

ORDINANCE No. 189309

Clarify the required placarding and tenant notification requirements for unreinforced masonry buildings (Ordinance; amend Code Chapter 24.85)

The City of Portland Ordains:

Section 1. The Council finds:

1. On June 13, 2018, the City Council passed Resolution No. 37364 that, among other actions, directed City staff to develop a placarding and tenant notification ordinance applicable to all unreinforced masonry (URM) buildings that are not retrofitted to a level expected to prevent collapse in an earthquake.
2. On October 10, 2018, the City Council passed Ordinance No. 189201 that, among other actions, requires property owners of URM building to post a placard in a conspicuous place on the exterior of the main entrance and notify future tenants or lessors of the building that the unreinforced masonry building may be unsafe in the event of a major earthquake.
3. While Portland City Code 24.85 and legislative history would clearly demonstrate that the placarding and notice requirements apply to circumstances when an owner has not applied for a building permit, a third party questioned the application of this provision.
4. This ordinance removes the alleged ambiguity, so that the placarding and notification provisions in PCC 24.85.065.C-I clearly apply when an unreinforced masonry building has not been retrofitted to a level expected to prevent collapse in an earthquake, and that a building permit is not required to trigger these provisions.

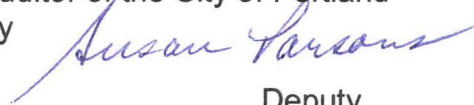
NOW, THEREFORE, the Council directs:

- a. Portland City Code Chapter 24.85 is amended as set forth in Exhibit A.

Passed by the Council: DEC 19 2018

Mayor Ted Wheeler
Prepared by: Tony Garcia, CAO
Date Prepared: November 30, 2018

Mary Hull Caballero
Auditor of the City of Portland

By 
Deputy

Agenda No. **ORDINANCE NO. 189309**

Title

Amend to clarify the required placarding and tenant notification requirements for unreinforced masonry buildings (Ordinance; amend Code Chapter 24.85)

INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>DEC 04 2018</u>
COMMISSIONER APPROVAL	Mary Hull Caballero Auditor of the City of Portland
Mayor—Finance & Administration - Wheeler <i>NTP</i>	By: <u><i>[Signature]</i></u> Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
BUREAU APPROVAL	ACTION TAKEN:
Office of City Attorney Tracy Reeve <i>[Signature]</i>	DEC 12 2018 PASSED TO SECOND READING DEC 19 2018 9:30 A.M.
Prepared by: Tony Garcia Date Prepared: November 30, 2018	
Impact 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 type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances <i>TAP</i>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date December 17, 2018	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	_____	_____
Wheeler	✓	