fifty-five were given or an increase ^{1924, 127} ^{1925, 130} ^{1926, 147} ^{1927, 167} over the first year of six hundred per cent. Furthermore, many single ordinances grant permission for the setting aside of several provisions of the Housing Code in the construction of the same building.

Some of these special ordinances covered cases which were reasonable, and would not seriously affect the comfort or safety

of the occupants of the houses or the rights of their neighbors. The larger proportion of them, however, were such as could not be justified by citizens interested in the comfort and physical and moral rights of the people living in the tenements and apartment houses of Portland.

In the case of a city which has such unbounded territory in which to expand as has Portland, and at a time when the rights of people, particularly of children, to light, air, and play space is being universally emphasized, it surely would seem unnecessary, for instance, to cut down the very reasonable requirement of the Code, that a two-story apartment building shall have a rear yard not less than 18 feet in depth and side yard 4 feet wide, and for higher buildings somewhat larger yard space. Yet in the cases of not less than thirty-six apartment houses, up to April 1923, these provisions had been disregarded, most of them in the year 1923. An eight-family apartment had been erected having yard of four feet; other apartment buildings had rear yards of 30 inches, 18 inches, and 12 inches respectively, and one special ordinance permitted an apartment building to be placed on the lot line at the rear and on one side. No study has been made since 1923 that can furnish accurate data on these points, but all evidence available indicates that the laxness has greatly increased.

In many cases in these special ordinances light and ventilation requirements had been reduced or entirely set aside; at least eight apartment houses had been erected with one or more corridors entirely without windows; attic rooms and basement and cellar apartments were permitted; one builder alone had been allowed to erect three large apartment buildings with inside rooms desig-

nated as "dressing rooms", but of a size which means that they are not mere dressing rooms, but with no provision for light or air except through other rooms. These same three apartment buildings are also entirely lacking in fire walls required by the Code, the janitor lives in the basement, in two of them fire doors are omitted between basement and first floor, and other Code specifications were set aside.

Air intakes were reduced in size in many cases, notably in a four-story apartment building and in a hotel where the air intake was reduced to one-seventh of the Code's minimum requirement. Many bath rooms and toilets had been permitted in apartment buildings without outside doors or windows.

In a number of other respects the special ordinances permitted violations of principles of sanitation and safety, none perhaps more than provisions against fire; stairways in apartment houses were reduced in width; a large number of apartment buildings had been permitted with but one stairway where the Code required two, a three-story hotel 95 feet by 110 feet ground area, and two four-story hotels erected at that time had but one stairway each; fireproof stairs were omitted. In five cases fire walls between apartments were omitted in frame apartment houses each covering ground area of 3000 square feet or more and in some of them fire doors omitted. Three of these apartment buildings had been built by one man, and in them the safety of not less than seventy-five families is hazarded, doubtless most of them ignorant that full provision has not been made for their protection. These are superficially good looking apartment buildings and bring high rentals.

The final paragraph above the mayor's signature, in each of these special ordinances of the Portland Council, sets forth in formal and elaborate statement the fact that this ordinance was passed "in the interest of the life, liberty and happiness of the people of Portland."

The publicity given these facts by the Portland Housing Association and the Consumer's League in 1923 appeared to check the granting of special ordinances for violation of the Housing Code for a time. However, a recent report made to a committee of the City Club reveals that the Housing Code has been in a large degree nullified by practices that have grown up. According to this report hundreds of applications for exemption from the requirements of the Code have been granted by the City Council, many of them without their even reading the application except by title. And the matter has gone much further. Quoting from the City Club report "The indifference of the (City) Council toward this ordinance has begotten a similar attitude in the Administrative Departments entrusted with its enforcement. Where the Advisory Board by a series of rulings has indicated a policy by permits to violate a particular provision, the Building Department, without any appeal or special ordinance, has issued permits for buildings when the plan and specifications showed they were to be in violation. This notwithstanding the very section of the Code which constitutes the Advisory Board and provides: 'No regulation or ruling or any commissioner, officer or board shall repeal, amend, modify or dispense with any provision of this Code.'"

