

→ Neil Goldschmidt

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

December 20, 1977



RECEIVED
DEC 22 1977

From James E. Griffith, Bureau of Buildings
To Office of Planning and Development
Addressed to Mike Lindberg
Subject New Appeals Process

Another example
of a service improvement
in the Bureau of Buildings
Mike

Dear Mike:

As you are aware, one of our big efforts in the bureau has been toward expediting permit applications. We have recently implemented a new program that has drastically reduced processing time for applicants who are required to go before the Building Code Board of Appeals. By drastic reduction, I mean prior to our new program, some applicants had to wait as long as six weeks to be able to be placed on the appeals board agenda whereas now the maximum waiting period is two weeks.

The State Building Code allows the building official to make evaluations as to alternate materials and methods in the same vein as the appeals board. Up until recently all appeals were sent to the appeals board without administrative review. The program that we have recently implemented now requires that all appeals go through an administrative review. We have found that we have been able to act on in excess of 50% of the appeals that are submitted. What this accomplishes is that we have eliminated the \$25.00 applicant fee for the appeals board. We have also eliminated the delay on those applicants which in the past had to wait until agenda time for the appeals board. Our administrative review is accomplished twice weekly and is attended by myself as Building Official; Dave Beckman, Inspections Manager; Gary Ross, Administrative Manager; Bud Dunnigan, Permit and Zoning Supervisor, with Jim Hart, Structural Engineer, and Dick Durland, Fire Marshal's Office, being invited on an as needed basis. The other benefit to this program is the fact that the appeals board now meets twice a month and the agenda consists of six or seven appeals. The only appeals now that are reviewed by the full board are jobs that are of such a size that our administrative review feels they should be reviewed by the full board, or the administrative review board cannot come to a full consensus of agreement, or lastly the applicant disagrees with the findings of the administrative review board.

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DEC 30 1977

MAYOR'S OFFICE

Mike Lindberg
Office of Planning & Development
December 20, 1977
Page 2

The bottom line is faster service to the applicants as well
as cutting down the work load of the appeals board and
speeding up the whole appeals process.

If you have any questions please give me a call.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim", with a small dot above the "i".

JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd

MEMORANDUM

Date: December 7, 1977

To: Commissioner Ivancie
Commissioner Jordan
Commissioner McCready
Commissioner Schwab

From: Neil Goldschmidt, Mayor

Subject: DEMOLITION PERMIT FOR DOWNTOWN YMCA
BUILDING

Today, the Council considered a report from myself as Commissioner-in-Charge of the Department of Finance and Administration on the proposed demolition of the YMCA located at 831 S. W. Sixth Avenue. This is provided for by Chapter 24.13 of the City Code.

In addition, the Council considered at the same time an ordinance which would authorize expenditure of funds to make further study of the feasibility of rehabilitating the YMCA building.

The ordinance was defeated by a 2-to-2 vote of the members of the Council and report being Council Calendar 4103 was filed.

Section 24.13.133 of the City Code provides that the Council must take affirmative action on the report to preserve the structure in question to delay issuance of a demolition permit.

Since the Council took no such affirmative action and refused to provide the funds for further study, it is apparent that preservation of the building for "H" occupancy purposes is not the wish of the Council.

Because of the Council's position on this matter expressed at the Council meeting today, unless there are

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Page Two

objections raised by members of the Council, it is my intention as Commissioner-in-charge of the Bureau of Buildings to authorize issuance of a demolition permit for the YMCA building immediately in order that the proposed development on the property need not needlessly be delayed.

NG:cm



OFFICE OF
CITY ATTORNEY
CHRISTOPHER P. THOMAS
CITY ATTORNEY

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204
503/248-4047

12
file
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DEC 6 1977

MAYOR'S OFFICE

INTEROFFICE MEMO

Date: December 6, 1977
To: Mayor Neil Goldschmidt
From: Robert L. Hurtig
Chief Deputy City Attorney
Subject: YMCA HEARING

At the Council hearing of December 1, 1977 on the request of the YMCA and others for approval of Downtown Plan Review for the new proposed Pacific First Federal Savings & Loan building on the site presently occupied by the YMCA, you requested that certain dates be furnished to you prior to the forthcoming hearing on December 7 concerning demolition of the YMCA building.

Those dates are as follows:

- (1) The general concept of the density plan for the Downtown Plan was adopted December 28, 1972. The parking and circulation plan which is also a part of the recommendation for approval of Downtown Plan Review was adopted by the Council February 25, 1975.
- (2) The YMCA ceased occupancy for housing purposes on the premises as of January 1, 1973.
- (3) Chapter 13 of the Appendix of the Uniform Building Code was adopted as to the Fire and Life Safety Codes by the State on August 30, 1974.
- (4) The City of Portland adopted Section 24.13.130 of the City Code which adopted by reference Chapter 13 of the UBC on November 20, 1974 and provided that all buildings falling within the scope of Chapter 13 must conform to the requirements thereof by January 1, 1976.
- (5) Section 24.13.132 of the City Code providing for study and deferral of issuance of demolition permits for possible retention of Group "H" occupancies was passed by the Council December 4, 1975.

Section 24.13.132 of the City Code providing for Portland Development Commission review and report of requested

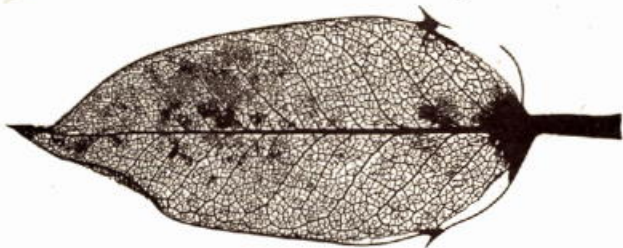
Mayor Neil Goldschmidt
December 6, 1977
Page 2

demolition permits for "H" occupancies provides that such process is required for a building "improved" as an "H" occupancy. No reference is made to use (or lack of use) of the premises as an "H" occupancy at the time the demolition permit is applied for.

Part 3, Sections 501 and 502, of the Uniform Building Code provide that every building existing or hereinafter erected shall be classified by the building department according to its use and the character of its occupancy, and further, that no change shall be made in the character of occupancy or use of any such building that would place the building in a different division unless such building is made to comply with the requirements of the UBC for such division or group. Such change also requires approval by the building department.

The YMCA building was classified as an "H" occupancy in January, 1956 by the building department and has remained such ever since. The Uniform Building Code and the City Code in January, 1956 had the same definitions and requirements of classification for an "H" occupancy. I have also checked with the building department concerning the possibility of considering this use a mixed occupancy under Section 503 of the Uniform Building Code and they inform me that in their opinion it is not possible to so consider it, since the predominant use is for an "H" type occupancy. The fact that the lower two or three floors are used for accessory recreational purposes would not in their opinion change this classification.

RLH:at
cc: Commissioner Ivancie
Commissioner Jordan
Commissioner McCready
Commissioner Schwab



Filed: Copy ~~Letter~~
cc: 12/8 ~~12/8~~
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RECEIVED

DEC 6 1977

MAYOR'S OFFICE

December 6, 1977

Neil Goldschmidt, Mayor
City Hall
Portland, Oregon 97204

Re: James Griffith
Bureau of Buildings

Dear Neil:

During the heavy rain last Friday there was a mudslide across the street from my house on Santanita Terrace. Several trees had fallen across the roof of the house, and the street was completely blocked by the mud.

I knew nothing of this incident until I arrived home around 5:30 P.M. There was a City car in the street and two men surveying the situation by flashlight. One of the men introduced himself as Jim Griffith from the Bureau of Buildings. He had been called earlier in the day when the incident was reported. By the time I arrived home he had seen that the Public Works Department was sent to remove the trees from my roof, and that the front of the house was sandbagged to prevent further damage by the mud.

I noticed another tree that had shifted and was causing a potential threat. Jim Griffith again notified the Public Works Department, and four men worked until midnight to remove the tree. On Saturday morning Jim Griffith was on the scene surveying the situation in the daylight.

Today is Tuesday. All of the mud has been removed and the street has been cleaned. I am favorably impressed with Jim Griffith and his prompt attention to a situation that could have become a more serious problem.

I very much appreciate Jim Griffith's efforts and those in the Public Works Department who also helped.

