

ORDINANCE No. 188312

*Amend City Code to provide for towing of abandoned or derelict vessels from parks and municipal docks, subject to appeal to the Code Hearings Officer (Ordinance; amend Code Section 19.16.060)

The City of Portland ordains:

Section 1. The Council finds:

1. Under PCC 19.16.060, the Director of Portland Parks & Recreation is responsible for managing use of the City's municipal boat landings and marine facilities, and the Director, the Chief of Police, the Harbor Master and the Multnomah County Sheriff are authorized to enforce regulations pursuant to that Section.
2. The City's municipal boat landings are intended for short-term use by recreational boaters, and, except as allowed under PCC 19.16.060, PCC 20.12.160 prohibits the tying of any boat upon any Park property along the Willamette or Columbia Rivers.
3. There are persistent problems created by people who either disregard the rules, particularly the time limitations, governing use of the municipal boat landings, or who leave abandoned or derelict vessels attached to the City's municipal boat landings.
4. Portland Parks & Recreation has worked cooperatively with the Portland Police Bureau, the Harbor Master and the Multnomah County Sheriff's Office River Patrol to attempt to address these problems.
5. Reliance on the authority to issue Park exclusions under PCC 20.12.265 has been insufficient to resolve the problem.
6. It is necessary to the public health, welfare and safety to provide for the towing, storage and disposal of abandoned or derelict vessels attached to the City's municipal boat landings and/or in City Parks, as authorized by ORS 830.908 to 830.948.
7. A person whose vessel is towed should have an opportunity to challenge the validity of the tow.

NOW, THEREFORE, the Council directs:

- a. PCC 19.16.060.J is amended as provided in Exhibit A to this Ordinance.

Section 2. The Council declares that an emergency exists because there are a number of vessels that are currently threatening the public health, welfare and safety, which need to be towed without delay; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

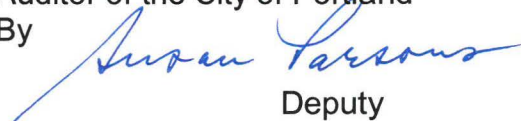
Passed by the Council: APR 05 2017

Commissioner Amanda Fritz
Prepared by: Harry Auerbach
Date Prepared: March 3, 2017

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

307 339

Agenda No.
ORDINANCE NO. 188312
Title

*Amend City Code to provide for towing of abandoned or derelict vessels from parks and municipal docks, subject to appeal to the Code Hearings Officer (Ordinance, amend PCC 19.16.060)
Code Section

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Fritz</p>	<p>CLERK USE: DATE FILED MAR 21 2017</p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler</p> <p>Position 1/Utilities - Fritz <i>Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>Mary Hull Caballero</i> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Parks & Recreation Bureau Head: Mike Abbate <i>Mike Abbate</i></p> <p>Prepared by: Harry Auerbach Date Prepared: March 3, 2017</p>	<p>ACTION TAKEN:</p> <p>MAR 29 2017 RESCHEDULED TO MAR 29 2017 2:00 PM MAR 29 2017 RESCHEDULED TO APRIL 5, 2017 9:30 AM</p>
<p>Impact Statement</p> <p>Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances <i>Toni</i></p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>MA</i></p>	
<p>Council Meeting Date Mar 29, 2017</p>	

AGENDA
<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: 15 min (for presentation, testimony and discussion)</p>

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. Eudaly	4. Eudaly <input checked="" type="checkbox"/>	
Wheeler	Wheeler <input checked="" type="checkbox"/>	