

City of Portland, Oregon
FINANCIAL IMPACT STATEMENT
For Council Action Items

184101

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Denise Kleim		2. Telephone No. 503-823-7338		3. Bureau/Office/Dept. BDS 299/5000	
4a. To be filed (date) 8/25/10, to be heard 9/1/10		4b. Calendar (Check One) Regular Consent 4/5ths X <input type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to FPD Budget Analyst: 8/25/10	

1) Legislation Title:

Correct and clarify code language to better address community noise impacts (Ordinance; amend Title 18)

2) Purpose of the Proposed Legislation:

- A. Modifies definitions to more clearly define the following terms for purpose of applying the Noise Code equitably: Dwelling unit, Noise Sensitive receiver, and off-road recreational vehicle.
- B. Specifies term limits for Noise Review Board members, which is consistent with other existing term limitations implemented for BDS boards, commissions, and committees.
- C. Modifies audibility distance measurement for sound producing devices in the public right-of-way. The increase in distance reflects current practice and is consistent with the audibility distance measurement of 14A.30.020 implemented by Portland Police.
- D. Adds a noise variance approval criterion relating to the applicant's previous record of noncompliance with Title 18.
- E. Clarifies the process used to serve a noise citation to a responsible party.

3) Revenue:

Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If new revenue is generated please identify the source.

No additional revenue is anticipated with the proposed code clarification amendments. The amendments clarify existing code language, review processes, and enforcement policies. No new regulations are created by the proposed amendments.

4) Expense:

What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years) (If the action is related to a grant or contract please include the local contribution or match required)

No additional cost is anticipated with the proposed code clarification amendments. The amendments clarify existing code language, review processes, and enforcement policies. No new regulations are created by the proposed amendments.

Staffing Requirements:

5) Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? (If new positions are created please include whether they will be part-time, full-time, limited term or permanent positions. If the position is limited term please indicate the end of the term.)

There are no changes to existing staffing.

6) Will positions be created or eliminated in future years as a result of this legislation?

There are no anticipated changes to positions or staffing levels based on the proposed amendments.

Complete the following section only if an amendment to the budget is proposed.

7) Change in Appropriations (If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Center Code column if new center needs to be created. Use additional space if needed.)

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Amount


 Paul L. Scarlett, Director

APPROPRIATION UNIT HEAD (Typed name and signature)

**Office of the Director****City of Portland, Oregon - Bureau of Development Services**

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September 1, 2010

To: Mayor Adams
Commissioner Fish
Commissioner Fritz
Commissioner Leonard
Commissioner Saltzman

From: Paul L. Scarlett, Director *PLS*
Bureau of Development Services

Regarding: Proposed amendments to Title 18, Noise Control, to modify definitions, clarify service of noise citations, and incorporate term limits for Noise Review Board members.

Attached is a proposed ordinance amending several sections of Title 18. The proposed ordinance is designed to accomplish the following things:

- Modifies definitions to more clearly define the following terms for purpose of applying the Noise Code equitably: Dwelling unit, Noise Sensitive receiver, and off-road recreational vehicle.
- Specifies term limits for Noise Review Board members, which is consistent with other existing term limitations implemented for BDS boards, commissions, and committees.
- Modifies audibility distance measurement for sound producing devices in the public right-of-way. The increase in distance reflects current practice and is consistent with the audibility distance measurement of 14A.30.020 implemented by Portland Police.
- Adds a noise variance approval criterion relating to the applicant's previous record of noncompliance with Title 18.
- Clarifies the process used to serve a noise citation to a responsible party.