Sincerely,

Michael Parker

MDP:gh

Doug 1716
[Handwritten signature]

DAVIES, BIGGS, STRAYER, STOEL AND BOLEY
LAW OFFICES
TWENTY-THIRD FLOOR 900 SW FIFTH AVENUE
PORTLAND, OREGON 97204

TELEPHONE (503) 224-3380
CABLE ADDRESS: HARTPORT

DAVID L. DAVIES
HUGH L. BIGGS
OF COUNSEL

November 22, 1977

12

ALLAN R. ABRAVANEL
CHARLES F. ADAMS
RICHARD E. ALEXANDER
RICHARD M. BOTTERI
MATTHEW W. CHAPMAN
BERTRAND J. CLOSE
NANCY L. COWGILL
KAREN K. CREASON
C. PAUL DAGLE
E. JOSEPH DEAN
STEPHANIE S. FREEDMAN
GERSHAM GOLDSTEIN
DOUGLAS B. GORDON
DAVID W. GREEN
THOMAS G. P. GUILBERT
STEPHEN T. JANIK
PETER R. JARVIS
JENNIFER J. JOHNSON
RICHARD C. JOSEPHSON
JOEL D. KUNTZ
GREGORY H. MACPHERSON
GREGORY R. MOWE
THOMAS R. NICOLAI
GUY A. RANDES
LOIS O. ROSENBAUM
MICHAEL L. ROSENBAUM
JOHN M. SCHWEITZER

JEFFREY MICHAEL ALDEN
PAUL L. BOLEY
PHILLIP D. CHADSEY
HARRY S. CHANDLER
CLEVELAND C. CORY
THOMAS P. DEERING
RICHARD DEVERS
BARNES H. ELLIS
EDWARD L. EPSTEIN
HOWARD M. FEUERSTEIN
RICHARD A. FRANZKE
GEORGE H. FRASER
RONALD S. GROSSMANN
JOHN R. HAY
DAVID G. HAYHURST
HENRY H. HEWITT
CHARLES F. HINKLE
ROBERT H. HUNTINGTON
VELMA JEREMIAH
WILLIAM M. McALLISTER
CHARLES J. McMURCHIE
DAVID P. MILLER
MILO E. ORMSETH
TERRENCE R. PANCOAST
CAMPBELL RICHARDSON
ROBERT L. RIDGLEY
JAMES P. ROGERS
RICHARD E. ROY
THOMAS B. STOEL
MANLEY B. STRAYER
JERE M. WEBB
CLARENCE R. WICKS
WILLIAM W. WYSE

Honorable Neil Goldschmidt
Mayor, City Hall
Portland, OR 97204

Dear Neil:

Re: Kaiser Division Street Clinic

I just wanted to advise you that I have discussed the resolution of the Division Street Clinic problem with Mr. Carl Berner, Regional Administrator of Kaiser, and with Mr. Hardy Myers. Mr. Berner is agreeable to entering into an agreement under which Kaiser would agree to reduce the number of doctors at the Division Street Clinic to the number permitted prior to the issuance of the expansion building permits and to relocate these doctors at its Mt. Scott Clinic facility.

I will prepare a draft form of agreement and submit it to Mr. Myers, your office, and the City Attorney's office. Mr. Myers has indicated that he will then call a meeting of his clients to discuss the terms of the agreement.

I think we are moving very quickly toward a resolution of this matter. If you have any questions on this, please do not hesitate to call me.

Very truly yours,


Stephen T. Janik

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NOV 25 1977

MAYOR'S OFFICE

STJ:bj

cc: Mr. Hardy Myers
Mr. Chris Thomas, City Attorney
Mr. Carl Berner

November 2, 1977

D. N. Irwin, Chief
Building Inspector
200 Civic Center, Rm. 424
Tulsa, Oklahoma 74103

Re: Sign Ordinance

Dear Mr. Irwin:

Thank you for your interest in our newly adopted sign regulation ordinance. Pursuant to your request I am enclosing a copy of same. I hope that our Code will assist you in finding a solution to your city's sign control problem.

Please don't hesitate to contact me again should you require additional information.

Sincerely,

Neil Goldschmidt

NG:pjr
Enclosure



FROM THE DESK OF

Freddie Petett

Kathy,

Will you respond to
attached?

PROTECTIVE INSPECTIONS
DIVISION

ENGINEERING
DEPARTMENT

ROOM 424

918 • 581 • 5308



RECEIVED

NOV 1 1977

MAYOR'S OFFICE

200 CIVIC CENTER

TULSA, OKLAHOMA

74103

October 28, 1977

Mayor of the City of Portland
Municipal Offices Building
City Hall
Portland, Oregon

RE: Sign Ordinance

Dear Mayor:

The City of Tulsa is experiencing problems relating to control of signs. We are groping for ideas or methods of control which might be applied to our situation. The "Oregon Journal" dated October 12, 1977, included an editorial which touched on Portland's problem with respect to regulation of signs, and included reference to a newly adopted sign ordinance. Your new ordinance may be helpful to the City of Tulsa in changing present regulations or in drafting a new ordinance.

We would very much appreciate a copy of Portland's new sign code if copies are available for distribution. Your direction of this request to the appropriate authority in your jurisdiction will also be greatly appreciated.

Yours very truly,

D. N. Irwin, Chief
Building Inspector

DI/sh

cc: C. H. Miller, City Engineer
C. H. Banks, Director, Protective Inspection

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CITY OF PORTLAND
IN R-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

October 18, 1977

From Bureau of Buildings

To Department of Finance and Administration

Addressed to Mayor Neil Goldschmidt

Subject Complaint regarding condemnation of building at 4233 N. E. 12th Avenue,
Council Calender No. 3395, October 12, 1977

RECEIVED
OCT 20 10 11 AM 1977
SECOND YEAR
CITY OF PORTLAND
BY *elr*

Dear Mayor Goldschmidt:

As directed by the City Council, the following report is submitted regarding the condemnation of the building at 4233 N. E. 12th Avenue and the subsequent complaint from the owner, Verna Mullen of 1112 N. E. Skidmore Street.

This structure had been vacant since at least March 17, 1969, at which time the Bureau made an inspection of the north concrete retaining wall in answer to a complaint. (Copies of all correspondence regarding this action is attached.) Records of the Multnomah County Tax Assessors Office show the assessed valuation at that time to be \$1,450.00 on the land and \$1,000.00 on the improvements. This wall was partially removed by the owner following its condemnation order Ordinance No. 129517 passed by the Council August 13, 1969. The entire wall was not removed, but enough so that it was no longer considered dangerous.

The dwelling remained vacant, generating numerous complaints from the neighbors, not only to this Bureau, by the Bureau of Neighborhood Environment as well. Since the building was kept boarded up most of the time, no further action could be taken except constant reinspection and surveillance for further deterioration.

Then on June 25, 1976, the dwelling was struck by fire of an undetermined origin, causing an estimated damage of \$6,000.00. The assessed valuation on the dwelling at this time was \$1,150.00. Nothing was done to remove or repair the building, and as a result of a referral from the district building inspector, the structure was inspected by the condemnations inspector, Douglas D. Miller, on October 6, 1976. At this time, it was determined that the structure was so deteriorated from fire damage, rot and neglect as to be subject to condemnation, and a letter was sent to Verna Mullen advising her of our findings. On October 25, 1976, Mr. Jack Mullen came to the Bureau of Buildings and talked to Mr. Miller. Mr. Mullen was given the information necessary to obtain the required permits to either repair or remove the building. On October 26, 1976, Mr. Larry Hunt, attorney for the Mullens, was called and made an appointment to come into the Bureau of Buildings and review the matter with Mr. Miller. On October 29, 1976, Mr. Hunt came into the office and reviewed the inspection and condemnation procedure with Mr. Miller. On November 15, 1976, building permit no. 50387 was issued to Jack Mullen to wreck the building.

