



CITY OF

PORTLAND, OREGON

OFFICE OF NEIGHBORHOOD INVOLVEMENT

Amanda Fritz, Commissioner-in-Charge
Amalia Alarcón de Morris, Bureau Director
1221 SW 4th Avenue, Room 110
Portland, Oregon 97204

Enhancing the quality of Portland's Neighborhoods through community

MEMORANDUM

DATE: January 23, 2012

TO: Toni Anderson, Council/Contracts Supervisor
Office of the City Auditor

FROM: Theresa Marchetti, Liquor Licensing specialist, Office of
Neighborhood Involvement

SUBJECT: Re: Scriveners Error in Ordinance No. 184870 Amending PCC
14B.120.060 Enforcement

Ms. Anderson,

On September 14th, ordinance No. 184870 amended Portland City Code, 14B.120 in several ways. One of those amendments was to section 14B.120.060, allowing a complaint to be filed with the Code Hearings Office in the event that the licensee was found to be in violation within the preceding 12 months.

The language was amended with the word "proceeding" instead of "preceding". Proceeding, by definition is a series of actions or events, which does not make sense in this context.

Feedback was sought and outreach performed on this and other amendments. The explanation of the language and the subsequent feedback received was under the understanding the language was "preceding 12 months", Comments received focused on the change meaning enforcement through the Code Hearings office could be sought in the event that a licensee has been found to be in violation of the code in the 12 months prior to being issued the current violation.

Ben Walters, City Attorney, has also agreed that this is a scrivener's error, and approves the correction. The language is below.

Under 14B.120.060 Enforcement.

(Amended by Ordinance No. 184870, effective September 14, 2011.) Upon making a determination that a violation of this Chapter has occurred as provided under Section 14B.120.030, the Director or the Chief of Police may file a complaint before the Code Hearings Officer to initiate a code enforcement proceeding only if any of the following have first occurred:

A. The licensee has failed to submit a timely written response to the Director or the Chief of Police's notice; or



- B.** The licensee fails to propose or enter into an abatement plan that is acceptable to the Director or the Chief of Police; or
- C.** The licensee does not operate the establishment in compliance with the written abatement plan.
- D.** The licensee has been found to be in violation of this Chapter within the **preceding** 12 months.

The language should read "**preceding**". Please call me with any questions.

Thanks,

Theresa Marchetti
503-823-3092