



[Home](#) / [Council Documents](#)

191689

Ordinance

Amend Hearings Office Code to transfer the Hearings Office from Office of Management and Finance to Auditor's Office (amend Code Title 22)

Passed

The City of Portland ordains:

Section 1. The Council finds:

- Portland City Code Title 22 establishes the office of the Code Hearings Officer (the "Hearings Office") to provide a fast, fair, and impartial adjudication of alleged City Code violations and to provide persons adversely affected by administrative determinations and decisions with an effective and impartial appeal and review process.
- The Code Hearings Officer acts on behalf of Council. The Hearings Office currently resides within the Office of Management and Finance; however, prior to 2020, the Hearings Office had been assigned to the Auditor's Office.
- As part of the City's Charter transition and reorganization, the Auditor has consented to the reassignment of the Hearings Office to the Auditor, effective July 1, 2024, pending (i) Council's adoption of this Code amendment and (ii) Council's approval of the Auditor's requested Fiscal Year 2024-25 decision package for the Hearings Office.
- City Code Section 22.02.010 establishes the Hearings Office. The amendment to Section 22.02.010 codifies Council's delegation of the Hearings Office to the City Auditor and clarifies that the Hearings Office will fall under the Auditor's independent authority, as provided in the City Charter.
- This legislation will also bring the Code into alignment with new language standards (e.g., "shall" with "will"), clarifies a party's right to request a continuation of a hearing when a party determines that additional evidence should be brought forward, and restates the procedure regarding compelling compliance with a subpoena in a way that recognizes the authority of the Circuit Courts to make their own determinations.

Introduced by

[Auditor Simone Rede](#)

Bureau

[Portland City Auditor](#)

Contact

Reed Brodersen

Chief Deputy Auditor (he/him)

✉ reed.brodersen@portlandoregon.gov

📞 [503-823-2767](tel:503-823-2767)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date


April 17, 2024

Changes City Code

NOW, THEREFORE, the Council directs:

- A. Portland City Code Chapter 22 is amended as shown in Exhibit A.
- B. This ordinance takes effect on July 1, 2024.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-title-22-amendments.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-title-22-amendments.pdf) 233.85 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
April 17, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The Hearings Office conducts impartial administrative hearings and renders decisions in Land Use Hearings, Code Hearings, Appeals of City Decisions, Towing Hearings, and other administrative matters. The Hearings Office currently resides within the Office of Management and Finance; however, prior to 2020, the Hearings Office had been assigned to the Auditor's Office.

As part of the City's Charter transition and reorganization, the Auditor has consented to the reassignment of the Hearings Office to the Auditor, effective July 1, 2024, pending (i) Council's adoption of this Code amendment and (ii) Council's approval of the Auditor's requested Fiscal Year 2024-25 decision package for the Hearings Office.

This Code amendment codifies Council's delegation of the Hearings Office to the City Auditor and clarifies that the Hearings Office will fall under the Auditor's independent authority, as provided in the City Charter. This legislation will also bring the Code into alignment with new language standards (e.g. "shall" with "will"), clarifies a party's right to request a continuation of a hearing when a party determines that additional evidence should be brought forward, and restates the procedure regarding compelling compliance with a subpoena in a way that recognizes the authority of the Circuit Courts to make their own determinations.

Financial and Budgetary Impacts

No impacts.

Community Impacts and Community Involvement

This legislation will not impact the level of service provided by the Hearings Office to members of the public.

100% Renewable Goal

This action does not affect the City's total energy use or the City's renewable energy use.

Budget Office Financial Impact Analysis

The Hearings Office's base budget in the Auditor's FY 2024-25 Requested budget includes ongoing General Fund discretionary and overhead resources totaling \$753,187. In addition, the Auditor's Office is requesting an additional \$53,847 for additional personnel costs incurred with the transfer of the program's positions to a different bargaining unit.

Agenda Items

284 Time Certain in [April 10-11, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/10) (<https://www.portland.gov/council/agenda/2024/4/10>).

Passed to second reading

Passed to second reading April 17, 2024 at 9:30 a.m.

318 Regular Agenda in [April 17-18, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/17) (<https://www.portland.gov/council/agenda/2024/4/17>).

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea