

# ORDINANCE No. 150874

An Ordinance amending Title 33, Planning and Zoning, of the Code of the City of Portland, Oregon, subsection 33.120.040(b) to make clear that the Historical Landmarks Commission must adopt rules and regulations to carry out the intent of this chapter, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Title 33, Planning and Zoning, of the Code of the City of Portland, Oregon, at subsection 33.120.040(b) provides that the Portland Historical Landmarks Commission "may" adopt rules and regulations to carry out this chapter.
2. That Oregon case law requires that the adoption of such rules and regulations be mandatory.
3. Therefore, we should amend this subsection to make clear that we are complying with that requirement.

NOW, THEREFORE, the Council directs:


- a. That Title 33, Planning and Zoning, of the Code of the City of Portland, Oregon, is amended by amendment to subsection 33.120.040(b) to read as follows:

"33.120.040 Functions and duties. (a) XXX no change.  
(b) The Portland Historical Landmarks Commission shall adopt such rules and regulations as it finds necessary or appropriate to carry out the intent of this chapter.  
(c) to (m) XXX no change.

Section 2. The Council declares that an emergency exists because it wishes to make clear that it is complying with State law by requiring that the Landmarks Commission adopt rules and regulations to regulate its actions; therefore, this ordinance shall be in full force and effect from and after the day of its passage by Council.

Passed by the Council, DEC 17 1980

Attest:

  
Auditor of the City of Portland

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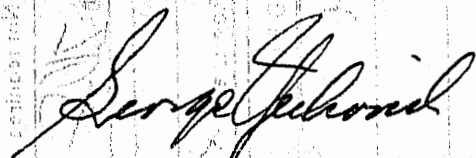
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Passed by the Council, DEC 17 1980

Attest:

  
Auditor of the City of Portland

Calendar No. 4417

**ORDINANCE No. 150874**

Title

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**THURSDAY**

Filed DEC 9 1980

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

*George Yerkovich*  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan	1	
Lindberg	1	
Schwab	1	
<i>Ivancie</i>	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Schwab

NOTED BY THE COMMISSIONER
Affairs <i>[Signature]</i>
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL	
Bureau:	Planning
Prepared By:	Date:
Ruth McKillip	11/24/80
Budget Impact Review:	
<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Not required
Bureau Head:	
Terry Sandblast <i>[Signature]</i>	

CALENDAR	
Consent	Regular <input checked="" type="checkbox"/>

NOTED BY
City Attorney <i>RSae</i>
City Auditor
City Engineer