

Agenda Item 110

TESTIMONY

3:00 PM TIME CERTAIN

BUILDING DEMOLITION CODE AMENDMENT
TO IMPLEMENT SENATE BILL 871 - DUST & SITE CONTROL

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

NAME (PRINT)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ John Sandie	3425 NE Fremont St. 97212	
✓ Margant Davis		
✓ Ramona Lunke	4018 N Kerby AVE 97227	rorothe Riveter@gmail.com

1 February 2018

I'm Margaret Davis. I've worked with United Neighborhoods for Reform and I'm a board member of the Roseway Neighborhood Association.

Anti-demolition activists have long sounded the alarm on the release of hazardous materials during demolitions, and here at least since 2014. Just as leaders in Flint, Michigan, knew about the lead hazard in the water, so we have known that lead and asbestos radiate out from a site of mechanical demolition. It is also well-known that these materials cause irreversible health and developmental effects.

Thank you for this great enhancement to public safety.

However, I call your attention to the proposal's exemption for unsafe and hazardous structures at 24.55.205(C)(8), under which certain demolitions would not have to follow the lead-hazard reduction requirements.

If a structure to be demolished is deemed unsafe and hazardous, then its owner should provide expanded notice to neighbors that corresponds to the increased dispersal of hazardous materials. Well-known studies, including the major and recent HUD analysis, show that most hazmat fallout from a demolition occurs within 300 feet of a demolition; it's not until 400 feet that measured particulates returned to background levels. If we only ask for notification to neighbors within 150 feet of the demolition site, we're protecting less than half of the people and properties that will be exposed.

In meetings of the DRAC subcommittee I've brought up these stats, but committee members say expanded notice costs too much. Whatever the expense of expanded notification, it is less than tutoring for a kid with development disabilities, illness, or brain damage brought about by ingesting lead and/or asbestos.

Please add expanded notification to neighbors living within 300, ideally 400, feet from a demolition if a building is deemed unsafe and hazardous. Otherwise, ironically, "unsafe and hazardous" also will apply to anyone living, breathing, playing in that 400-foot radius.

Finally, please move up the implementation deadline. We've discussed this basic public health protection for years; moving up the effective date by even a few months will protect thousands more people from known toxins.

Don't forget: the cheapest, greenest house is the one already standing. Earlier this week Craigslist had nearly a thousand new listings posted in one day for rentals. We have gone from housing crisis to housing glut, with units going vacant and many people wishing for the cheaper, well-built homes that had been tossed in the landfill because they can't afford the expensive units built in their place.

Coming back to the topic at hand, hopefully we will see the futility, expense, and unnecessary loss involved in demolitions and stop them altogether, keeping our viable affordable housing and building only on vacant land.

So again, expand notification for demolitions exempted under the unsafe and hazardous provision. And, for the love of Portland and its people, move up that effective date.

Thank you!

4216 NE 47th Ave., 97218

References

HUD study: <http://www.nchh.org/LinkClick.aspx?fileticket=PPOcLrPuado%3d&tabid=230>

An investigative special section by *The Philadelphia Inquirer* reported:

“A child who inhales lead dust faces more danger than one who swallows dirt because dust has a more direct path to the brain, experts say.

“‘Ingestion is bad,’ said Richard Pepino, an environmental toxicology expert at the University of Pennsylvania. ‘Inhalation is worse.’”

http://www.philly.com/philly/news/special_packages/philadelphia-lead-soil-fishtown-construction-dust.html

The Centers for Disease Control says there is no safe level of lead in children:

“The most important step parents, doctors, and others can take is to **prevent lead exposure before it occurs.**”

https://www.cdc.gov/nceh/lead/acclpp/blood_lead_levels.htm; emphasis in original

Under the Portland city charter, a key function of city government is to ensure public safety:

“(a) ... the City has power and authority:

“ ...

“2. To secure the protection of persons and property and to provide for the health, cleanliness, ornament, peace, safety and good order of the City.”

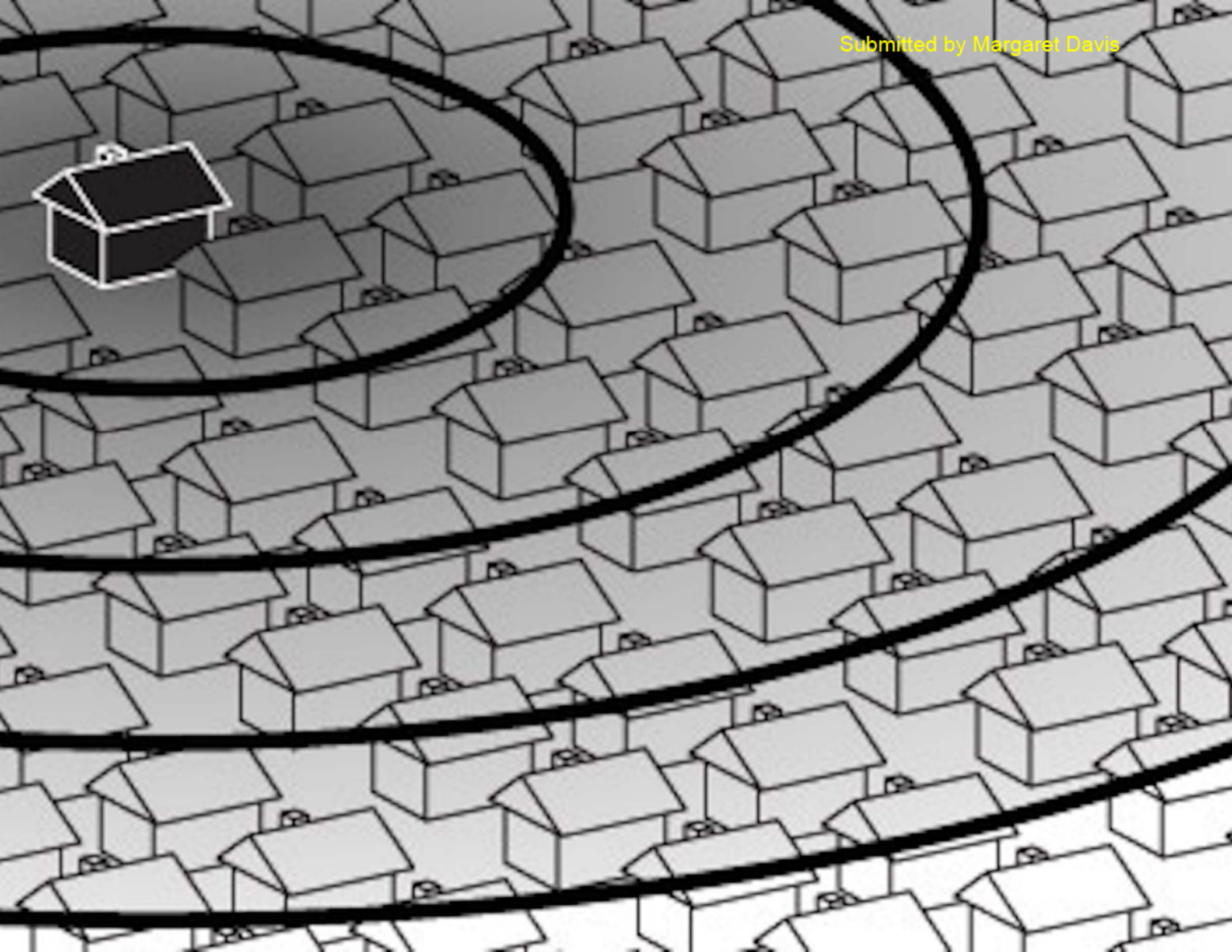
City Charter, Section 2-105: <https://www.portlandoregon.gov/citycode/article/403285>

We have 2x the vacant land available to meet all density projections until 2035:

“The vacant and underutilized land within these residentially designated areas have a combined development capacity that is double the expected growth, after considering restraints. This means that it is possible to be more selective about where development occurs in residential zones.” (Staff Report: Residential Densities, <https://www.portlandoregon.gov/bps/article/520514>)

Submitted by Margaret Davis





City Council Testimony, February 1, 2018

Proposed Lead and Asbestos Best Practices during residential demolitions

Submitted by John Sandie

Resident NE Portland and representative of United Neighborhoods for Reform (UNR)

Just over three years ago, United Neighborhoods for Reform (UNR) presented to City Council a resolution, backed by over 40 neighborhood associations within Portland, that dealt with concerns around new infill development, as well as responsible practices during demolitions of existing homes.

The ensuing years of UNR enlisting community, city bureau and administration, as well as, state legislative support has resulted in the proposal we are discussing today. UNR is encouraged by and supports this proposal, albeit with some further discussion on a few points.

This city proposal is modeled from the Senate Bill 871 best practices advisory group which included statewide representatives from the many stakeholders involved in residential demolition activities. As a member of this advisory group, I was encouraged by the broad support of developers and construction companies who recognized that these practices would help level the playing field between companies striving to be responsible and those, not so much.

Since compliance is key to the effectiveness of any ordinance, proper inspections and meaningful penalties are a must. Therefore, the quicker the proposed additional inspectors are trained and performing their duties the better; and accelerating the target from July 1 should be a priority within BDS. In addition, the proposal only *requires* pre and post demolition inspections; but states that inspections during the actual demolition itself- *may* occur. Since this would be the most critical inspection point –the ambiguity within the code language is of some concern. BDS personal have indicated this ambiguity will be clarified through administrative rules, and we will hold them accountable to this commitment.

UNR has lobbied for the notification area be expanded to 400 ft, rather than the 150 ft within proposal, as the 400 ft distance represents the extent of potential significant lead dust fallout as determined by a number of studies. The argument that 150 ft is adequate with implementation of this best practice ordinance only holds up if the demonstrated compliance is at 100%; therefore, this should be a performance measure tracked by BDS and available to the public.

Also noted within the SB871 recommendations and city best practices proposal is the use of full deconstruction as a means of removing a residential structure. UNR continues to advocate for this method to be the preferred choice for any and all residential demolitions, regardless of date of construction; as construction material suppliers cannot guarantee that asbestos containing materials will never be imported and find their way into American homes.

Thank you.

Moore-Love, Karla

From: Jordan Jordan <jordan@earthadvantage.org>
Sent: Thursday, February 01, 2018 12:25 PM
To: Moore-Love, Karla
Subject: Written testimony re: amendment to Code Chapter 24.55 and Policy ENS 14.01 and 14.10
Attachments: Jordan_Portland demo code revision letter of support.pdf

Follow Up Flag: Follow up
Due By: Thursday, February 01, 2018 4:00 PM
Flag Status: Flagged

Hi Karla,

My name is Jordan Jordan (believe it or not!) and I'd like to submit written testimony (attached) to the record regarding amendments to Code Chapter 24.55 and Policy ENS 14.01 and 14.10.

Thank you.

Jordan Jordan
Building Material Reuse Consultant

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Earth Advantage has surpassed the **16,000 certified homes** mark!

02/01/2018

Re: Building Demolition Code Amendment

Portland City Council
1221 SW 4th Avenue / Portland, OR 97204

Dear Mayor Wheeler and Members of the Council:

My name is Jordan Jordan and I am writing to express my support for the proposed changes to the City's demolition code implementing best practices established under Oregon Senate Bill 871.

I served on the State's advisory committee that worked to develop the practices now being considered by the City. Amending the code helps to address a glaring regulatory loophole around residential demolitions, taking steps to safeguard the health and safety of residents from all corners of the city.

I commend City leadership and staff for taking sensible steps that put public health and safety first, and thank you for once again showing leadership on pressing issues. I hope jurisdictions throughout the state will follow suit.

Sincerely,



Jordan Jordan, Building Material Reuse Consultant

Submitted by
Tony Green

