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191973

Ordinance

Amend Code to align with the amended City Charter approved by voters in Portland Measure 26-228 (amend Code Titles 2, 4, 9, 22, 23 and 30, replace Code Titles 3 and 17, and repeal Code Title 8)

Passed

The City of Portland ordains.

Section 1. The Council finds:

1. On November 8, 2022, voters approved Portland Measure 26-228 (the "Measure").
2. The Measure significantly amended Portland's City Charter. The Measure generally established a mayor-council form of government with a City Administrator, created four new geographic districts with three councilors represented in each district, and called for a new system of electing City officials using Ranked Choice Voting.
3. City Code currently reflects the Commission form of government and must be updated to conform to the changes adopted by the voters in Measure 26-228, including reflecting the new responsibilities of the legislative-focused City Council, the executive Mayor, and the City Administrator.
4. Additionally, grammatical corrections, removal of gendered language, and updates to the names of city bureaus and programs need to be made.
5. The City's Charter Transition Team, the Portland Bureau of Human Resources, the Bureau of Planning and Sustainability, and the City Attorney's Office partnered on review of Title 8. During this review, it was determined that Title 8 Health and Sanitation should be repealed as most of the Chapters in the Title are either outdated or Multnomah County is responsible for the duties.
6. However, on March 13, 2024, the Council, through Ordinance No. 191653, adopted regulations pertaining to the gasoline leaf blowers

Changes

[Ordinance 191973](#)

January 1, 2025

[View all changes](#)

Introduced by

[Mayor Ted Wheeler](#)

City department

[City Government and Leadership](#)

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

November 20, 2024

Changes City Code

and assigned the regulations to Code Chapter 8.80. Therefore, as part of the repeal of Title 8, the regulation of gasoline leaf blowers has been renumbered as Chapter 17.101, as shown in the attached Exhibit F, to be aligned with other sustainability regulations.

7. As part of aligning City Code with the amended City Charter, staff brought forward amendments to Title 5, Revenue and Finance code on October 30, 2024. In this update, Purchasing Code, currently located in Portland City Code Chapters 5.33, 5.34, and 5.68 is recommended to be replaced by a new Chapter numbered 5.10 titled Public Contracting. If this amendment to Title 5 is approved by Council, references to the former Purchasing Code currently found in Subsection 3.06.020.E, as shown in Exhibit B, will require technical correction for the new Code Chapter citation.
8. Portland Bureau of Transportation is proposing an update to Portland City Code Chapter 17.56.060, which addresses relocation and discontinuation of public utility infrastructure within the public right-of-way. The change would clarify existing PBOT authority to allow for more flexibility than the strict 30 days for completion of relocation demands currently does. This update is intended to allow these projects the flexibility to reflect their true timelines, and to streamline the process for PBOT staff, and is shown in the attached Exhibit G.
9. Zoning Code Section 33.846.060.B Table 846-[1] requires applicants for Design Review and Historic Resource Review Certification for Affordable Housing Developments to provide a letter from the Portland Housing Bureau certifying that the development meets the required affordability requirements. In order for the Charter Reform version of Title 30 to be comprehensive, Exhibit H incorporates the Title 33 standard into Section 30.01.170, giving PHB the authority to issue such letters.
10. On May 26, 2010, through Ordinance No. 183836, Council granted the Portland Housing Bureau and the Commissioner in Charge authority to issue financial assistance in specific amounts for affordable housing development. In order for the Charter Reform version of Title 30 to be comprehensive, Exhibit H incorporates and updates the financial assistance content of Ordinance No. 183836 as new Section 30.01.180.
11. The Office for Community Technology (OCT) is now a part of the Bureau of Planning and Sustainability's Community Technology program rather than a stand-alone office. To reflect that change, Portland City Code Chapter 3.114 should be repealed and the relevant provisions of Chapter 3.114 should be moved to Chapter 3.33

NOW, THEREFORE, the Council directs:

- A. Amend Portland City Code Title 2 as shown in Exhibit A.

- B. Replace Portland City Code Title 3 as shown in Exhibit B.
- C. Amend Portland City Code Title 4 as shown in Exhibit C.
- D. Repeal Portland City Code Title 8.
- E. Amend Portland City Code Title 9 as shown in Exhibit D.
- F. Replace Portland City Code Title 17 as shown in Exhibit E.
- G. Amend Portland City Code Title 22 as shown in Exhibit F.
- H. Amend Portland City Code Title 23 as shown in Exhibit G.
- I. Amend Portland City Code Title 30 as shown in Exhibit H.
- J. The City Auditor is authorized to correct citations in City Code in accordance with this and other Charter Reform amendments approved by Council and may consult with Auditor's legal counsel or the City Attorney's office as necessary.
- K. This ordinance takes effect on January 1, 2025.

Exhibits and Attachments

 [Exhibit A - Title 2 Legislation & Elections](#) 509.38 KB

 [Exhibit B - Title 3 Administration](#) 1.09 MB

 [Exhibit C - Title 4 Original Art Murals](#) 228 KB

 [Exhibit D - Title 9 Protected Sick Time](#) 257.82 KB

 [Exhibit E - Title 17 Public Improvements](#) 1.45 MB

 [Exhibit F - Title 22 Hearings Officer](#) 292.55 KB

 [Exhibit G - Title 23 Civil Rights](#) 261.53 KB

 [Exhibit H - Title 30 Affordable Housing](#) 578.79 KB

 [Title 17 - Strikethrough/Underline Version](#) 1.2 MB

 [Title 3 - Strikethrough/Underline Version](#) 796.1 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
November 20, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

In November 2022, voters approved amendments to Portland's City Charter that included establishment of a mayor-council government, creation of four new geographic districts with three councilors representing each district, and election of City officials using Ranked Choice Voting.

This ordinance ensures Portland City Code Title 2 Legislation and Elections, Title 3 Administration, Title 4 Original Art Murals, Title 9 Protected Sick Time, Title 17 Public Improvements, Title 22 Hearings Officer, Title 23 Civil Rights, and Title 30 Affordable Housing reflect the amended City Charter. It also and repeals Title 8 Health and Sanitation as outdated and unnecessary, with the exception of the newly added Code Chapter 8.80, which will be renumbered as Chapter 17.01 to align with other sustainability regulations.

Charter focused changes include recognizing that the City Administrator has the authority to adopt administrative rules, direct the work of city bureaus and offices, and approve contracts or agreements.

Chapters which are either administrative in nature or severely outdated have been removed from the proposed code. Any chapter recommended for removal which is administrative in nature will be updated as necessary and adopted into a Portland Policy Document. Removal of these chapters from City Code ensures that the separation of legislative and administrative authorities granted in the amended City Charter are maintained.

Additionally, grammatical corrections and removal of gendered language were made.

Financial and Budgetary Impacts

This legislation aligns City Code with the amended City Charter and has no direct fiscal impact.

Economic and Real Estate Development Impacts

Not applicable.

Community Impacts and Community Involvement

Not applicable.

100% Renewable Goal

This legislation aligns City Code with the amended City Charter and has no direct fiscal impact.

Document History

Agenda	Council action
November 13, 2024 Regular Agenda City Council	Passed to second reading Passed to second reading November 20, 2024 at 9:30 a.m.
November 20, 2024 Regular Agenda City Council	Passed Aye (5): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler