

ORDINANCE No. 186519 As Amended

Adopt TRN 8.08 Encroachments in the Public Right-Of-Way administrative rules (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City's Encroachment Policy (TRN 8.01) was adopted in June 1982 and establishes three categories of encroachments: Above Grade (sky bridges, arcaded structures), At Grade and Below Grade.
2. On January 8, 2014, Council approved renaming the City's Encroachment Policy (TRN 8.01) adopted in June 1982 as the "Major Encroachments Policy."
3. Although TRN 8.01 mentions At-Grade encroachments, there is very little guidance for Transportation staff and community members to understand what the parameters are for permitting and how Transportation interprets and implements regulation on At-Grade encroachments in the public Right-Of-Way.
4. Over time, on an as needed basis, Transportation has adopted business practices or developed administrative rules regarding some aspects of encroachments in the public Right Of Way not included in TRN 8.01.
5. The Portland Bureau of Transportation (PBOT) established a work group and conducted outreach to internal and external stakeholders through a rule development process regarding encroachments in the public Right-Of-Way to create a framework for and consolidation of existing policies and related procedures.
6. PBOT completed a draft Encroachments in the Public Right-Of-Way manual, made it available for comment and review, and made modifications based on comments received.

NOW, THEREFORE, the Council directs:

- a. That the City of Portland adopts TRN 8.08, Encroachments in the Public Right-Of-Way, as an administrative rule attached as Exhibit A.

- b. City Council authorizes the Director of the Bureau of Transportation to make further adjustments to TRN 8.08 pursuant to and consistent with existing rule making authority delegated to the Director as needed and after prior notification to each Council office to facilitate clarifications, modifications, or additions to ensure good stewardship of the Public Right-Of-Way.
- c. The Director of the Bureau of Transportation will report annually to Council offices summarizing, if any, adjustments to TRN 8.08 made during the past year.

Passed by the Council,

APR 02 2014

Commissioner Steve Novick
Prepared by: Kurt Krueger:slg
Date Prepared: February 18, 2014

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Gayla Jennings

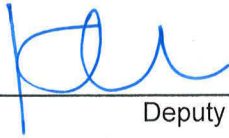
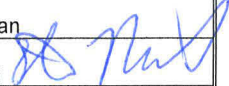
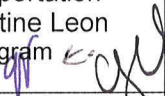

Deputy

268-201314

2140

Agenda No. **186519** As Amended
ORDINANCE NO.
Title

Adopt TRN 8.08 Encroachments in the Public Right-of-Way administrative rules (Ordinance)

INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>MAR 14 2014</u>
COMMISSIONER APPROVAL	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN:</p> <p>MAR 19 2014 CONTINUED TO MAR 26 2014 9:30 A.M. MAR 26 2014 PASSED TO SECOND READING As Amended APR 02 2014 9:30 A.M.</p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety – Novick 	
BUREAU APPROVAL	
Bureau: Bureau of Transportation Interim Group Mgr. Christine Leon Development & Capital Program Other: Greg Jones 	
Prepared by: Kurt Krueger: slg 	
Date Prepared: February 18, 2014	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	
Council Meeting Date March 19, 2014	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

AGENDA 2092

TIME CERTAIN
Start time: _____
Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT *Pulled*

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	