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#### Bureau of Development Services FROM CONCEPT TO CONSTRUCTION

# Chapter 24.55 Residential Demolitions

## Amendments September 9, 2020

1900 SW Fourth Avenue | Portland, Oregon 97201 | www.portlandoregon.gov/bds



#### Stakeholders

DRAC Demo stakeholder / Working Group (*members included*: Residential Builders, Remodelers, Architects, Neighborhood Reps, Asbestos Contractors, Demolition Contractors, Designers and Developers, Small Business Reps & Land Use Professionals)

Oregon Homebuilders Association Contractor Certification Board Bureau of Planning & Sustainability Bureau of Development Services (BDS)

#### **Technical Advisors**

Oregon DEQ Multnomah County Health Dept Oregon Health Authority (OHA) BDS Property Compliance staff Licensed Lead and Asbestos Consultants



### Goal for Proposed Amendments

- Provide additional requirements to ensure compliance;
- Improve protections for properties near residential demolition activity;
- Ensure regulations are clear and enforceable.



## **Timeline Summary**

#### 2018 July 1<sup>st</sup> New Demolition Code & Admin Rule took effect

#### 2019

Sept 9<sup>th</sup> BDS Staff presented the 1<sup>st</sup> Year Program Report at OHA's Lead-based paint Stakeholder meeting

Nov 4<sup>th</sup> Demolition stakeholder meeting #1

Dec 4<sup>th</sup> Demolition stakeholder meeting #2

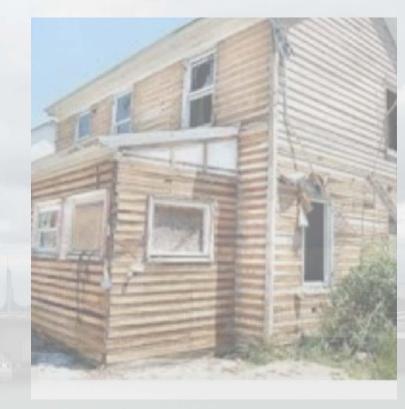
Dec 6<sup>th</sup> Demolition stakeholder meeting #3



## Summary of Amendments for Chapter 24.55 & Administrative Rule

✓ Language clarification

Requirement for a full,
destructive asbestos survey
prior to moving forward





Chapter 24.55 Residential Demo**bitizens** & Admin Rule Amendments Summary

### **Timeline Summary**

✓ Review of current site control requirements including:

- site setup;
- exterior component removal; and
- debris containment.
- Improve the 3 Inspections purpose, requirements and timing of inspections, as well as consider video inspections as an alternative method



Required Inspections - amended

- ✓ 1. Pre-demo work Initial inspection
- $\checkmark$  2. During demo work inspection
- ✓ 3. NEW 2<sup>nd</sup> During demo inspection with approval
- ✓ to begin, as inspector observes mechanical demolition
- ✓ 4. Post demo Final inspection



Chapter 24.55 Residential Demolitions & Admin Rule Amendments Summary

## Timeline Summary – Admin Rule

#### **2020** Jan 14<sup>th</sup> Demolition stakeholder meeting #4

#### Jan 23<sup>rd</sup> New INTERIM Admin Rule adopted



### **Timeline Summary**

#### 2020 Jan 14<sup>th</sup> Demolition stakeholder meeting #4

- Jan 23<sup>rd</sup> New INTERIM Admin Rule adopted
- Feb 26<sup>th</sup> 1<sup>st</sup> Year Residential Demolition Ordinance Program Report presented to Council



## Summary – Code Chapter 24.55

✓ Only 2 sections of this Chapter of City Code amended

- 24.55.150 Definitions
- 24.55.205 Site Control Measures

✓ Many subsections were moved to the Administrative

Rule, then amended and updated.

Corrected language and updated references



Chapter 24.55 Residential Demolition **26** & Admin Rule Amendments Summary

## Summary of Amendments for Chapter 24.55



✓ Wetting and Dust
Suppression

Methods and

equipment

recommendations



Correction Notice only

### Enforcement and Fines

1st Violation

3rd Violation

2nd Violation = \$5,000 fine

- = \$10,000 fine
- 4th Violation = \$15,000 fine

All Subsequent Violations = \$15,000 fine



Chapter 24.55 Residential Demolition & Admin Rule Amendments Summary

#### **PROPOSED RESIDENTIAL DEMOLITION ENFORCEMENT**

1-4 dwelling units and accessory structures over 200 sq. ft.

Violations are permanent records that follow the responsible party throughout current and future demolition projects in Portland.

CORRECTABLE VIOLATION		NON-CORRECTABLE VIOLATION	
1st Violation	Correction Notice No Fine	1st Violation	1st Citation \$10,000 Fine
2nd Violation	1st Citation \$5,000 Fine	2nd Violation	2nd Citation \$15,000 Fine
3rd Violation	2nd Citation \$5,000 Fine	3rd Violation	3rd Citation \$20,000 Fine
4th+ Violation	Subsequent Citations \$5,000 Fine	4th+ Violation	Subsequent Citations \$25,000 Fine



Chapter 24.55 Residential Demolition26 & Admin Rule Amendments Summary

#### Scenario #1

Non-correctable violation on Site A

1st Non-Correctable violation - 1st citation and \$10,000 fine

Correctable violation on Site B

1st Correctable Violation – Correction notice only

Non-correctable violation on Site C

2nd Non-Correctable violation - 2nd citation and \$15,000 fine

#### Scenario #2

Correctable violation on Site A

1st Correctable violation - Correction notice only

Non-correctable violation on Site B

1st Non-Correctable violation - 1st citation and \$10,000 fine

Correctable violation on Site C

2nd Correctable violation - 1st citation and \$5,000 fine



Chapter 24.55 Residential Demolitions & Admin Rule Amendments Summary

## Admin Rule has a New Format

- Restructured layout & moved sections for better ease of use for public and staff
- ✓ Corrected language and updated references
- Created Appendices specific for Asbestos and Lead-based paint



## Additional Outcomes . . . Ideas . . .



Expand Educational Information Data Sampling

Notifications through Technology

**Commercial Demolitions** 



Chapter 24.55 Residential Demolitions & Admin Rule Amendments Summary

Thank you !

## Next Steps

Publish the Draft Administrative Rule for public comment, prior to approval.

#### **Final Statements**