

ORDINANCE No. 187060

* Establish the authority of the Director of the Bureau of Internal Business Services regarding the Portland Oregon TM sign and correctly reflect the organizational structure of the Office of Management and Finance. (Ordinance; amend Code Sections 3.15.010, 3.15.020, 3.15.040, 3.15.070, 3.15.080)

The City of Portland ordains:

Section 1. The Council Finds:

1. The City of Portland owns the Portland Oregon TM sign and all associated intellectual property, including but not limited to current and potential future trademark and copyright rights.
2. The Portland Oregon TM sign is the intellectual property of the City of Portland. Currently there are numerous unauthorized uses of the Portland Oregon TM sign without the appropriate licensing agreement.
3. The Bureau of Internal Business Services (BIBS) in the Office of Management and Finance (OMF) is responsible for the physical maintenance of the Portland Oregon TM sign.
4. It is prudent to establish the authority of the Director of the Bureau of Internal Business Services (BIBS) to manage and maintain the Portland Oregon TM sign, including managing and protecting the associated intellectual property rights.
5. It is prudent for the BIBS Director to establish an Acceptable Use policy and a fee schedule to govern all use of the Portland Oregon TM sign.
6. City Council has an interest in how the Portland Oregon TM sign is used and by which organizations and/or companies.
7. City Code language describing OMF is outdated because the Procurement Services Division is now an organizational component of the Bureau of Revenue and Financial Services, and the Enterprise Business Solutions Division is now an organizational component of the Office of the Chief Administrative Officer.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Chapter 3.15.020 is amended as shown in Exhibit A.
- b. Portland City Code Chapter 3.15.040 is amended as shown in Exhibit B.
- c. Portland City Code Chapter 3.15.010 is amended as shown in Exhibit C.
- d. Portland City Code Chapter 3.15.070 is amended as shown in Exhibit D.

- e. Portland City Code Chapter 3.15.080 as shown in Exhibit E is added.
- f. The Director of BIBS shall adopt an Acceptable Use policy and fee schedule governing the use of the Portland Oregon TM sign.
- g. The Director of BIBS shall report on an annual basis to the City Council about the use of the sign, including the specific licenses granted, the gross revenue from licenses, and the net revenue after deducting costs for maintaining the sign.

Section 2. The Council declares that an emergency exists because the City must move quickly to enforce its' intellectual property rights; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAR 25 2015

Mayor Charlie Hales
Prepared by: Celia Heron
Date Prepared: February 24, 2015

Mary Hull-Caballero
Auditor of the City of Portland

By



Deputy

286 311

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Agenda No.
ORDINANCE NO. 187060
Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL</p> <p>OMF CAO: Fred Miller</p> <p>Bureau Head: Bryant M. Enge</p> <p>Prepared by: Celia Heron Date Prepared: February 25, 2015</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date March 18, 2015</p>	<p>CLERK USE: DATE FILED MAR 13 2015</p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN:</p> <p>MAR 18 2015 CONTINUED TO MAR 25 2015 9:30 A.M.</p>
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AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:																		
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 20 Minutes (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><th></th><th style="width: 20%; text-align: center;">YEAS</th><th style="width: 20%; text-align: center;">NAYS</th></tr><tr><td>1. Fritz</td><td style="text-align: center;">✓</td><td></td></tr><tr><td>2. Fish</td><td style="text-align: center;">—</td><td style="text-align: center;">—</td></tr><tr><td>3. Saltzman</td><td style="text-align: center;">✓</td><td></td></tr><tr><td>4. Novick</td><td style="text-align: center;">✓</td><td></td></tr><tr><td>Hales</td><td style="text-align: center;">✓</td><td></td></tr></table>		YEAS	NAYS	1. Fritz	✓		2. Fish	—	—	3. Saltzman	✓		4. Novick	✓		Hales	✓		
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