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191370

Ordinance

Add Dry Wells and Other Underground Injection Controls Code to regulate dry wells and other stormwater facilities (add Code Chapter 25.10)

Passed

The City of Portland ordains:


Section 1. The City Council finds:


1. The City, through the Bureau of Environmental Services, regulates dry wells and other stormwater facilities for projects over 500 square feet via City Code and the Stormwater Management Manual.
2. The Bureau of Development Services has historically regulated all other dry wells and stormwater facilities through the provisions outlined in the Oregon State Plumbing Code.
3. However, the latest version of the Oregon State Plumbing Code provides language regarding dry well construction as guidelines only.
4. Without these provisions, the Bureau of Development Services has no authority to regulate dry wells and other stormwater facilities.
5. To regulate these facilities, the Bureau of Development Services must incorporate the guidelines from the Oregon State Plumbing Code into Portland City Code Title 25.
6. The ordinance adopts adapted guideline language for dry well and other infiltration facilities for stormwater management from the Oregon State Plumbing Code permanently into Portland City Code Title 25, adding the language under a new Chapter 25.10.

NOW, THEREFORE, the Council directs:

- A. Add Code Chapter 25.10 as set forth in Exhibit A.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/title-25-dry-wells-and-underground-injection-controls-exhibit-a-062823.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/title-25-dry-wells-and-underground-injection-controls-exhibit-a-062823.pdf), 84.97 KB

 [Memo to Council \(https://www.portland.gov/sites/default/files/council-documents/2023/title-25-dry-wells-and-underground-injection-controls-](https://www.portland.gov/sites/default/files/council-documents/2023/title-25-dry-wells-and-underground-injection-controls-)

Introduced by

[Commissioner Carmen Rubio](#)

Bureau

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

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

July 12, 2023

Changes City Code

[memo-to-council-062823.pdf](#), 190.05 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
July 12, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The Bureau of Environmental Services regulates dry wells and stormwater facilities for projects over 500 square feet through City Code and the Stormwater Management Manual; BDS regulates all other dry well and stormwater facilities via the Oregon State Plumbing Code. The latest version of the Oregon State Plumbing Code no longer includes dry well regulations, as it has in the past. Instead, the Oregon State Plumbing Code provides language regarding dry well construction as guidelines only. Without these provisions in the Oregon State Plumbing Code, BDS has no authority to regulate dry wells and stormwater facilities. Consequently, BDS must adapt and incorporate the guidelines from the State Plumbing Code into Portland City Code Title 25 as requirements in order to continue regulating these facilities.

Financial and Budgetary Impacts

This ordinance has no budgetary impacts and would not impact staffing levels.

Community Impacts and Community Involvement

No community involvement was conducted in the development of this ordinance because the language is adapted from the Oregon State Plumbing Code.

Agenda Items

558 Regular Agenda in [June 28, 2023 Council Agenda](#)
(<https://www.portland.gov/council/agenda/2023/6/28>)

Passed to second reading

Passed to second reading July 12, 2023 at 9:30 a.m.

**587 Regular Agenda in [July 12-13, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/7/12)
(<https://www.portland.gov/council/agenda/2023/7/12>)**

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea