

185694

**ORDINANCE No.**

Amend various sections of the Public Works Improvement Code and Plumbing Regulations to implement the new policies related to the City's Nonconforming Sewer Conversion Program. (Ordinance; amend Code Chapters 17.32, 17.33, 17.36 and Title 25).

The City of Portland ordains:

Section 1. The Council finds:

1. That the Bureau of Environmental Services (BES) is currently implementing the Nonconforming Sewer Conversion Program to require all properties in the City to eventually have individual and direct connections to the public sewer system.
2. In September of 2011, Commissioner Saltzman's Office convened a citizen advisory committee to evaluate the existing BES Nonconforming Sewer Conversion Program. In March 2012, the committee made recommendations regarding public outreach, connection fees, adoption of private pipes in the public right-of-way and refunds to customers who have paid conversion fees for connection.
3. Commissioner Saltzman and BES have agreed to implement a fee reduction for certain single family residential properties participating in the Nonconforming Sewer Conversion program. Those properties would be charged only the City's existing Branch Fee to connect, while multifamily, commercial, industrial and institutional properties would retain the Sewer Conversion Fee for connection.
4. Commissioner Saltzman and BES have agreed to enhance City adoption of private sewer lines serving residential properties within the public right-of-way. Those properties served by systems meeting City standards may have their systems accepted without a fee. Substandard lines will be adopted only with payment of a branch fee by all properties served by that line to pay for City maintenance, enhancement and eventual replacement of the substandard line.
5. Commissioner Saltzman and BES have agreed to develop and implement a reimbursement program for eligible residential customers who have already paid or financed the higher Sewer Conversion Fee.
6. BES has already made the corresponding rate change on the annual BES rate ordinance which takes effect on July 1, 2012.
7. BES has significant public review including direct mailings to over 800 interested parties, including the program CAC. A month long public review and hearing was conducted from June 5 to July 5, 2012, included notice in the newspaper. The proposal received some mixed public comment, mostly in support and questions regarding fees guaranteed by previously signed waivers.

NOW, THEREFORE, the Council directs:

- a. That the proposed amendments be made to PCC Chapters 17.32, 17.33, 17.36 and Title 25, as outlined in Exhibit A.

- b. That the Director of BES make corresponding changes to program administrative rules to reflect these changes.

Passed by the Council,  
Dan Saltzman  
Commissioner of Public Affairs

OCT 24 2012

[Dawn Hottenroth]  
[August 9, 2012]

Cost object - ord

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

By

  
Deputy

Agenda No. **185694**  
**ORDINANCE NO.**  
 Title

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| INTRODUCED BY<br>Commissioner/Auditor:<br><i>Saltzman</i>   | CLERK USE: DATE FILED <u>OCT 05 2012</u>   |
| COMMISSIONER APPROVAL<br>Mayor—Finance and Administration - Adams<br>Position 1/Utilities - Fritz<br>Position 2/Works - Fish<br>Position 3/Affairs - <i>Saltzman</i><br>Position 4/Safety - Leonard | LaVonne Griffin-Valade<br>Auditor of the City of Portland<br><br>By: <u><i>[Signature]</i></u><br>Deputy                               |
| BUREAU APPROVAL<br>Bureau: BES<br>Bureau Head: <i>Dean Marriott</i>   | ACTION TAKEN:<br>OCT 10 2012 <i>RESCHEDULED TO</i> OCT 17 2012 9:30 A.M.<br>OCT 17 2012 PASSED TO SECOND READING OCT 24 2012 9:30 A.M. |
| Prepared by: Dawn Hottenroth<br>Date Prepared: August 9, 2012   |  |
| Financial Impact & Public Involvement Statement<br>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>   |  |
| Portland Policy Document<br>If "Yes" requires City Policy paragraph stated in document.<br>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                                      |  |
| Council Meeting Date<br>September 12, 2012  |  |
| City Attorney Approval <i>6f</i>  |  |

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|---|
| <b>AGENDA</b>   |
| <b>TIME CERTAIN</b> <input type="checkbox"/><br>Start time: _____<br><br>Total amount of time needed: _____<br>(for presentation, testimony and discussion) |
| <b>CONSENT</b> <input type="checkbox"/>   |
| <b>REGULAR</b> <input checked="" type="checkbox"/><br>Total amount of time needed: <b>10 min</b><br>(for presentation, testimony and discussion)            |

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