

**ORDINANCE No. 189837**

Amend Sidewalk Repair Program to update the appeals and hearing process (Ordinance; amend Code Section 17.04.010 and Chapter 17.28)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Bureau of Transportation's Utilities, Construction, Inspection Division is responsible for the management of the Sidewalk Repair Program on behalf of the City of Portland.
2. The Sidewalk Repair Program is responsible for the maintenance, inspection, and upgrading of curbs, corners, and sidewalks throughout the City of Portland. Property owners are responsible for the maintenance of sidewalks on their property. PBOT Inspectors assess sidewalks to determine if repairs are necessary. If repairs are not completed by the property owner, PBOT will hire a private contractor to make the repairs and bill the property owner. Property owners may appeal these charges should they feel the assessment is not consistent with City Code.
3. The changes to Title 17 update the appeals process for sidewalk repair assessments. All appeals will now be heard by the Code Hearings Officer. Currently, city code requires these appeals be heard by City Council. These changes bring the process in line with the city's overall appeals process, making it less disparate and confusing to the public.
4. The proposed changes include updates to sections 17.04.010, 17.28.140, 17.28.150, and 17.28.160. Specific code changes may be found in Exhibit A, with explanations in the impact statement.

NOW, THEREFORE, the Council directs:

- a. City Code Section 17.04.010 and Chapter 17.28 are amended as detailed in Exhibit A.

Passed by the Council, JAN 29 2020

Commissioner Chloe Eudaly  
Prepared by: GY:CB  
Date Prepared: 12/18/2019

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

Agenda No. **189837**  
 Ordinance NO. **189837**  
 Title

Amend Sidewalk Repair Program to update the appeals and hearing process (Ordinance; amend Code Section 17.04.010 and Chapter 17.28)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Chloe Eudaly</b>	CLERK USE: DATE FILED <u>JAN 14 2020</u>
<b>COMMISSIONER APPROVAL</b>  Mayor—Finance & Administration – Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>Kale</i></u> Deputy  <b>ACTION TAKEN:</b>  JAN 22 2020 PASSED TO SECOND READING JAN 29 2020 9:30 A.M.
<b>BUREAU APPROVAL</b> Bureau: PBOT Group: DPT Group Manager: Christine Leon Director: Chris Warner <i>CW</i>	
Prepared by: GY; CB <i>GY</i> Supervisor: Anne Hill <i>AH</i> Date Prepared: December 18, 2019	
<b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances <i>Tori</i>	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan <i>KAM</i>	
Council Meeting Date <b>January 22, 2020</b>	

**AGENDA**

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

**CONSENT**

**REGULAR**  *15*  
 Total amount of time needed: *70*  
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. <i>Vacant</i>	2. <i>Vacant</i>		
3. Hardesty	3. Hardesty	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	