

ORDINANCE NO. **151860**

An Ordinance amending Chapter 17.32.160 of the Public Improvements Code to make revisions which simplify the process whereby private property owners can obtain assistance in the installation of backflow prevention devices to obtain relief from flooding basements caused by sewers backing up during heavy rainfall; and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That by Ordinance No. 140285, the Council amended Chapter 17.32.160 of Title 17, Public Improvements of the Code of the City of Portland, Oregon by adding thereto a new section which provided for establishment of a program to provide for the expenditures of City funds to partially pay for the cost of installing certain backflow devices on sewer lines and on plumbing fixtures in basements in which flooding has occurred due to sewers backing up during periods of heavy rain.
2. That plumbing contractors have not been submitting public bids and entering into public contracts on small projects such as these.
3. That because of the proportionally high cost of overhead in the bidding process, bids which are received are inflated, resulting in greater cost for both the property owner and the City.
4. That receipts of applications for participation in the program have diminished to the point that excessive delays are encountered while accumulating a sufficient number to justify the bidding process.

5. that the program to encourage the installation of backflow devices to reduce health hazards and property damage should continue.

NOW, THEREFORE, the Council directs:

That Chapter 17.32.160 of Title 17, Public Improvements, of the Code of the City of Portland be deleted in its entirety and replaced with the following:

17.32.160 Installation of backflow devices in existing dwellings on sewer lines in cases of basement flooding. Any building owner whose basement has been flooded during periods of heavy rain within the City of Portland due to the backup of a City sewer line may at any time make request of the City Engineer by written application to provide for the partial reimbursement for the cost of installation of a backflow device on said building owner's sewer line, a floating ball check valve in floor drains or a ball shut-off valve in basement sinks, laundry trays, basins, automatic washers, or other fixtures with exposed traps, or by a combination of any of these devices depending upon the plumbing fixtures involved. Also, to be eligible, the building, dwelling, or structure must be existing on the property on the effective date of this Code amendment.

Installation of said device or devices shall be pursuant to Title 25, Plumbing Regulations, of the Code of the City of Portland, including, but not limited to, Chapter 25.05, Permits.

Payment to the property owner of the City's share of the expense shall be made upon the Bureau of Building's final inspection and the owner's submittal of the plumber's billing for the work.

By participation in the cost of installation, the City does not guarantee or in any manner warrant the device or devices, nor does City give any warranty that the device will prevent future flooding and City will not assume any responsibility for damages incurred as the result of flooding subsequent to installation of any device or devices. Owner shall be required to look only to such warranty or guarantee as may be secured from the manufacturer of the device or devices and/or the contractor. The building owner shall pay the first \$100 of the cost of such installation, the City shall pay the next \$500 of such costs, and the building owner shall pay any amount in excess of \$600.

All devices installed pursuant to this section shall be owned by the building owner who shall assume all duties of maintenance and repair.

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The benefits granted pursuant to this section shall not be available to those building owners living in areas presently under design for relief sewer construction and where the construction start of said sewer is anticipated within two years from the effective date of the application.

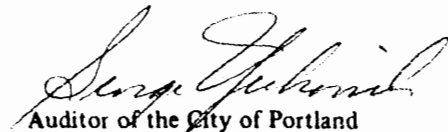
Section 2. All payments made by the City under this program shall be an obligation of the Sewage Disposal Fund or Housing and Community Development Fund, where appropriate.

Section 3. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that remedial measures described in Section 1 hereof may be authorized without delay; therefore an emergency is declared to exist and this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, **JUN 25 1981**

Commissioner Lindberg
June 17, 1981
W.D. Boyer:es

Attest:


Auditor of the City of Portland

Calendar No. **2128**

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Title

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THURSDAY

Filed **JUN 19 1981**

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	1	
LINDBERG		1
SCHWAB	1	
STRACHAN	1	
IVANCIE	1	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
Commissioner Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/MS</i>

BUREAU APPROVAL
Bureau:
Prepared By: <i>W.D Boyer</i> Date: <i>6/17/81</i>
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

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

NOTED BY
City Attorney
City Auditor
City Engineer