



191154

Ordinance

Amend Floating Structures Code to replace Floating Structures Board of Appeal with Building Code Board of Appeal and make other changes for clarity and consistency (amend Code Title 28)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City, through the Bureau of Development Services (BDS), regulates floating structures and related structures, such as docks and marinas, via City Code Title 28 – Floating Structures.
2. Title 28 creates a Floating Structures Code Board of Appeal to hear appeals of BDS decisions related to floating structures.
3. Since it was created, the Floating Structures Code Board of Appeal has only met one time, and it has not met in over 15 years.
4. Most issues that arise relating to floating structures involve interpretations of the Commercial and Residential Building Codes, on which the existing Building Code Board of Appeal has the expertise to render decisions.
5. The revisions in this ordinance will replace the Floating Structures Code Board of Appeal with the Building Code Board of Appeal as the body that hears appeals of BDS decisions related to floating structures.
6. The ordinance allows the River Community Advisory Committee to assign a committee member or other subject-matter expert to participate in any appeals heard by the Building Code Board of Appeal that are related to floating structures and interpretations of Title 28 on a case-by-case basis. This approach provides maximum flexibility without burdening the community with being appointed to a board that never meets.
7. The ordinance also removes the term, “grandfathered,” which has its origin in racist post-Civil War practices designed to prevent Black men from voting.
8. The ordinance adds some definitions and makes other minor language changes for clarity and consistency.

NOW, THEREFORE, the Council directs:

Introduced by

[Commissioner Carmen Rubio](#)

Bureau

[Development Services \(BDS\)](#)

Contact

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Development Services

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📞 [711](#) Oregon Relay Service

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

January 25, 2023

Changes City Code

A. Portland City Code Title 28 amended as set forth in Exhibit A.

B. The effective date of the City Code amendments is March 1, 2023.

Documents and Exhibits

 [Exhibit A](#) 83.88 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
January 25, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This ordinance amends City Code Title 28 – Floating Structures to replace the Floating Structures Code Board of Appeal with the Building Code Board of Appeal as the body that hears appeals of BDS decisions related to floating structures. Since it was created, the Floating Structures Code Board of Appeal has only met once, and it has not met in over 15 years. Most issues that arise relating to floating structures involve interpretations of the Commercial and Residential Building Codes, on which the existing Building Code Board of Appeal has the expertise to render decisions. The revisions in this ordinance will allow the River Community Advisory Committee assign a committee member or other subject-matter expert to participate in any floating structure appeals heard by the Building Code Board of Appeal. The ordinance also removes the term, “grandfathered,” which has its origin in racist post-Civil War practices designed to prevent Black men from voting.

Financial and Budgetary Impacts

There are no financial or budgetary impacts associated with the proposed ordinance outside of standard costs associated with code changes. No new regulations are created by the proposed amendments.

Community Impacts and Community Involvement

The River Community Advisory Committee worked with BDS staff on this ordinance. Because the proposed changes are technical in nature, limited outreach will be conducted to inform customers of the code changes.

100% Renewable Goal

Not applicable.

Agenda Items

59 Regular Agenda in January 18-19, 2023 Council Agenda

Passed to second reading

Passed to second reading January 25, 2023 at 9:30 a.m.

83 Regular Agenda in January 25, 2023 Council Agenda

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea