

ORDINANCE NO. 149024

An Ordinance declaring fallen trees and tree limbs in the City parks to be surplus property not needed for public use, to be given to the citizens of the City of Portland; suspending for 90 days, subject to certain conditions, all sections of the code which prohibit removal and use of such property; and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- (1) The City of Portland has undergone a very severe ice storm that has caused trees and tree limbs to fall throughout all the City parks.
- (2) The Superintendent of Parks with concurrence of the Commissioner in charge recommends that such property be declared surplus to be given to the citizens of the City of Portland for noncommercial use as firewood.
- (3) That to carry out this recommendation, pursuant to Section 1-104 of the Charter, it is necessary to declare the property to be surplus property, not needed for public use, and it is further necessary to suspend all sections of the code that prohibit removal and use of such property subject to certain conditions.

NOW, THEREFORE, the Council directs:

- (a) Pursuant to Section 1-104 of the Charter all fallen trees and tree limbs in all public parks are declared to be surplus property not needed for public use.
- (b) That all fallen trees and tree limbs in the public parks are hereby given to the citizens of the City of Portland for noncommercial use as firewood, and the removal of this property is hereby permitted.
- (c) All sections of the code that would prohibit the removal and use of such property for firewood by the citizens of Portland are hereby suspended for a period of 90 days after passage of this ordinance.
- (d) The removal of fallen trees and tree limbs in the public parks shall be limited to such removal as can be accomplished without the use of vehicles of any kind. The cutting of such trees or tree limbs within the park area, except as authorized by the Park Bureau, is prohibited.

- (e) Park Bureau personnel will be cutting fallen trees and tree limbs within the park areas, and after such fallen trees and tree limbs have been cut by Park Bureau personnel, they may be removed by the citizens of the City of Portland for noncommercial use as firewood, subject to all vehicular traffic controls within the various parks.
- (f) That the City of Portland, its officers, employees, and agents disclaim any and all liability for personal injury or property damage arising out of the gathering, cutting or removal of fallen trees or tree limbs by any such citizens of the City of Portland or other persons for reason of the authority granted by this Ordinance.

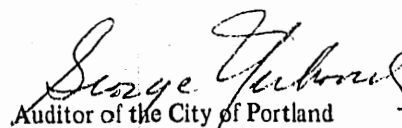
Section 2. The Council declares that an emergency exists because it is necessary to give immediate effect to the permission granted herein to help facilitate the removal of fallen trees and tree limbs within the parks; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JAN 16 1980

Commissioner Schwab  
Doug Bridges:b  
January 9, 1980

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. 140

**ORDINANCE No. 149024**

**Title**

An Ordinance declaring fallen trees and tree limbs in the City parks to be surplus property not needed for public use, to be given to the citizens of the City of Portland; suspending for 90 days, subject to certain conditions, all sections of the code which prohibit removal and use of such property; and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	/	
Jordan	/	
Lindberg	/	
Schwab	/	
McCready	/	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed JAN 10 1980

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *Donald J. ...*  
Deputy

INTRODUCED BY
<i>Commissioner Schwab</i>

NOTED BY THE COMMISSIONER
Affairs Commissioner <i>Schwab</i>
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Parks Bureau
Prepared By:                      Date: Doug Bridges                      1/9/80
Budget Impact Review: <input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: Doug Bridges

NOTED BY
City Attorney
City Auditor
City Engineer