Numerous inspections were made of the building over the next several months and no visual evidence was found to indicate any wrecking going on. Several attempts were made to contact Verna Mullen by telephone without success. On March 14, 1977, an inspection was made and since no evidence was found of any demolition work, the building permit was voided out, and on March 24, 1977 the matter was referred to the City Council with the recommendation that the building be condemned. On April 6, 1977, Council Calendar No. 970, the Council set the date of the hearing for May 4, 1977. On April 8, 1977, a notice of proceedings to condemn structure was posted by Mr. Miller on the front of the building. On May 25, 1977, the City Council condemned the building under Ordinance No. 143699. On June 30, 1977, a copy of a Neighborhood Need Report from the Sabin Area Neighborhood Association from Commissioner Jordans' office complaining about the building at 4233 N. E. 12th Avenue. On July 6, 1977, letters were sent out requesting bids on the demolition of this structure. James R. Lee, Inc. was found to be low bidder and on August 5, 1977, a contract was signed with him to do the demolition work. On August 9, 1977, building permit No. 509709 was issued to Mr. Lee for the wrecking of the building. On August 10, 1977, Verna Mullen called Mr. Miller and asked that the wrecking be stopped. She was advised that Mr. Lee had a legal and binding contract with the City and we could not stop him. She was given Mr. Lee's telephone number at her request so as to attempt to stop him herself. Again on August 10, 1977, a man identifying himself as the brother of Verna Mullen called Mr. Miller and asked him to call off the wrecker. He was given the same information as Verna Mullen. He became quite abusive and threatened to post an armed guard on the property to prevent further wrecking. On August 15, 1977, Mr. Jack Mullen called Mr. Miller and complained in an abusive manner of the wrecking of the building. On August 16, 1977, Commissioner McCready's Office telephoned Mr. Miller stating they had received a complaint from a Mr. Joe Dobbins about the demolition of a very expensive retaining wall at this address. Mr. Miller explained what had taken place. On August 25, 1977, Mr. Lee called and stated wrecking was completed. An inspection was made by Mr. Miller and it was found that some dirt and broken concrete were left on the East sidewalk. Mr. Lee was notified and on reinspection on September 13, 1977, it was found that all work was complete. On September 15, 1977, a letter authorizing payment along with a detailed cost record was sent to the Auditors office. On September 19, 1977, Mr. Miller received a copy of a letter from Verna Mullen to the Mayor's office via Commissioner McCready's office. On October 12, 1977, the Council set over for three weeks the hearing on the proposed assessment for abating the nuisance to allow time for the Council Minutes to be sent to the Bureau of Buildings and receive a report from them.

In summary and in answer to the charges brought out in the Minutes of the Council hearing by Mr. Dobbins:

Mr. Mullen did indeed obtain the required building permit, however Section 302.(d) of the Building Regulations provides that such permit is void if no work is started within 120 days of issuance. Numerous inspections were made of the property during this period and no evidence was found of any wrecking going on. Several attempts were made to contact Mrs. Mullen by telephone

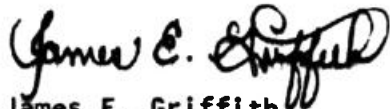
without success. On one occasion, the Inspector called upon the Mullen residence without response. Since no wrecking was done and the permit was void, condemnation proceedings were instigated.

After the property was condemned, Mr. James R. Lee was the low bidder at \$1,350.00, and was awarded the contract. The contract only covers wrecking the building and removing the debris. It does not specify how the work is to be accomplished. Some debris was left on the East sidewalk, but was removed upon notice. The only letter the Bureau of Buildings ever received from Mrs. Mullen was the copy sent to Commissioner McCready and the Mayor's office. The fact that some debris was left on the sidewalk and removed later did not change the contract price at all. The pictures taken by the City Photographer show the steps to be cracked, broken, partially missing and covered with grass. The East retaining wall was cracked and leaning out prior to the demolition of the building. This again shows in our pictures.

It does appear that some of the capping has been knocked off the top of the wall. Since the City's contract with Mr. Lee covers only the removal of the building, it would appear that Mr. Mullen should contact him regarding any damages to the remainder of the property. Mr. Lee is required to provide liability insurance for any such damages.

Mr. Dobbins claims that with notification, Mr. Mullen could have saved \$4,000.00 or \$5,000.00 worth of lumber doesn't quite agree with the assessors' valuation of \$1,340.00 for the entire building plus the estimated \$6,000.00 damage from the fire. Mr. Miller did indeed post a notice on the building and the Auditors' office sent a notice by registered mail to Verna Mullen. This notice was returned marked "unclaimed". A copy of the condemning ordinance was sent to Mrs. Mullen and this too was returned marked "unclaimed". It would appear that Mrs. Mullen either was avoiding contact by the City or was not at home as much as she claims to be. In light of past condemnation actions against Mrs. Mullen on the North retaining wall at this address and the property at 1029 S.E. 34th Ave., it would seem that she is well aware of procedures pertaining to condemnation.

Respectfully submitted,



James E. Griffith
Director, Bureau of Buildings

JEG:mj

Encl.

CC: Comm. McCready
Comm. Schwab
Comm. Jordan
Comm. Ivancie
Auditors' office

October 12, 1977
9:30 A.M. Session

3395 Hearing on proposed assessment for demolition
of a building located at 4233 N.E. 12th Avenue, on Lot 16,
Block 18, North Irvington.

MC CREADY This is the time set for the hearing on
this demolition. Are there those present
who would care to be heard? Yes, sir.

DOBBS My name is Joe Dobbins, and I live at 1114
N.E. Skidmore Street, Portland. I'm appear-
ing here before the Council for and in behalf
of Mrs. Mullens. I live there and have
an interest in the property.

Prior to this hearing the Council has
received a couple of letters protesting
the action of this tear down. For one
thing, Mr. Mullens, Mrs. Mullens' husband,
did appear and received a permit for he
himself to tear this building down. There
was no time limit on the permit.

Mr. Mullens was taking it down in portions
in his spare time. He drives long distance
truck. He had removed everything that was
of a hazardous nature and he was taking the
building down to conserve and save some
very expensive squared two-by-fours, four-
by-fours, two-by-sixes and etcetera, for
rebuilding.

The first thing that we knew that there
was anything wrong, the night before the
bulldozer come with his destructive device
some people were out taking gutters off
the house and I stopped them. The next
day the man showed up with a bulldozer,
said he had the contract from the City to
demolish the building.

MC CREADY Sir, could I interrupt you just one moment.
Is there someone here from the Bureau of
Buildings? Fine, go ahead. I just wanted
to make sure that we had someone here who
will be able to respond or try.

DOBBINS

I have here the permit issued by the Bureau of Buildings, no time limit involved and the tear down. The Bureau of Buildings gave Mr. Mullens or Mrs. Mullens no notice that this had been revoked or that they intended to come and tear the building down.

The gentleman that obtained the contract did come, he could have approached the property from the north side, taking his bulldozer out of the truck without any obstruction or doing no damage. Instead he chose to take his bulldozer up some six, eight, nine foot concrete steps or stone steps and destroy them. When he got done pushing the building down, taking the lumber and stuff away, he left a hole. Then to get his bulldozer off the property he again went to the east side of the property, lowered his blade, pushed the concrete wall, pushing out, loaded his bulldozer, left all the debris and the blocks and stuff on the sidewalk and there was a letter sent to you and eventually they moved it.

Now Mrs. Mullens has received a billing from the City for some \$1500 and some counting extraordinary expenses, the contractor said he got \$1100. There is a hole remaining where the man tore the property down, we have two bids to replace the concrete wall which will have to be replaced before it can be built, and the stone steps. One for \$3600 and some and one for a little over \$4,000.

This part of the property was destructed I think maliciously and unnecessarily, and Mrs. Mullens and Mr. Mullens pray for some kind of satisfaction from this Council rather than the expense of a court of law. But I have here as evidence the letters are for your pleasure that Mrs. Mullens sent, I have the pictures of the destruction that the man did. He was stopped, he was told that he could approach the property from the east with his bulldozer, and he wouldn't tear

up anything. He kept right on winching and going up the stone steps until he destroyed them.

Then for about four days parts of that concrete wall and mud, rocks, debris was laying on the sidewalk. Anyone could have walked back there and fell and severely injured themselves. However, apparently Mr. Miller or someone from the Building Department did send someone out to clean that up, but of course, the price of demolition went up.

Our plea is that the man did not do a proper charge, that the charges are exorbitant, that he destroyed more property unnecessarily than the cost of the demolition, that Mr. Mullens, had he been notified that this was going to be tore down, he would have gotten busier and he would have saved himself four or \$5,000 worth of good lumber to rebuild with, and there was no notice given, there was no notice posted. Mr. Miller alleges that he did send a registered letter but if he did the post office neglected to leave any notice, so no one knew that the building was going to be tore down by the City of Portland until the gentleman showed up with the bulldozer and proceeded to destroy it.

So that's about, I suppose, all you can say here. As I say, we think the charge is exorbitant, we do not think that we owe the City of Portland anything for demolishing it, and we think that the City of Portland should pay for the damage that the man done with the bulldozer.

If there is any questions, I'll try to answer them and I think you for letting me appear here.

MC CREADY

Could we see the pictures, sir? Thank you.

DOBBINS

Is there anything else?

MC CREADY Yes, Mr. Dobbins. I think under the circumstances and from the nature of your testimony, rather than asking someone from the Bureau of Buildings to comment on this, I think we should refer this to Bureau of Buildings and request a report back within a week, if they can do that within a week, and I hate to inconvenience you to make two trips but I think it would be -- two weeks, would that be better?

DOBBINS Two or three weeks would be better for me because --

MC CREADY Does the Council agree or would you prefer just to have this orally? I think that the kinds of things that have been said needs to be documented.

