

ORDINANCE No. 190126

Amend the Building Demolition Code to move implementation details to the administrative rule, update asbestos requirements to conform to state regulations, update demolition inspections language to be consistent with current practices, increase fines for non-compliance, and make other modifications for clarity and consistency and amend fee schedule (Ordinance; amend Code Chapter 24.55 and Portland Policy Document ENB 14.10)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. BDS administers Portland City Code (PCC) Title 24, Building Regulations. PCC Chapter 24.55, Building Demolitions, regulates building demolitions within the City.
3. In 2018, the City Council added provisions to Chapter 24.55 that created a regulatory program for addressing dust and debris that may be generated when structures with one to four dwelling units, plus their accessory structures, are demolished.
4. Because these provisions were new, BDS anticipated the need to make adjustments based on lessons learned during the initial period of implementing the new regulations.
5. In February 2020, BDS presented a report to the City Council outlining the program and providing recommendations for improvements based on lessons learned and recent discussions with stakeholders.
6. This ordinance conforms the demolition inspections and specifies what will be inspected at each to current practices, deletes references to deconstruction, removes the option for having an accredited asbestos inspector on-site as an alternative to full asbestos abatement prior to a demolition, and requires anyone removing exterior painted components as part of a demolition to have lead-based paint certifications.
7. The ordinance also removes details regarding lead-based paint inspection reports, verification of required certifications, debris containment and sign posting requirements, and enforcement and fines. BDS will adopt these details in the Demolition Administrative Rule.
8. The ordinance makes other technical changes to ensure consistency between City Code and State regulations.

9. The ordinance further amends the Enforcement Fee and Penalty Schedule as shown in Exhibit B to increase the fines for violations of the residential demolition site control requirements in Chapter 24.55.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Chapter 24.55 is amended as set forth in Exhibit A.
- b. The Enforcement Fee and Penalty Schedule is amended as shown in Exhibit B, effective on the effective date of this ordinance (Portland Policy Document ENB 14.10)
- c. This ordinance is binding City policy.

Passed by the Council: September 16, 2020

Mayor Ted Wheeler
Prepared by: Nancy Thorington, BDS
Date Prepared: September 9, 2020

Mary Hull Caballero

Auditor of the City of Portland

By *Keelan McClymont*
Deputy

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 Agenda No.
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 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>September 1, 2020</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler	Mary Hull Caballero Auditor of the City of Portland
Position 1/Utilities - Fritz	Keelan By: <u>McClymont</u> Deputy
Position 2/Works - Ryan	
Position 3/Affairs - Hardesty	
Position 4/Safety - Eudaly	
BUREAU APPROVAL Bureau: Development Services Bureau Head: Rebecca Esau	ACTION TAKEN: September 9, 2020 Passed to Second Reading September 16, 2020 at 9:30 a.m. September 16, 2020 Rescheduled to September 16, 2020 at 2:00 p.m.
Prepared by: Leanne Torgerson Date Prepared: 8/11/2020	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: DB required for Code Ordinances	
City Attorney Approval: Tony Garcia required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date September 9, 2020	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>9:50</u> Total amount of time needed: <u>45 minutes</u> (for presentation, testimony and discussion)
CONSENT <input 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. Ryan	✓	
3. Hardesty	✓	
4. Eudaly	✓	
Wheeler	✓	