

**ORDINANCE No. 184898**

Revise the Stormwater Discharge Code to clarify existing authorities for City discharge permits and authorizations and evaluation of proposed discharges (Ordinance; repeal and replace Code Chapter 17.39)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) is authorized to develop and manage the City's storm sewer and drainage system facilities to adequately convey, manage and protect the water quality of discharges of stormwater runoff.
2. The City has a regulatory obligation to update its stormwater enforcement regulations by November of 2011 to comply with requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater permit (Oregon State Permit #101314).
3. Chapter 17.39 of the Portland City Code authorizes the City to regulate discharges of materials other than stormwater into the City's storm sewer and drainage system. The existing code language is unclear on authority to require site modification, monitoring information and discharge requests prior to acceptance of a discharge into City systems. The proposed Code changes remove redundant language, remove organizational and grammatical errors, increase program efficiency and effectiveness, and are intended to improve public comprehension of various code sections.
4. Municipalities across the nation have updated their authorities and ordinance language to provide enhanced legal coverage for staff conducting inspections related to stormwater discharges. This code replacement updates language to conform to these national norms.
5. The Bureau of Environmental Services is currently developing administrative rules that will detail how code will be implemented, and anticipate public review and hearing of those rules in late fall of 2011.

NOW, THEREFORE, the council directs:

- a. Repeal and Replace Chapter 17.39 in its entirety as set forth in Exhibit A of this Ordinance.
- b. Authorize the Director of BES to establish and amend administrative rules to implement PCC Chapter 17.39 through a public review and public hearing process.

Passed by the Council,  
Dan Saltzman  
Commissioner of Public Affairs

SEP 28 2011

Dawn Hottenroth]  
[September 6, 2011]

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy

Agenda No.  
**ORDINANCE NO. 184898**  
 Title

*Repeal Revise*

~~Update and replace~~ the Stormwater Discharge Code to clarify existing authorities for City discharge permits and authorizations and evaluation of proposed discharges. (Ordinance; repeal and replace Chapter 17.39).  
 Code

INTRODUCED BY Commissioner/Auditor: <b>Saltzman</b>	CLERK USE: DATE FILED <u>SEP 16 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - <b>Saltzman</b> Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland  By: <u><i>[Signature]</i></u> Deputy
BUREAU APPROVAL Bureau: BES Bureau Head: <b>Dean Marriott</b>	ACTION TAKEN:  <b>SEP 21 2011 PASSED TO SECOND READING</b> <b>SEP 28 2011 9:30 A.M.</b>
Prepared by: Dawn Hottenroth Date Prepared: September 6, 2011	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Council Meeting Date <b>September 21 and 28</b>	
City Attorney Approval <b>NK</b>	

*Exc*

*✓ DEZ*

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR X</b> Total amount of time needed: <u>0 min.</u> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	_____	
4. Leonard	✓	
Adams	_____	