

RESOLUTION No. 36542

Adopt the recommendations of the Report of the Work Group on Containers in the Right-of-Way and direct City bureaus to implement the recommendations (Resolution)

WHEREAS on September 28, 2005, the Portland City Council passed Resolution 36339 establishing a collaborative public and private Work Group to develop solutions to the problem of garbage dumpsters and refuse containers permanently stored in the public right-of-way, including on public sidewalks.

WHEREAS, the Work Group created under Resolution 36339 has completed its Final Report and Recommendations, and

WHEREAS Council finds waste and recycling containers in the Right-of-Way cause a number of negative impacts on the aesthetics and livability of neighborhoods, on local businesses, and on the health and safety of pedestrians and tourists using the sidewalks; and

WHEREAS, permanently storing garbage dumpsters, refuse containers and recyclables on public sidewalks and in the public right-of-way is inconsistent with or in violation of a number of City requirements for protecting the public health, safety and livability of our urban environment, and

WHEREAS although most businesses are complying with existing law, many are not aware that storage in the right-of-way is prohibited, and

WHEREAS in order to prevent the problem from increasing the City must require new buildings and major alterations to provide onsite space for waste and recycling storage and must prohibit any containers from being newly placed on the street, and

WHEREAS, to address the existing problem, businesses must be made aware of the existing law, the law must be clarified and a system set up for its enforcement, and

NOW THEREFORE, BE IT RESOLVED, that the City of Portland Council accepts the final report and recommendations of the Work Group on Containers in the Right-of-Way (Exhibit A) and

BE IT FURTHER RESOLVED that the Office of Sustainable Development, and the Bureau of Development Services shall prepare an ordinance requiring that all new buildings and buildings requiring seismic alterations shall provide space on their property sufficient to store the garbage and recycling generated by their use, and new language prohibiting ongoing storage of garbage and recycling containers in the right of way to become effective six months after the passage of this resolution, and

BE IT FURTHER RESOLVED that the Office of Sustainable Development shall set money aside from the Solid Waste Management Fund for enforcement of the new regulations, and

BE IT FURTHER RESOLVED that the Office of Sustainable Development, the Portland Office of Transportation and the Bureau of Development Services shall report back to Council on the administration of the new ordinances within one year after passage of this resolution.

BE IT FURTHER RESOLVED that the City Council gratefully acknowledges the excellent work and dedication of the Work Group and other community members who participated in the review process.

BE IT FURTHER RESOLVED that this resolution is binding City Policy.

Adopted by the Council: OCT 10 2007
Commissioner Dan Saltzman

Prepared by: Judy Crockett

GARY BLACKMER

Auditor of the City of Portland

By



Deputy

1243

Agenda No.
RESOLUTION
Title

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INTRODUCED BY	CLERK USE: DATE FILED <u>OCT 04 2007</u>
Commissioner Saltzman	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs <i>Don Saltzman</i>	By: <i>Karell</i> Deputy
Finance and Administration	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Sustainable Development	
Prepared by: Judy Crockett <i>x5545</i> Date:	
Financial Impact Statement <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required	
Portland Policy Document <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Council Meeting Date October 10, 2007	
<i>Susan Anderson</i> Bureau Head: Susan Anderson	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
Consent	Regular XX			YEAS	NAYS
		Adams	Adams	<input checked="" type="checkbox"/>	
NOTED BY		Leonard	Leonard	<input checked="" type="checkbox"/>	
City Attorney		Saltzman	Saltzman	<input checked="" type="checkbox"/>	
		Sten	Sten	<input checked="" type="checkbox"/>	
		Potter	Potter	<input checked="" type="checkbox"/>	