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191641

Ordinance

Amend Title 15 Emergency Code to align with the amended City Charter approved by voters in Portland Measure 26-228 (replace Code Title 15)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On November 8, 2022, voters approved Portland Measure 26-228 (the "Measure").
2. The Measure significantly amended Portland's City Charter. The Measure generally established a mayor-council form of government with a City Administrator, created four new geographic districts with three councilors represented in each district, and called for a new system of electing City officials using Ranked Choice Voting.
3. The Measure specifically increases the number of city council members to twelve and removes bureau administration from the role of the new legislative policy-focused council.
4. City Code Title 15 describes how, and by whom, an emergency may be declared in the City of Portland and what authorities are granted under an emergency declaration. The code reflects the current form of government and must be updated to conform to the changes adopted by the voters in Measure 26-228.
5. The City's Charter Transition Team, Portland Bureau of Emergency Management, and the City Attorney's Office partnered on this project to update and clarify emergency procedures in Title 15. The City's Charter Transition Team sought specific public input on several policy choices and general feedback to inform the drafting of this ordinance. Input was received through a variety of means including by email, an online comment form, calling 3-1-1, and a presentation to the Government Transition Advisory Committee.

Introduced by

[Mayor Ted Wheeler](#);
[Commissioner Rene Gonzalez](#)

Bureau

[Management and Finance](#)

Contact

Diana Shiplet
Coordinator

✉ diana.shiplet@portlandoregon.gov

📞 [503-823-5160](tel:503-823-5160)

Requested Agenda Type

Regular

Date and Time Information


Requested Council Date
February 28, 2024


Changes City Code

NOW, THEREFORE, the Council directs:

- A. Replace Portland City Code Title 15 as shown in Exhibit A.
- B. This ordinance takes effect on January 1, 2025.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/title-15-emergency-code-update_exhibit-a.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/title-15-emergency-code-update_exhibit-a.pdf) 77.51 KB

 [Exhibit B \(https://www.portland.gov/sites/default/files/council-documents/2024/title-15-emergency-code-update_exhibit-b_redline.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/title-15-emergency-code-update_exhibit-b_redline.pdf) 85.02 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
February 28, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

In November 2022, voters approved amendments to Portland's City Charter that included establishment of a mayor-council government, creation of four new geographic districts with three councilors representing each district, and election of City officials using Ranked Choice Voting.

This ordinance amends Portland City Code Title 15, Emergency Code, to ensure the City has clearly identified who is responsible for declaring emergencies, under what circumstances they may be declared, and what authorities are granted under an emergency declaration in the mayor-council government. The ordinance additionally clarifies that council is able to modify or terminate extensions of declarations, but not the initial emergency declaration.

Exhibit A to this item shows the replacement code and Exhibit B shows the redline mark up between current code language and the proposed replacement.

Financial and Budgetary Impacts

There is no direct fiscal impact to this ordinance. However, emergency declarations may include the need to use resources differently or beyond what the city routinely allocates in the budget process.

Community Impacts and Community Involvement

The amended Title 15 would expand the order of succession for the mayor beyond the list outlined in the amended Portland City Charter. It additionally would clarify the mayor's executive and administrative powers and the city council's legislative authority in an emergency. The City's Charter Transition Team sought public input on several policy choices as well as general feedback on the proposed language. The means for providing input included by email, an online comment form, calling 3-1-1, and a presentation to the Government Transition Advisory Committee.

100% Renewable Goal

This legislation updates City Code related to emergency declarations and has no impact on the City's energy use. This legislation neither contributes to, nor detracts from, the City's goal of meeting 100% of community-wide energy needs with renewable energy by 2050.

Agenda Items

172 Regular Agenda in [February 21, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/2/21)
(<https://www.portland.gov/council/agenda/2024/2/21>)

Passed to second reading

Passed to second reading February 28, 2024 at 9:30 a.m.

189 Regular Agenda in [February 28, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/2/28)
(<https://www.portland.gov/council/agenda/2024/2/28>)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea