

ORDINANCE No. 184957

Amend Public Improvement Code to reflect accurate Bureau Director and City Engineer responsibilities; update, clarify and reorganize sections; delete outdated sections; add new regulations for preservation of the 5th and 6th Ave Transit Mall; and codify existing policies regarding hazardous materials in the public right-of-way (Ordinance; amend Title 17)

The City of Portland ordains:

Section 1. The Council finds:

1. That the Council in Portland City Code Title 3, Administration, Chapter 3.12.010 B, assigned the authority and responsibility for management of the Bureau of Transportation to the Director of the Bureau.
2. That the responsibilities and authorities of the City Engineer as presently provided in the City Code were assigned prior to Council's creation of the position of Transportation Director.
3. That Title 17, Public Improvements, of the City code needs to be amended to reflect the Council's intent that the Director of the Bureau of Transportation is responsible for the overall coordination and management of the Bureau.
4. That the City Engineer's duties and responsibilities in City Code should be amended to include only those duties and responsibilities that are enumerated in the City Charter, constitute the practice of engineering or are assigned by the Director of Transportation.
5. That there are sections of Title 17 that are no longer needed as the conditions and activities they were written to address no longer exist.
6. That the City Attorney's office has identified portions of Title 17.24 Permits, that need updating in order to be consistent with existing utility franchise agreements.
7. That the City Attorney's office has identified that Title 17.56 Public Utilities, needs to be amended to include a definition of a Public Utility.
8. That the City Attorney's office has identified that the utility relocation language in Title 17.56 Public Utilities, needs to be amended to be consistent with existing policy and utility franchise agreements.
9. That the Bureau of Transportation has identified code sections within Title 17, Public Improvements, that should be moved to other Chapters within Title 17 to make it easier for permittees, the public and staff to find the information.

10. That the Bureau of Transportation has identified code sections within Title 17, Public Improvements, that were unclear and needed minor wording changes to clarify intent.
11. That the rebuilding of the 5th and 6th Avenue Transit Mall creates a need for new regulations that address the City's commitment to preservation of the public's investment in the 5th and 6th Avenue Transit Mall.
12. That existing binding City policies regarding hazardous materials in the public right-of-way should be updated and placed into the City Code where they will be more easily accessible for permittees, the public and staff.

NOW, THEREFORE, the Council directs:

- a. That Title 17, Public Improvements, of the City Code is amended as shown on the attached exhibit A.

Passed by the Council,

OCT 26 2011

Mayor Sam Adams

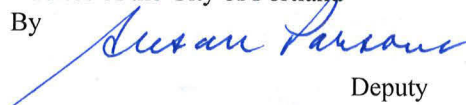
Prepared by: Donald Gardner:slg

Date Prepared: October 7, 2011

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 184957
Title

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INTRODUCED BY
Commissioner/Auditor:
MAYOR SAM ADAMS
K. Williams on behalf of Mayor Adams

COMMISSIONER APPROVAL

Mayor—Finance and Administration - Adams

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman

Position 4/Safety - Leonard

BUREAU APPROVAL

Bureau: Bureau of Transportation
Group Manager: Greg Jones
Development & Capital Program
Other: *gjt*

Prepared by: Donald Gardner:slg
Date Prepared: October 7, 2011 *slg*

Financial Impact & Public Involvement Statement
Completed Amends Budget
Not Required

Portland Policy Document
If "Yes" requires City Policy paragraph stated in document.
Yes No

Council Meeting Date
OCTOBER 19, 2011

City Attorney Approval *MEM*

CLERK USE: DATE FILED OCT 14 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By: *[Signature]*
Deputy

ACTION TAKEN:

OCT 19 2011 PASSED TO SECOND READING OCT 26 2011 9:30 A.M.

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: 20
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input type="checkbox"/>	<input type="checkbox"/>