The report to the City Club points out that though no systematic survey has been made recently, yet investigations by

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the committee of a few typical cases, and the statement of visiting nurses, the Health Department, Building Department, Policy Department and Social Workers' Association, indicate that conditions are much as they were disclosed by the survey ten years ago. The report urges: "More enactment of a housing law is not sufficient. The law must be enforced. It will not enforce itself, neither will the public officers enforce it unless there is public demand for enforcement. Bad housing conditions are not clearly apparent. They are known only to a few people in a community.---Hence the public generally is apathetic. On the other hand, a small group of persons who profit by the present conditions and fear loss if they are compelled to abandon the old familiar methods and arrangements, actively, continuously and effectively oppose reform."

Under constant pressure exercised by individuals and corporations financially interested, the Building Code has, since its adoption ten years ago, been revised repeatedly, generally in the direction of lower requirements. In February, 1938, Building Inspector Plummer sent to the City Council an extensive revision of the Code, which that body passed and it thereby became a part of the City law. This was done with the general understanding between Advisory Board, Council and builders that the new code would be enforced, and few special ordinances passed granting infringements. The revised code had not yet come from the printers when a building corporation sent to the City Council a protest against certain of its provisions and an appeal for further revision. Besides this, though the new code went into effect but a month ago, several special ordinances have already been passed by the Council granting infringements.

The original Housing Code provided for a minimum rear yard for apartment buildings of fifteen feet. A revision reduced the minimum to twelve feet for rear yard for two-story apartment buildings and four feet for side yard, with slightly deeper yards for higher buildings. Scores of special ordinances have been recommended by the Advisory Board and passed by the Council in the last two or three years reducing this requirement. The revision of February, 1923, provides (page 23): "In the case of corner lots no rear yard shall be less than 10% of the depth of the lot." This provision reduces the rear yard of an apartment to ten feet in case of lots of 100 feet in depth, slightly ^{wider} ~~under~~ for deeper lots.

"In the case of interior lots no rear yard shall be less than 10% of the depth of the lot.

The depth above prescribed shall be increased one (1) per cent of the depth of the lot for each story over three(3) stories for a building on a corner lot or for each story over one (1) story for a building on an interior lot."

"Irrespective of the above provisions no rear yard under any circumstances shall be less than ten (10) feet."

(Page 25) "The minimum width of a side yard for a one story building used as a dwelling shall be four(4) feet, and shall increase one (1) foot for each additional story."

No front yard is required for apartment buildings. Cornices, eaves and certain types of porches and balconies may project into even these spaces, and (page 24) "there may be constructed in a rear yard a one-story garage, chicken house, woodshed or similar building not exceeding twenty by ~~twenty~~ ^{ten} feet in ground area, provided such building does not shut out light from any window or windows, it being understood such building must be at least four (4) feet away from any window." ^P This revision, reducing for the third time the requirement for yard space surrounding apartment buildings, had not yet come from the press when, under date of March 9, 1923, an

appeal was made to the Council by a building corporation for still further revision.

Twice dates have been set for a hearing on this appeal, which would give others than the builders an opportunity to be heard. Both of these hearings have been called off and Commissioner Barbur, with the approval of Mayor Baker, has instructed Mr. Plummer, Inspector of Buildings, to frame an ordinance to be presented to the City Council tomorrow (April 18, 1933) cutting down minimum requirements for back yards to ten feet for apartments of any height. This decision was reached and was being put into effect though it was known that there are those who planned to protest. The fact that the hearing for Thursday, April 19th, had been called off and that it was planned to have the matter passed upon by the Council on Wednesday, April 18th, was learned only accidentally on Tuesday, the day before the Council meeting.