IVANCIE I agree with you, Commissioner McCready. I think the minutes of Mr. Dobbins' comments should be referred to the Bureau of Buildings and they should report back to us in two weeks, and then you should be here at the time they report back.

SCHWAB We had a memo this morning, Madam President, as to when Neil was going to be gone for two weeks too.

IVANCIE That doesn't matter.

SCHWAB Well, maybe he should be here on it.

YERKOVICH Both Commissioner McCready and the Mayor will be gone in two weeks, that whole week.

IVANCIE That doesn't mean we can't make a decision. Make it three then.

DOBBINS Two or three weeks, I'm going to go hunting. I'm semi-retired, more or less, supposed to be.

IVANCIE You're a lucky man.

MC CREADY What's the pleasure of the Council?

IVANCIE Three weeks is fine.

MC CREADY Okay, three weeks. Thank you, sir.

DOBBINS In the meantime, if it becomes necessary we'll pay the bill and go to court because we don't want a lien on the property, but I think something should be done and I do appreciate you letting me talk. Thank you.

MC CREADY City Attorney, should he, can we extend the time, the deadline for paying?

HURTIG There is no lien until it's assessed anyway so that's why it's here.

MC CREADY There is no lien. Nothing will happen until after the Council --

HURTIG If the Council wants to actually assess it, then the lien becomes effective, but not until then, so it couldn't be in the meantime.

By unanimous consent, C.C.No. 3395 was continued to November 2, 1977, at 9:30 a.m.

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

October 18, 1977

From James E. Griffith, Director, Bureau of Buildings
To Department of Finance and Administration
Addressed to Neil Goldschmidt, Mayor
Subject H. B. 2701, "Weatherization" Bill

RECEIVED

OCT 19 1977

MAYOR'S OFFICE

Dear Neil:

The 1977 Legislature passed HB 2701, which provides an income tax credit for those who weatherize or insulate their home. The credit is 25% of the cost of the insulation, up to a maximum credit of \$125.00. We supported this concept and feel it would be a good incentive to assist citizens in weatherizing their homes. However, its implementation has been one big disaster after another.

HB 2701 became effective October 4, 1977. One condition is that the home owners installation must comply with the applicable energy conservation standards, if any, recommended by the Energy Conservation Board and adopted by the Department of Commerce. The first information we received was on October 10, 1977, from the Department of Commerce and the Department of Revenue, with a form for certifying the installation. That's the biggest part of the disaster. There are no standards or guidelines other than a few of the items listed in the Building Code. We are supposed to be certifying these installations, but we cannot obtain criteria. They state the Uniform Building Code is the standard to be used. Some of their listed items are in the Mechanical Code, some in the Electrical Code and others are nowhere to be found.

There were no provisions for funding the inspection costs. Thus, no extra people nor a mechanism for charging a fee. The State suggested a minimum permit. But how can we charge a fee for something that's not in any requirement nor has standards. Those items in the Building Code require a Building Permit, Mechanical items a Mechanical Permit, Electrical items an Electrical Permit. The rest, who knows?

We have received a number of calls requesting inspections. To date, we have been taking numbers and telling the folks we will call them back when we obtain information.

October 18, 1977

I bring this to your attention for a couple of reasons.

- 1) If you receive a telephone call from an irate citizen, you will know what it's all about, and
- 2) If there is anything you can do to speed up the State on establishing standards, we would surely be pleased.

Neil, it is a good bill and should be implemented as soon as possible. Any help you can offer would be appreciated. If you want more details, give me a call.

Sincerely,



James E. Griffith, Director
Bureau of Buildings

JEG/dws

copies: Marc Kelley
Dave Beckman
Mike Lindberg

10/9/77
→ Neil Goldschmidt

12

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

file

in response to your question, we are developing a lower-paying classification —
Mike L.

From James E. Griffith, Bureau of Buildings

To Office of Planning and Development

Addressed to Mike Lindberg

Subject Housing Inspection Program

Dear Mike:

During our recent meeting with Neil discussing the housing program, Neil commented that it would seem logical that we should develop a classification for Housing Inspector that is somewhat less than that of a Building Inspector. I failed to point out at that time that we presently have had within the last two weeks approval from Civil Service in accepting a Housing Inspector classification. As of yet the rate for that position has not been established, however, we have been lead to believe that it will fall somewhere between the Field Representative and the Building Inspector.

This will be a limited position that will not require State certification. I will notify you of the final grade once it is determined. You may want to pass this information on to Neil. Thank you.

Sincerely,

Jim

JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd

RECEIVED

OCT 11 1977

MAYOR'S OFFICE

MEMORANDUM

August 16, 1977

TO: Ken Jones
Budget Officer

FROM: Doug Capps

SUBJ: Zero Base Budgeting

Did Neil ever communicate with you his approval of your recommendation that Zero Base Budgeting be implemented in the Bureau of Buildings for fiscal year 1978-79? If not, he is behind the proposal, and we have notified Mike Lindberg to that effect.

Onward and upward!

DLC:pjr

cc: Mike Lindberg

THE CITY OF
PORTLAND



OREGON

NEIL GOLDSCHMIDT, MAYOR

BUREAU OF
MANAGEMENT AND BUDGET

KENNETH C. JONES
BUDGET OFFICER

1220 S.W. FIFTH AVENUE
PORTLAND, ORE. 97204
503/248-4038

July 26, 1977

MEMO

TO: Mayor Neil Goldschmidt
Commissioner Francis Ivancie
Commissioner Charles Jordan
Commissioner Connie McCready
Commissioner Mildred Schwab

FROM: Kenneth C. Jones
Budget Officer

SUBJECT: Zero Base Budgeting Recommendation

MAYOR'S OFFICE

During the FY 1977-78 Budget hearings the City Council approved a Bureau of Management and Budget proposal to analyze one FY 1978-79 bureau budget submission using the concepts of zero base budgeting. This activity will include the preparation of special budget submission instructions, assistance in budget submission preparation, review of the request, and detailed discussion with the Council.

Since the end of the budget hearings I have reviewed numerous bureaus to determine which is best suited for this type of budgeting. My evaluation was based upon the following criteria:

1. Desire of bureau management to become involved in this type of budgeting.
2. Existence of a management system which is compatible with the concepts of zero base budgeting.
3. Availability of the information necessary for zero base budgeting.
4. Ability of the bureau to devote sufficient staff resources to this activity.

The primary intent of these criteria was to ascertain which bureau would experience the greatest level of success given the resources dedicated to this project. Based upon these criteria, it is now my recommendation that zero base budgeting be implemented in the Bureau of Buildings for FY 1978-79. Jim Griffith, Bureau of Buildings Director, has been advised and supports this recommendation (see attached letter).

With the approval of Council, I will initiate the necessary activities for successfully completing this task. Please contact me should you have questions pertaining to this matter.

TG:bdm

cc: Jim Griffith

Call Ken

Don't know what to do

RECEIVED
JUL 27 1977

Neil
Copy sent 8/1
Mike L.

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

July 20, 1977

RECEIVED
JUL 21 1977

From James E. Griffith
To Budget Office
Addressed to Ken Jones
Subject Zero Base Budget Study

Bureau of Management & Budget

Dear Ken:

Again thank you for your time in meeting with my supervisory staff and discussing the pending Zero Base Budget Study. Subsequent to that meeting we have had additional discussions and have general concurrence of all involved that we would be more than delighted to participate in that study. We feel it would be very beneficial to the bureau to participate in this study plus we feel we could be of benefit to your study as a lot of the information you would need to generate in other bureaus we presently have available.

Thank you for your hopefully affirmative consideration.

Sincerely,



JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd
cc Doug Seely

M E M O R A N D U M

August 11, 1977

TO: Mike Lindberg, OP&D
FROM: Neil Goldschmidt
SUBJ: Code Enforcement

Mike,

In a July 18, 1977, memo to you Jim Griffith laid out some problems with code enforcement and proposed a citizens advisory committee. This matter has not been back up for discussion in our OP&D meetings, and I think it should. I have some concerns about this entire problem that I'd like to get to with you as soon as time will allow.

NG:pjr

Neil-

RON DANIEL'S EASTMORELAND RAQUETBALL CLUB

Bill Lloyd, Ron Daniel's architect called and informed me that Mr. Daniels's asked you to speed up the processing of his building permits. Evidently, Mr. Daniel's thought it was taking too long.

Mr. Lloyd was apologetic. He disagreed with his client, Mr. Daniel. He felt that the permits were progressing along quite well*. Variances, he said, do take time.

I called Gary Ross, who is BB administrative manager, and asked him to give Mr. Daniel a call and explain our process and what we are doing. I know that you care about this project, and so I also asked him to help it along if he can.

jeff

* Gold stars to Jim G.

R Fred¹²



500 WILCOX BUILDING • 506 SOUTHWEST SIXTH AVENUE • PORTLAND, OREGON 97204 • (503) 228-3303

May 17, 1977

RECEIVED

MAY 20 1977

MAYOR'S OFFICE

Mayor Neil Goldschmidt
City of Portland
City Hall
Portland, Oregon 97204

Dear Mayor Goldschmidt:

The Industries Committee of the Portland Chamber of Commerce is reviewing some of the problems involving land planning and development. I am writing this to you as the chairman of the subcommittee involved in this work.

We would like to know the present status of efforts to install a one-stop permit system for the departments under your jurisdiction. This idea received widespread support a couple of years ago, but we have heard very little about it recently.

It will be very much appreciated if you would help by asking the appropriate person in your organization to let us know what progress is being made.

Yours very truly,

Linden B. Bowman
Chairman, Land Planning Subcommittee

LBB:lm



PROFESSIONAL REAL ESTATE SERVICES FOR BUSINESS AND INDUSTRY

Rocky/Jeff/Dave/Fin *Quint/Return* *12*
to Fred
Frank
to

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

May 16, 1977

From James E. Griffith
To Mayor's Office
Addressed to Freddy Petett
Subject Citizen Complaint

RECEIVED

MAY 17 1977

MAYOR'S OFFICE

Dear Freddy:

In response to your note of May 11 concerning the present delay in processing permits, I too have been concerned about the delays and we have taken steps to speed up to total processing time.

Three weeks ago we took our concern to Neil who authorized us to establish a short term contract with a Structural Engineer to assist in our structural design reviews. This has been accomplished and he is making real progress.

Our primary problem is the influx of plans that require Structural Engineering reviews. This is and has been an unusually heavy year. For example, we have over twelve (12) major projects in various stages of review, while last year at this time we had only two (2). Also we are having many homes built in areas that fall within the area of Chapter 70 "Soils Stability", which is a new code that requires engineering luck. Add this to the normal spring rush and we find ourselves woefully behind.

The attached report shows our status as of May 1, 1977. You will note the residential and commercial plans reviews are almost current but the structural reviews are 88 behind. Since then, with the additional staff, as of Friday they are 93 behind. During last week alone they received 33 plans for review which is more in one week than they usually receive in one month.

If this trend continues, I may have to return to Council and request another full-time engineer. However, I want to wait a bit before I do that. I will keep you posted on progress.

Thank you.

Sincerely,

Jim

JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd
Encl.

5/12/77
102/9

MEMORANDUM

May 11, 1977

TO: Jim Griffith, Director
Bureau of Buildings

FROM: Freddy Petett

SUBJ: Complaint

We have had a general complaint about the Bureau of Buildings. The complaint is that it takes too much time to have plans approved, sites inspected, etc.

Will you provide some info to me regarding this problem. I have heard this complaint before.

FP:pjr

Call Jim R.

MEMORANDUM

Date: May 5, 1977
To: Fred, Dave
From: Laurie *Laur*
Subject: COMPLAINT ABOUT THE BUREAU OF BUILDINGS

Last weekend I ran into Rick (Igo) Jurgens. He's an architect at SOM and told me that he feels there are serious problems with the Bureau of Buildings.

Basically, his complaint is about the length of time it takes to have plans approved, and sites inspected, etc. He says they take way too long, and hold up the architects.

He has talked to Jim Griffith, and feels that Griffith does PR about the achievements buildings has made so far, and does not want to talk about other, ongoing problems. He didn't feel it would be helpful to talk to Stout or the OP & D office -- there appears to be some frustration.

He asked if Neil was still having noon time coffees. I think he would enjoy going to one -- he has been involved in the school problem at Mt. Tabor, as well as basic, solid, community interest. He does have some sort of public market project in mind.

Rick's number at work is 226-1431 and at home is 253-8743, if you want to invite him to something, or call him for detailed information on his complaint.

LR:cm

M E M O R A N D U M

April 11, 1977

TO: Jim Griffith, Director
Bureau of Buildings

FROM: Neil Goldschmidt

SUBJ: Attached Letter

Jim,

Congratulations! One letter like this one can make all the difference; I hope you will pass it along to those involved.

Keep up the good work!

NG:pjr
Attnh.

*Copy given a note
to 5146. / congrats* 12 *12/16/Fred/Doug*

Fredrick R. Cornilles
Attorney at Law, P. C.

9999 S. W. Wilshire
Portland, Oregon 97225
Telephone 503-297-2201

April 5, 1977

RECEIVED

APR 7 1977

MAYOR'S OFFICE

Mayor Neil Goldschmidt
City Hall
Portland, OR 97204

Dear Mayor Goldschmidt:

In addition to the general practice of law I have recently embarked into the construction business building residential housing. As a new builder I have floundering around in the labyrinth of City departments in order to obtain the various clearances for our building permit.

You will be pleased to know that I have been extremely impressed with the kindly, courteous and helpful attitude of every single city employee with whom I have come in contact. These people are constantly harassed by builders and developers with questions, requests, favors, etc. and I have never been so favorably treated by a public servants as I have been by the employees of our city. Without exception your people go out of their way to be helpful, to make constructive suggestions and to assist me in every way possible. While I have tried to thank each one of them individually I wanted you and other members of the City Council to know how proud you can be of the kind of service that the city employees in the various building departments are rendering to the public. If at all possible please pass along this commendation to them so that they will know that their efforts do not go unappreciated.

Very sincerely yours,


F. R. CORNILLES
FRC:p

CITY OF PORTLAND
INTE^R-OFFICE CORRESPONDENCE
(NOT FOR MAILING)
April 7, 1977

612
RECEIVED
APR 8 1977
JEG
MAYOR'S OFFICE

From James E. Griffith, Director, Bureau of Buildings
To Mayor's Office
Addressed to Mayor Neil Goldschmidt
Subject Airport Sheraton

Dear Mayor Goldschmidt:

As per your request in following up on the phone call you received from Harold Pollin, Manager of the Airport Sheraton.

Everything is progressing smoothly to everyone's satisfaction and no problems are anticipated.

Sincerely,



JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd
Attch.



MULTNOMAH COUNTY OREGON

ENVIRONMENTAL SERVICES/PERMIT SECTION
2000 MORRISON STREET
PORTLAND OREGON 97214

Planning	(503) 248 5272	Sewage	248 3672
Building	248 3047	Nuisance Control	248 3682
Grading	248 3888	Right of Way Use	248 3682

COUNTY CLERK
PORTLAND, OREGON
DATE
APR 11 1977
DENNIS BURTON
MILWAUKEE

April 5, 1977

Jim Griffith, Director
Bureau of Buildings
City Hall, City of Portland
1220 S.W. 5th
Portland, Oregon 97204

Re Sheraton Airport Expansion

Dear Jim:

In confirmation of our conversation of yesterday, and my conversation with Jim Hart this morning,

We are proceeding with the final structural, Fire and Life Safety, and Mechanical plans review. A meeting has been arranged between your Fire Marshal Durland, Bud Dunnigan, and our Hal Roth for Wednesday morning, April 6, 1977, to pursue the Fire and Life, and Mechanical plans review.

Upon completion of the structural plans review, Chuck Frazier will meet with Jim Hart for concurrence. Upon completion of the plans review, including approval of required changes, all documents will be forwarded to your office for permit issuance.

The architect is to obtain approval of Bureau of Public Works prior to permit issuance.

In summary, all permits are to be issued by the City of Portland. This includes building, mechanical, plumbing and electrical permits, as well as right-of-way work permits.

The County, inasmuch as we have done the preliminary plans review, and nearly completed the final plans review, will do the plans review for structural, fire and life safety, and mechanical. The County will collect and keep the appropriate fees.

March 25, 1977

Mr. Grover C. Simmons,
General Manager
Printing Industries of the Pacific
711 Cascade Bldg.
Portland, OR 97204

Dear Mr. Simmons:

I met with Bill Ryan recently for an update on the problem of Portland's enforcement of the State Electrical Code as the code applies to foreign, unlabelled printing and graphics equipment. I am concerned about the problem the Portland Graphics Industry is experiencing.

I hope that your group appreciates the current position of the City officials and inspectors as the agents for State Code enforcement.

Our City Attorney's opinion, a copy of which you have received, is that we have no choice but to continue to enforce the State Code as it is written.

As I believe you know from your discussion with Bill Ryan, we are interested in reasonable and prudent industry relief in this situation. The only legally feasible avenue which we see is to provide such relief is through the Building Codes Division at the State level. This would provide a state-wide solution.

