

## ORDINANCE No. 176262

\*Clarify terms of district property management licenses (Ordinance; amend Code Chapter 6.06)

The City of Portland ordains:

Section 1. The Council finds:

1. On June 27, 2001, the Council adopted Ordinance No. 174729 to amend the requirements of City Code Chapter 6.06 regarding district property management licenses.
2. For the Downtown Business District, the property management license fee established by Chapter 6.06 is based, in part, on square footage of improvements.
3. Due to uncertainty over what should be considered as “improvements” in determining square footage of improvements for Downtown Business District license fee calculation purposes, it is desirable to adopt clarifying amendments to Chapter 6.06. The clarifying amendments should be applied in determining the amounts of the second license fee installments for the October 1, 2001 to September 30, 2002 license year, due April 1, 2002, and thereafter.

NOW, THEREFORE, the Council directs:

- a. City Code Chapter 6.06 is amended by adding Section 6.06.214 as follows:

**6.06.214 Downtown Business District Square Footage of Improvements.**

For purposes of Sections 6.06.200, 6.06.210, and 6.06.213 only, the terms “square footage of improvements” and “improvements square footage” shall not include:

A. Surface area of surface parking lots;

B. Landscaped area;

C. Unenclosed sidewalk, plaza, and courtyard area;

D. Below grade parking area (but, for parking structures that have above grade parking, shall include both any at grade parking area within the parking structure and all above grade parking area within the parking structure); and

E. Other below grade area unless improved for occupancy by employees or tenants.

b. City Code Section 6.06.260(A)(2) is amended as follows:

2. Plus \$1.60 per 290 square feet of improvements (~~exclusive of parking structures~~) as of July 1, 1999;

c. City Code Section 6.06.260(B)(1)(b) is amended as follows:

b. Plus the amount determined under Subsection A.2., plus \$1.60 per 290 additional square feet of improvements (~~exclusive of parking structures~~), resulting from the physical changes, as determined from the City Office of Planning and Development Review records of building permits issued authorizing or in association with the physical changes;

d. City Code Section 6.06.260(B)(2)(b) is amended as follows:

b. Plus \$1.60 per 290 square feet of improvements (~~exclusive of parking structures~~), as of July 1 of the first property tax assessment year in which the assessment roll reflects the physical changes or would reflect the changes were the property not assessed by the Oregon Department of Revenue;

e. City Code Section 6.06.260 is amended by adding subsection F as follows:

F. For purposes of this Section only, the terms “square feet of improvements” and “square footage of improvements” shall not include:

1. Surface and structured parking lot area;

2. Landscaped area;

3. Unenclosed sidewalk, plaza, and courtyard area; and

4. Below grade area unless improved for occupancy by employees or tenants.

f. The Code amendment established by Section 1(a) of this Ordinance shall be applied in determining the amounts of the second license fee installments due April 1, 2002 for the Downtown Business District license year that commenced October 1, 2001 and to subsequent license years thereafter.

g. Notwithstanding any provisions of Chapter 6.06 to the contrary, there shall be no late payment or civil penalties payable for a delay in payment during the period between October 1, 2001 and February 28, 2002 as to those license fee payments from Downtown Business District licensees that first were due October 1, 2001; and there shall be no interest payable for the period between October 1, 2001 and February 28, 2002 as to those license fee payments from Downtown Business District licensees that first were due October 1, 2001. If such payments are made after February 28, 2002, then late payment and civil penalties may be imposed and interest shall be payable, but calculated only as though payment were due March 1, 2002.

h. The Code amendments established by Sections 1(b)-(e) of this Ordinance shall be applicable to the Lloyd Business District license year that commences February 1, 2002 and to subsequent years thereafter.

Section 2. The Council declares that an emergency exists because it is necessary immediately to send statements to Downtown Business District licensees notifying them of amounts remaining due from them and, to avoid confusion, of the waiver of late payment and civil penalties and interest provided for in section g, so that they can pay the amounts remaining due prior to February 28, 2002 and thus avoid such late payment and civil penalties and interest; and such statements cannot be sent until this ordinance is in effect. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Mayor Vera Katz  
Ruth Roth/CT/BEW  
January 29, 2002

Passed by the Council:  
FEB 13 2002

**Gary Blackmer**  
Auditor of the City of Portland  
By: /S/ Susan Parsons

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 154-2002

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176262

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	X	
SALTZMAN	X	
STEN	X	
KATZ	X	