

Agenda No. ~~190~~ 223

**ORDINANCE No. 190350**

Amend provisions of City Building Code to clarify permit abandonment, expiration, extensions, and reactivation (Ordinance; amend Code Chapters 24.10, 24.15, 25.05, 26.04, 27.03, and 32.62)

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) Titles 24 – Building Regulations; 25 –Plumbing Regulations; 26 – Electrical Regulations; 27 – Heating and Ventilating Regulations; and 32 – Signs and Related Regulations.
3. The State Building Code and Chapters 24.10, 25.05, 26.04, 27.03, and 32.62 each contain provisions outlining how long construction-related permits that have already been issued can remain active before they are void, and the conditions under which extensions will be granted. These provisions are incomplete because they fail to address how long permit applications (before the permit is issued) will remain active, and the conditions under which permit applications and issued permits will be considered abandoned or expired, and when the permits can be reactivated.
4. In addition, since 2018, the Federal Communications Commission (FCC) has issued several rulings impacting Personal Wireless Service Facility permit applications

**Introduced by**  
Commissioner Ryan

**Bureau**  
Development Services

**Prepared by**  
Nancy Thorington,  
Emily Sandy, and  
Gabby Bruya

**Date Prepared**  
March 15, 2021

**Requested Council Date**  
March 31, 2021

**Requested Agenda Type**  
Time Certain

**Start Time**  
10:30 a.m.

**Time Requested**  
20 minutes

**Date Filed with Clerk**  
March 23, 2021

that impose tight deadlines within which a local jurisdiction must issue these permits.

5. To implement the new FCC requirements, BDS has worked with the wireless carriers to create processes and timelines that ensure the permit applications get issued within the specified timeframes, and that the work on the sites gets completed in a timely manner to keep the permit flow efficient and allow for multiple open permits on a single site.
6. This ordinance clarifies the various terms, differentiates between how long permit applications versus issued permits will remain active, and specifies how these provisions differ with respect to Personal Wireless Service Facilities.
7. This ordinance also makes some minor language changes for clarity and consistency.

NOW, THEREFORE, the Council directs:

- A. Portland City Code Chapters 24.10, 24.15, 25.05, 26.04, 27.03, and 32.62 are amended as set forth in Exhibit A.

Passed by Council: April 7, 2021

**MARY HULL CABALLERO**

Auditor of the City of Portland

By *Megan Lehman*

Deputy

Action taken: March 31, 2021 Passed to Second Reading April 7, 2021

Commissioners voted as follows (Yea or Nay)

Rubio - Yea

Ryan - Yea

Hardesty -

Mapps - Yea

Wheeler - Yea