I am proposing that the Graphics Industry and the City together form a project team to seek resolution of this matter at the State level. (You may know that we recently succeeded in having C.S.A. and F.M. approved by the State as additional testing laboratories for electrical components.)

Mr. Grover C. Simmons
March 25, 1977
Page 2

I have instructed Bill Ryan to work with Jim Griffith and his staff to vigorously pursue this course as our contribution to a joint effort to find a positive and sensible solution to this matter.

Your help is essential. These efforts at the State level may require a significant time commitment, and our technical and legal staff will need your assistance. This is the only avenue that we see open to us to pursue the problem that you brought to our attention. I'll be out of town for a few days. If the Portland Graphics Industry is interested in pursuing this matter, please call the Office of Planning and Development (248-4547) and let Bill Ryan know. He will assist from the City's side in jointly organizing this effort.

I hope that a solution satisfactory to all can be worked out. Thank you for your patience and cooperation.

Sincerely,

Neil Goldschmidt

NG:bnr

cc: Jim Griffith
Roger Heidermeyer
Don Jeffrey
Gary Stout
Bill Ryan
Jeff White
Mr. Warren Deal, President Graphic Arts Center





OFFICE OF
PLANNING AND DEVELOPMENT
GARY E. STOUT
ADMINISTRATOR

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204

MEMORANDUM

RECEIVED
MAR 25 1977
MAYOR'S OFFICE

To:  Mayor Neil Goldschmidt
From:  Bill Ryan
Date: March 23, 1977
Subject: Printing Industries/Electrical
Enforcement Issue

Attached is a draft of a proposed letter to Mr. Grover Simmons which suggests the direction the City would like to take in resolving this continuing issue.

Please advise changes or additional information needed prior to having this letter go out for your signature.

Thank you.

WHR/ms





OFFICE OF
PLANNING AND DEVELOPMENT
GARY E. STOUT
ADMINISTRATOR

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204

MEMORANDUM

To: Mayor Neil Goldschmidt
From: *Bill* Bill Ryan
Date: March 22, 1977
Subject: Printing Industry/Electrical Division; Code Enforcement Issue

This issue remains substantially as described in my memorandum to you of February 10, 1977, except that the City Attorney's position has been stated in writing and the printing industry position has been restated and reemphasized.

City Position

The City Attorney's position is that, due to the City's potential liability, particularly as a self insurer, City inspectors must insist that all uncertified, unlabeled wiring be removed and replaced. This position states that the City is only the enforcing agent for the State Code and that the State Code gives the City no leeway to relax it's rigorous enforcement of the Code.

Industry Position

The printing industry continued to believe that City enforcement of the Electrical Code is unnecessarily rigorous and inflexible, and that the City has the administrative capability to be more reasonable in its demands for rewiring of unlabeled wiring and components. Industry believes that City enforcement and demands are more severe than those throughout the balance of the State as well as other states, and that such City enforcement raises Portland industry costs to prohibitive and non-competitive levels.

The printing industry continues to believe that this is primarily an administrative policy matter rather than a legal matter; the issue is now at a point where an administrative policy statement from the commissioner level may be required.

In order to either clarify or resolve this issue, the following options appear to be those available at this time:

12
RECEIVED
MAR 22 1977
MAYOR'S OFFICE

Page 2
March 22, 1977

1. The City can restate and continue its present policy of enforcing absolute compliance with the Code. This option continues to protect the City but offers no relief to industry.
2. The Bureau of Buildings and Electrical Division can be internally instructed to effectively relax strict interpretation of the Code through allowing more provisional approval of foreign, unlabeled machinery. This option increases the City's exposure to liability and would not be recommended by the City Attorney.
3. The City can invite the printing industry's committee to work together with appointed City staff to draft enabling legislation allowing the State Code to make provision for approval of "unlabeled - but - equal" machinery and components. This is the course preferred by the City Attorney's Office.
4. Option No. 3 can be combined with one of the other options given in order to both protect the City and indicate to industry that the City honestly seeks relief for industry in this instance.

As appropriate or required, I will prepare drafts for your signature of a letter to the industry or memorandum to staff or both, or will arrange additional meetings prior to issuance of any letter from your office, in order to pursue positive resolution of this matter.

WR/gl

cc: Gary Stout
Don Jeffery
Jim Griffith
Jeff White

THE CITY OF
PORTLAND



OREGON

OFFICE OF
PLANNING AND DEVELOPMENT

GARY E. STOUT
ADMINISTRATOR

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204

MEMORANDUM

9-88-0012

RECEIVED

FEB 15 1977

MAYOR'S OFFICE

To: Mayor Neil Goldschmidt

From: W. H. Ryan,
Business Assistance Specialist

Date: February 10, 1977

Subject: Printing Industry/Electrical
Division: Code Enforcement Issue

I met February 9th with Warren Deal, President, Graphic Arts Center, his attorney, Clifford Alterman, Al Dressler, electrical engineer from ELCON, and Jim Griffith and Roger Niedermeyer of the City.

The purpose of this memo is to summarize the still-unreconciled area of this issue and relate my proposed avenue toward resolution. Progress has been made and understanding reached on the specific matter which occasioned this particular meeting; the area remaining unresolved touches upon the broader issue of City enforcement policy and possible electrical code review.

The question at issue involves the City inspectors' ability to approve for operation the internal electrical makeup and components of imported equipment or machinery which is not certified by an approved electrical-testing laboratory.

The position of the City Electrical Division and the Bureau of Buildings' representatives is that the City/State electrical code and its enforcement provisions require them to insist that all wiring and/or electrical components not certified and labeled by U.L., C.S.A., or F.M., be removed and replaced by specifically labeled components

where such parts, wire, or components are available; or where the piece of equipment is state-of-the-art, prototype or without available comparison, the piece of gear may be passed as safe for operation on its merits. If however, labeled substitutes are available for non-labeled components or assemblies, the inspectors are mandated by their regulations to insist upon replacements, and not allowed to provisionally accept or pass on its own merits an unlabeled assembly which may be equivalent or even superior to its labeled replacement. Additionally, the inspectors may, according to our discussions, fail to pass and cause to be replaced a piece of equipment or component deemed by them to be unsafe despite its carrying an approved label.

The industry position in this case is outlined as follows:

- (1) Comparable U.S. manufactured approved machinery and equipment is neither available nor competitive in quality, price or capability.
- (2) Neither the cost of submitting the subject equipment to laboratory testing nor unit volume of the equipment sales in the United States warrant foreign manufacturer's product submittal to the approved testing labs.
- (3) It appears arbitrary and unreasonable to force the domestic user of the new machine to replace wiring and electrical assemblies and components simply because unlabeled, without evaluating the potential for hazard of the items to be replaced. Such unbending regulation or enforcement creates unreasonable financial hardship and delays for the user.
- (4) Where machinery wiring, electrical systems, or electrical components are not certified and labeled, the inspector(s) should be enabled by the code and competent enough to pass on the adequacy of the electrical installation on its own merits and based on their experience.

Item number (4) above appears to be the crucial point requiring clarification and resolution. This item involves the ability of electrical inspectors to make positive professional judgements and pass as safe installations and components not certified and labled. Within this item are two pertinent questions:

- (a) The Code allows electrical inspectors to make negative judgement calls, i.e., to insist that whether labeled or not, wiring and electrical components deemed by them to be substandard or unsafe be removed or replaced. Does the Code allow the same discretion in the positive sense, i.e., the provisional approval of unlabeled wiring or components if it appears, to the licensed, competent inspector, to be equivalent in safety and quality to labeled items?
- (b) If the Code does not allow the inspector the same positive discretion as it does in the negative sense, should the Code be revised or clarified?
- (c) If the Code does allow such discretion and inspectors are not exercising it, should the City's policy be re-emphasized to the inspectors?

Proposed avenue(s) of resolution:

The printing industry's committee is organizing its efforts to document the existence around the country of imported equipment installations which, they are informed by their sales agents and importers, are disputed and require rewiring only in Portland. I am due to meet with the committee on March 1.

From the standpoint of the City, I am recommending and will request a meeting with the City Attorney and with Jim Griffith and with Roger Niedermeyer of Buildings and Electrical. Hopefully this meeting will clarify both Title 26 sections touching on this matter and the City's inspection/enforcement policy with regard to those sections.

As it now stands, the City's electrical inspectors believe that they are not at all granted the authority by the Code to make judgements saying that the disputed installations are "different but equivalent, thus safe." To make such judgements, they believe, would be to expose the City and perhaps themselves to potentially serious liability. On the other hand, the industry believes the Code should provide for the provisional approval of "unlabeled but equivalent" equipment and that such provision would allow inspectors the same positive prudential discretion as it now allows them to exercise negatively.

