

ORDINANCE No. 187403

* Amend Permits Code, Permits to Construct and Maintain Structures in the Street Area, to correct Code Section reference (Ordinance; amend Code Section 17.24.014)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 184957, passed October 26, 2011, updated code provisions related to permitting through a larger code update and replaced the provisions of 17.44.017.
2. Within the existing code section 17.24.014, relating to permits to construct and maintain structures in the street area, revocation of permits is incorrectly referenced to the provisions of 17.44.017 which was replaced through the code update through Ordinance No. 184957.
3. Within 17.24.016 are code provisions related to revocation of permits.
4. In order to rectify this code error, the Portland Bureau of Transportation is changing the code reference to the appropriate section.

NOW, THEREFORE, the Council directs:

- a. Section 17.24.014 Permits to Construct and Maintain Structures in the Street Area, Subsection A, is amended as follows:

Except as otherwise provided in this Code, permits to construct, install and/or maintain privately-owned structures in dedicated street area may be issued by the Director of the Bureau of Transportation only to the owner of the property abutting the half of the street area in which the structure is proposed to be built. Such permits shall be revocable at any time as provided in Section ~~17.44.017~~ 17.24.016. The burdens and benefits of any such permit shall run with the property abutting the half of the street area in which the structure is proposed to be built and all such permits shall be recorded against the title of the benefitting property except as otherwise specified below. All cost of such recordings shall be borne by the permittee. Upon sale or other disposition of the property, the permit shall automatically transfer to any new property owner, unless the permit specifically states that it is nontransferable.

Remainder of section is unchanged.

Section 2. The Council declares that an emergency exists because as development continues, the Bureau wishes to avoid double assessing properties within this area; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **OCT 28 2015**

Commissioner Steve Novick
Prepared by: Jeremy Finkle:slg
Date Prepared: October 1, 2015

Mary Hull Caballero
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 187403
 Title

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| <p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK</p> | <p>CLERK USE: DATE FILED <u> OCT 23 2015 </u></p> |
| <p style="text-align: center;">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 <i>SN</i></p> | <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Mary Hull Caballero</i></u> Deputy</p> |
| <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Transportation Development, Permitting & Transit Group Manager: Christine Leon <i>CL</i> Division Mgr: Assistant Director: <i>MALD 10/14/15</i></p> <p>Prepared by: Jeremy Finkle:slg Date Prepared: October 1, 2015 <i>JF</i> Supervisor: <i>KE</i></p> | <p>ACTION TAKEN:</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 <i>OK'd. TERS</i></p> | |
| <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>CF</i></p> | |
| <p>Council Meeting Date October 28, 2015</p> | |

AGENDA

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

CONSENT

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

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