There are certain needs that are fundamental for the health, happiness and safety of individuals and communities. Most pressing among these needs and rights of every human being is the opportunity to live where an abundance of light and air is available, and a reasonable outlook, quiet and privacy, such as is impossible when dwellings are crowded within a few feet of each other. And children have a right to play space other than the street.

The revised Code as well as the earlier forms of the Code do not permit basement apartments, yet many basement apartments have been granted, and even during the month following the recent revision appeals have been made to the Advisory Board for basement apartments. One request was refused, another granted with no apparent distinction but that the second applicant had a friend at court.

It is time for the citizens of Portland to insist that fundamental requirements for health and safety be considered of greater weight than the importunities of individuals or corporations who press continuously for financial gain. The builders who constituted the revision committee immediately after the code was first adopted in 1913 prefaced their drastic revision with an elaborate statement claiming that war conditions had caused a shortage of dwellings and that in the interest of the city, building must be encouraged. Whatever truth this contention may have had, the pressure for reduced requirements continues unabated, though the emergency has ceased to exist.

The people of Portland never became aroused to the seriousness of their housing situation until the Federal Government, during the World War, brought pressure to bear. The efforts of the Consumer's League in 1913 had failed. It was not until the Government served notice that if Portland wanted war industries located here it must improve living conditions for the workmen, that Portland considered this question seriously. This and other facts that were brought out by Federal labor experts are cited in Bulletin No. 1 of the City Planning Commission, June 1919.

The question of securing sufficient good housing therefore becomes a practical business problem. In fact, the Emergency Fleet Corporation served notice on the City last fall that unless adequate housing be provided the government would have to consider curtailing possible contracts for ship building, which they would like to have constructed in the Portland industrial district. It is with such practical considerations in mind, as well as for the general welfare of the industrial workers of this city, that the City Planning Commission has seriously taken up the housing problem in Portland.

Relation of Labor and Housing.

Discussions which we have had with the labor managers in the local shipyards here brought out very clearly the much greater importance that should be attached to good housing for

workers than is ordinarily understood. These labor managers show that more than half of their employees are married, and when a let-out comes, the married men are given preference to stay. Married men are naturally inclined to stick on the job, and in the long run are considered more reliable than the single men, who tend to be floaters, drifting from yard to yard. The married men who have recently come here with families and could not find good housing, have had to put up with small house-keeping apartments in attics and basements, where their families could, in most cases, never be contented, and therefore tended to make this wage-earner more of the floater type.

In this matter of housing, Portland seems to have come to the turning of the ways. In the recent questionnaire, many industries reported that they located here because of the contented labor conditions. Good housing is not the only factor making for contented labor conditions, but it is certainly one of the most important. If this matter is neglected now, the serious question arises as to whether or not Portland will become a floater city.

The labor turnover in the shipyard has been very high on account of the large number of floaters. The labor managers point out that all attractive small housing provided tends to cut down the labor turnover and increase the labor efficiency of the plant. Merchants know that every married man, contentedly located, brings a family of five, on the average, to spend his wages in local stores.

In studying these questions of labor turnover and efficiency during the war, the government found that it had to take a very close interest in the housing of employees engaged on government contracts.

In connection with the question of protection the owner of small homes from unpleasant surroundings and consequent property depreciation, this same report states:

" Evidently, as similar surveys have developed in New York and other cities, there are strong social and economic forces working towards a natural segregation of buildings, according to type and use, and in general the greatest land values and rentals seem to be obtained where this segregation and uniformity are most complete. One purpose of districting regulations is to strengthen and supplement the natural trend towards such segregation.

Yet, in spite of the natural trend toward this segregation, building development in many parts of Portland has been very haphazard. The natural trend has not been strong enough to prevent the invasion of districts by harmful and inappropriate uses of buildings. Once a district has been thus invaded, rents and property values decline and it is difficult ever to reclaim the district to its more appropriate uses.