Finally, and for advanced reference for the City Attorney, I have noted certain sections of Title 26 of the Municipal Code which seem to bear on this matter and which I would hope our meeting would touch upon:

Section 26.04.160 establishes an electrical regulations revision committee. I believe this committee has fallen out of use. If so, I would preliminarily, recommend its revival and use in this and similar cases by the industry committee and its council as well as the City's electrical and buildings representatives.

Chapter 26.12 establishes a board of appeal which private industry should be informed of and which it should use vigorously at the front end of any permit dispute before being required to make expensive and time consuming alterations and replacements to new equipment which may or may not be electrically safe, but whose safety cannot or is not now judged on its own merits.

Sections 26.14.010, 26.14.040 dealing with the sales control law may suggest positive, professional discretionary authorization for City inspectors.

Chapter 26.16, and specifically Section 26.16.010 of the general regulations whereby the National Electrical Code is adopted by reference may again provide positive spirit and intent which private industry is seeking in this case. As Counselor Alterman has pointed out in

page 5

his letter of January 25, 1977, the second paragraph of 90-4 of the National Electrical Code provides:

"In industrial establishments and research and testing facilities, the authority having jurisdiction may waive specific requirements in this Code or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety and maintenance procedures."

If the City's electrical regulations can or do provide such authority, it would allow inspectors the backing they need to exercise positive as well as negative professional judgement and would give to regulation enforcement the reasonableness and cooperative spirit which industry seeks.

When Jim Griffith, Roger Niedermeyer and myself have met with the City Attorney's Office and when I have met with the printing industry's committee, I will submit a follow-on report indicating progress towards resolution or impasse on this matter.

WHR/ms



cc: Jim Griffith
Roger Niedermeyer
Clifford Alterman
Warren Deal
Gover Simmons
Robert Hurtig, Acting City Attorney
~~Jeff~~ White
Gary Stout

Rocky

KELL, ALTERMAN & RUNSTEIN
ATTORNEYS AT LAW
SUITE 1330

RAYMOND M. KELL
CLIFFORD B. ALTERMAN
TED E. RUNSTEIN
LEE DAVIS KELL
CHARLES R. WILLIAMSON
LESLIE M. ROBERTS
WILLIAM DICKAS

THE BANK OF CALIFORNIA TOWER
707 S.W. WASHINGTON STREET
PORTLAND, OREGON 97205

TELEPHONE (503) 222-3531
CABLE ADDRESS: KELMAN

March 1, 1977

The Honorable Neil Goldschmidt
City Hall
Portland, Oregon 97204

RECEIVED
MAR 2 1977
MAYOR'S OFFICE

Re: Our File No. 103-133

Dear Neil:

I have reviewed Mr. Ryan's comments concerning the Printing Industry/Electrical Division Code which he forwarded on February 10, 1977. He has summarized the issue very well. He understands the problem.

Very truly yours,


Clifford B. Alterman

CBA:aw

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)
March 7, 1977

file *Feb*
12

From James E. Griffith, Director, Bureau of Buildings
To Department of Finance and Administration
Addressed to Mayor Neil Goldschmidt
Subject Flood Plain Enforcement

RECEIVED
MAR 8 1977
MAYOR'S OFFICE

Dear Neil:

The Federal Insurance Administration has reversed itself on one aspect of the Flood Insurance Program.

We were informed in Seattle, November 1976, that all repairs or improvements on existing buildings had to be within existing walls. I strongly protested at that time and have continued. Last week they reversed themselves and are now stating an existing building may construct an addition up to 50% of the present market value of the existing building. Thus the only controlled buildings in flood-prone areas will be new free standing structures or major additions which are in excess of 50% of market value of the existing structure.

This change alone will solve many of our flood plain problems; not all but some!! If you would like more information on this issue, give me a call.

Sincerely,

Jim

JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd
Attch.
cc Freddy Pettit



Federal Insurance Administration
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REGIONAL OFFICE
ARCADE PLAZA BUILDING, 1321 SECOND AVENUE
SEATTLE, WASHINGTON 98101
March 3, 1977

REGION X

IN REPLY REFER TO:
(206) 442-1026

Mr. Jim Griffith
Director, Bureau of Buildings
1120 S. W. 5th
City Hall, Room 111
Portland, Oregon 97204

Dear Mr. Griffith:

In our telephone conversation of March 2, 1977, you suggested that requirements relating to improvements in flood-prone areas of Portland, particularly in the areas affected by Peninsula Drainage District No. 2, were restrictive to the point that literally no new development of any kind could take place.

Our position is that new construction and substantial improvements are subject to flood plain management measures spelled out in Section 1910.3 of the Federal Regulations governing the flood insurance program. The full definitions of "new construction" and "substantial improvement" are contained in Section 1909.1 of the regulations (copy enclosed). That part of the definition of substantial improvement which is pertinent follows:

"Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred."

Thus, minor repairs or improvements, including additions, are not subject to the flood plain management measures from our standpoint if they do not constitute a cost equaling or exceeding 50 percent of market value of the existing structure.

Sincerely,

Charles L. Steele
Acting Regional Director

Enclosure

cc: Bill Lind
Rob Henry
Larry Bogar

RECEIVE
MAR 4 1977

AREA OFFICES
PORTLAND, OREGON - SEATTLE, WASHINGTON
Insurance Offices
Anchorage, Alaska - Boise, Idaho - Spokane, Washington



bcc: Neil
12

file

MEMORANDUM

Date: February 2, 1977
To: Jim Griffith, Bureau of Buildings
From: Doug Capps, Executive Assistant *DC*
Subject: BLANCHETTE HOUSE

I am returning, unsigned by the Commissioner-in-Charge, the referral resume on the case against Blanchette House. I understand that the Blanchette House has agreed to make four modifications which are outlined in Mr. Buscho's attached memo, that these modifications will bring them into compliance with Chapter 13 regulations, and that legal action will not need to be taken.

I think two issues have been clarified; and I mention them for future reference when these kinds of cases come up again. First, single station, battery operated early warning devices are not approved or accepted by the Fire Marshal in any building other than single family dwellings. This applies to both Chapter 13 and Title 31.

Second, a decision by the Housing Board of Appeals supercedes any previous decision made by that Board relative to the same case and regulation. (This was an issue, as we analyzed this case referral.)

I am pleased that a resolution, acceptable to all parties, could be reached without taking legal action. Thanks for your cooperation.

DC:jwc
Attachment

*Neil -
I stopped this action
Against Blanchette House
and got Jeff White's help in
~~they~~ working out a Settlement.
I didn't think we wanted to close
the place down. Doug*

OFFICE of FIRE MARSHAL

FIRE PREVENTION DIVISION CITY OF PORTLAND

From: Donn Litchford
To: Bob Buscho
Subject: Blanchet House, 340 N. W. Glisan Street

Date: Jan. 28, 1977

We met with Building Inspector John Bushnell to have him show us the areas that need automatic sprinklers to comply with appeal board decisions dated 10/31/74 and 8/14/75.

The areas to be covered with automatic sprinklers were the following areas:

- (1) Those areas and all vertical openings not enclosed by wire glass.
- (2) Install sprinkler in access to fire escape at each level.

At 8:30 A.M., January 27, 1977, a joint inspection was made by Donn Litchford, Joe Stanek, and Building Inspector John Bushnell, at the above address. Our findings are as follows:

- (1) Install heat collector over the two dry pendant heads in the skylights.
- (2) Remove tar paper over dry pendant head in the south skylight.
- (3) Change second floor fire escape protection head to pendant position in access going to fire escape on the second floor.
- (4) Install additional sprinkler head in void area of access area leading to fire escape on the second floor.

Shop drawings have never been submitted for approval nor a final inspection requested for the above additional sprinklers. As of today I found out that Automatic Fire Protection Systems was the company that did the alteration to said sprinkler system.

DL/lh

~~February 3, 1977~~

fil - Busf Buildings

do you have
any problem
with this
suggestion -

Wente S -

James E. Griffith, Director, Bureau of Buildings

Mayor's Office

Dave Kottkamp

Historical Building Review Committee

Dear Dave:

Attached is a series of communications dating back to February 1975 concerning the establishment of a Historical Building Review Committee. I recently had a discussion with George McMath and concur with his suggestion that the Chairman of the Portland Historical Landmarks Commission, or his designee, be added to the existing Board of Appeals with voting privileges limited to historic buildings.

It appears this was turned over to your office in March 1975. I am unaware of any follow-up on the present status of this issue. If so desired, I would be happy to assist in this effort.

Please let me know what you would like to do. Thank you.

Sincerely,

JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd
cc Gary Stout
Attn.

RECEIVED
AUG 11 1977

AUG 11 1977

MAYOR'S OFFICE

Oct 31
~~High 12~~ OK w/us
① he will left now from NE to
Council

PORTLAND HISTORICAL LANDMARKS COMMISSION

January 25, 1977

James E. Griffith, Director
Bureau of Buildings
Room 111, City Hall
Portland, Oregon 97204

Dear Jim:

This letter is to confirm our discussions regarding a Building Code appeal process for designated historic landmarks.

As you know, Section 204 (d) of the State Code calls for a Historical Building Review Committee and that exempt cities shall have their own HBRC unless they wish to rely on the State Committee.

The Portland Historical Landmarks Commission strongly recommends that a local Historical Building Review Committee be established.

Rather than create an entirely new Committee it is our recommendation that the Chairman of the Portland Historical Landmarks Commission, or his designee be added to the existing Board of Appeals as a voting member, and that this body be designated the Portland Historical Building Review Board.

Enclosed are copies of earlier correspondence on this matter. Please call me if I can be of assistance on this.

Sincerely,



George A. McMath

GAM:jk
Enclosures

cc: Leo Williams

RECEIVED
JAN 26 1976

February 4, 1975

C
O
P
Y
Gary E. Stout
Office of Planning and Development
1220 S. W. 5th Avenue
Portland, Oregon 97204

Dear Gary:

As you may know, the State Building Code has been amended to provide a special variance procedure for designated historic landmarks. Included is the establishment of the Historical Building Review Committee consisting of the Director of the Department of Commerce or his designee, State Fire Marshal, local Building Official, and the State Preservation Officer.

As I understand the amendments, Portland will be exempt from the State process if the City has its own Historical Building Review Board. Since the City does not have such a board it is my recommendation that the present Building Code Board of Appeals, with the addition of the Chairman of the P.H.L.C. or his designee, be designated the Portland Historical Building Review Board.

Sincerely,

George A. McMath

GAM:jk

cc: Leo Williams
Al Staehli



OREGON

OFFICE OF
PLANNING AND DEVELOPMENT
GARY E. STOUT
ADMINISTRATOR

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204

March 25, 1975

Mr. George A. McMath
424 S.W. Main Street
Portland, Oregon 97204

Dear George:

Thank you for your letter suggesting that the present Building Code Board of Appeals, with the addition of the Chairman of the P.H.L.C. be designated the Portland Historical Building Review Board. As you pointed out, Portland will be exempt from the State procedure for designating historical landmarks providing the City has its own review board.

Your suggestion certainly sounds workable, and as I understand it, you have acted with the Building Code Board in the past in this kind of review.

I am forwarding your suggestion to the Mayor's office and recommending that the Mayor's staff pursue the matter with the Building Code Board.

Sincerely,

Gary E. Stout
Administrator

cc: Mayor Goldschmidt
Gina Deinum

File 12

CITY OF PORTLAND
IN-ER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)
January 26, 1977

From James E. Griffith, Director, Bureau of Buildings
To Mayor's Office
Addressed to Dave Kottkamp
Subject Building Code Violations

RECEIVED
JAN 28 1977
MAYOR'S OFFICE

Dear Dave:

Attached is a follow-up report concerning the complaint filed in your office by Mr. Lyle Kraus. Earl Norgard and I visited the location and walked through and around all five houses.

I concur with Earl's report and also feel Mr. Kraus should study the code as what he states as code violations in many instances is incorrect.

I will close this issue until Mr. Kraus offers additional detailed information.

Thank you.

Jim

JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG:jd
Attch.

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

January 21, 1977

From Earl M. Norgard
To Bureau of Buildings
Addressed to James E. Griffith

Subject

Re	8605 S. W. 52nd Avenue	#503348
	8609 S. W. 52nd Avenue	#503349
	8635 S. W. 52nd Avenue	#503665
	8701 S. W. 52nd Avenue	#503664
	8630 S. W. 54th Avenue	#503405

We have identified the six (6) basic complaints registered by Lyle D. Krause concerning the construction of five (5) single family dwellings at the above locations. Part of the complaints were submitted in a report to the Department of Justice, Consumer Protective Division, and part to the Mayor's Office.

They are:

1. Buried trash around the house.
2. 15" centers in garage -- 24" in house (studs).
16" centers in garage -- 24" in house (studs).
3. Driveways too thin.
Driveways poured in 3" forms.
Driveways 8' wide, instead of 10'.
4. Foundations built out of line.
House out of line, square, and level.
5. 3/4" plywood floors.
6. Use of undue influence on the building inspector.

Item #1

Several inspections have been made at the site and it could not be verified that trash is buried "around the house". If it were buried around the house in such a manner as to affect the structural stability (such as under the concrete footings), this would be a code violation and treated as such. Buried in other parts of the yard, certain trash deposits are not identified as a Building Code violation. If Mr. Krause knows the exact locations of any buried trash, we would appreciate being advised.

Item #2

City Code (State Code) Sec. 2518 (f) (3) specifically permits stud spacing at 24" on center when supporting only a ceiling and roof. Since these are only one story in height 24" on center stud spacing is not a code violation.

January 24, 1977

Dick Klinger
KGW TV
1501 SW Jefferson
Portland, OR 97201

Dear Dick;

I thought you'd be interested in this as a follow-up to the question and commentary that we got on the show.

Sincerely,

Neil Goldschmidt

NG:pjr
Atch.

P. S. Dick, a one year project is also underway with the State of Oregon to redo the traffic signals on 82nd from SE Flavel to NE Prescott, with left turns at Division, Powell and Foster. The system will be capable of including left turns in other locations at a later date. I thought you might want to know this, because I think this came up also, and I couldn't remember where it stood.

NG

NG/file

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)
January 10, 1977

From James E. Griffith, Director, Bureau of Buildings
To Department of Finance and Administration
Addressed to Mayor Neil Goldschmidt
Subject Residence - 209 N. W. 23rd Avenue

Dear Mayor Goldschmidt:

I researched our records regarding the complaint you had received from a former tenant of a structure located at 209 N. W. 23rd Avenue.

The activities of the Bureau regarding this structure are as follows: This is an apartment house structure owned by Mr. Walter Pellett. It is a structure that fell within the scope of enforcement of Appendix Chapter 13. We applied the normal enforcement approach to this problem and as a result a stipulated decree was filed last April in circuit court. The structure is in compliance with the exception we have not received notification of approval of the fire detection system from the Fire Marshal's Office.

Our records revealed no other violations. We will make the necessary contacts that will insure obtaining approval of the detection system.

Yours truly,



JAMES E. GRIFFITH
DIRECTOR, BUREAU OF BUILDINGS

JEG/DJB:jd

MEMO

January 17, 1977

TO: Jim Griffith, Director
Bureau of Buildings

FROM: Dave Kottkamp, Administrative
Assistant

SUBJ: Building Code Violations

Jim,

I received a call the other day from a guy named Lyle Kraus. Mr. Kraus recently framed five houses for a homebuilder named Dick Weigel. Mr. Kraus claims that Weigel consistently violated the building code by burying trash around the house. He also claims Weigel engaged in deceptive, if not illegal, building practices. An example Mr. Kraus gave was using 15" centers in the garage and 24" centers in the house.

Mr. Kraus also claims driveways were too thin. For example, he claims the Code specifies ten foot of driveway per house, and that Weigel has built eight feet of driveway for two houses. He also claims the foundations were built out of line.

Mr. Kraus reports Weigel as claiming undue influence over the City Code Inspector, Arland Barreth.

Mr. Kraus claims he talked to you earlier about this matter and was referred to the state, specifically Charlie Gray at DEQ, who has the pictures that Kraus took of burying the trash around the foundations.

Please advise me of your findings in this case. Thanks.

DK:pjr

Backle 1-24

M E M O R A N D U M

January 4, 1977

TO: Jim Griffith, Director
Bureau of Buildings

FROM: Neil Goldschmidt

SUBJ: Residence at 209 NW 23rd

Jim,

I had a call from a former tenant of the residence at 209 NW 23rd to complain that the owner, Mr. Walter Poulet(sp?) has never made the improvements that we have earlier required by inspection. The tenant was evicted, he implies, because he complained about the situation, but at a minimum because the landlord indicated he was going to have to make these repairs and, thereby, emptied the building, or at least emptied him out of the building. Subsequently the building has been filled up, and he doesn't believe the improvements were made.

I'd appreciate you checking it out and sending a report back to Freddy Petett, because I think the gentleman will call the office.

NG:pjr
cc: Freddy Petett