

Portland, Oregon

**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items**

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Denise Klein		2. Telephone No. 3-7338	3. Bureau/Office/Dept. BDS – 299/5000
4a. To be filed (date): 12/12/12	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: 11/30/12
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

*Adopt certain State of Oregon Specialty Codes and amend corresponding City Code (Ordinance; add Code Section 27.01.035; amend Section 24.10.040 and Chapter 24.90; repeal Chapter 24.95)

2) Purpose of the Proposed Legislation:

Repeals Chapter 24.95 (Special Design Standards for Five Story Apartment Buildings) because it is obsolete; amends Chapter 24.90 governing manufactured dwellings and parks to eliminate inconsistencies with State law and make other minor revisions; and adopts the 2010 Energy Efficiency Specialty Code, the 2010 Solar Installation Specialty Code, the 2010 Oregon Manufactured Dwelling Installation Specialty Code, and portions of the 2002 Manufactured Dwelling and Park Specialty Code pertaining to manufactured dwelling parks in order to maintain the City status of code administrator and to maintain consistency with the State Building Code.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- City-wide/Regional Northeast Northwest North
- Central Northeast Southeast Southwest East
- Central City
- Internal City Government Services

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No additional revenue is anticipated with the proposed code amendments.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the *level of confidence*.)

No additional cost is anticipated with the proposed code amendments.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? (If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)**

No.

- **Will positions be created or eliminated in future years as a result of this legislation?**

No.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations (If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

- YES:** Please proceed to Question #9.
 NO: Please, explain why below; and proceed to Question #10.

Changes are mandatory because ORS 455.040 requires that the State Building Codes be uniform throughout the State. Four new titles were added to the Oregon Building Code, including the Oregon Energy Efficiency Specialty Code, which took effect on July 1, 2010, the Oregon Solar Installation Specialty Code, which took effect on October 1, 2010, the 2010 Edition of the Oregon Manufactured Dwelling Installation Specialty Code, which took effect on April 1, 2010, and the 2002 Edition of the Oregon Manufactured Dwelling and Park Specialty Code, which took effect on April 1, 2002. The City administers these provisions, so it must adopt them formally into the City Code.


Additionally, because the City adopted Chapter 24.90 of the City Code, entitled, "Manufactured Dwelling Installation and Accessory Structures, Manufactured Dwelling Parks, Recreational Parks, Park Trailer Installations and Accessory Structures," before the State adopted the 2002 Oregon Manufactured Dwelling and Park Specialty Code and the 2010 Oregon Manufactured Dwelling Installation Specialty Code, Chapter 24.90 needs to be revised to conform to these State specialty codes and the corresponding Oregon Administrative Rules (OAR) and to correct other minor errors and internal inconsistencies. Also, Chapter 24.95 of the City Code, entitled, "Special Design Standards for Five Story Apartment Buildings," is obsolete because the current International Building Code and Oregon Structural Specialty Code now regulate the subject matter of Chapter 24.95. Therefore, Chapter 24.95 must be rescinded to avoid inconsistencies between the City Code and State law.

9) If "YES," please answer the following questions:

- a) **What impacts are anticipated in the community from this proposed Council item?**
- b) **Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?**
- c) **How did public involvement shape the outcome of this Council item?**
- d) **Who designed and implemented the public involvement related to this Council item?**
- e) **Primary contact for more information on this public involvement process (name, title, phone, email):**

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No. See response to #8 above.

 11-29-12
 Paul L. Scarlett, Director, Bureau of Development Services

BUREAU DIRECTOR (Typed name and signature)

Version effective July 1, 2011



City of Portland, Oregon
Bureau of Development Services
Office of the Director
 FROM CONCEPT TO CONSTRUCTION

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 Paul L. Scarlett, Director
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City Council
 Agenda Item
 Staff Supplemental Report

TO: Commissioner Dan Saltzman

FROM: Paul L. Scarlett, BDS Director *PLS*

DATE: November 30, 2012

RE: Proposed Amendments to Title 24 (Building Regulations) and Title 27 (Heating and Ventilating Regulations) Adopting New State Specialty Codes; Amending Chapter 24.90 (Manufactured Dwelling Installation and Accessory Structures, Manufactured Dwelling Parks, Recreational Parks, Park Trailer Installations and Accessory Structures); and Repealing Chapter 24.95 (Special Design Standards for Five Story Apartment Buildings)

Requested Council Hearing Date: December 12, 2012

I. RECOMMENDATION

Amend Titles 24 and 27 to adopt new State specialty codes, including the 2010 Energy Efficiency Specialty Code, the 2010 Solar Installation Specialty Code, the 2010 Manufactured Dwelling Installation Specialty Code, and portions of the 2002 Oregon Manufactured Dwelling and Park Specialty Code pertaining to manufactured dwelling parks; amend Chapter 24.90; repeal Chapter 24.95.

II. BACKGROUND

In addition to the State specialty codes that the City has regularly adopted, the State recently adopted four new specialty codes. These additional codes include:

- Energy Efficiency Code (ORS 455.496). This code was previously Chapter 13 of the Structural Specialty Code, but it was made a separate stand-alone code, effective April 1, 2010.
- Solar Installation Specialty Code (ORS 455.020(2) and 455.496; OAR 918-800-0020). The Solar Installation Specialty Code is a new code regulating installation of solar systems that the State adopted, which took effect on October 1, 2010.
- Manufactured Dwelling Installation Specialty Code, 2010 Edition (ORS 446.062, 446.185) and the 2002 Manufactured Dwelling and Park Specialty Code (ORS 446.062; OAR 918-600-0010). The State first adopted the Oregon Manufactured Dwelling and Park Specialty Code in 2002 (the 2002 Code). City Code Chapter 24.90 contains City regulations concerning manufactured dwelling installation and parks, which the City adopted prior to the State adoption of the 2002 Code. The City never formally adopted

the 2002 Code, although the City has been administering it since 2002. The State most recently adopted a new specialty code entitled, Oregon Manufactured Dwelling Installation Specialty Code, 2010 Edition, which replaced all of the 2002 Code, except for the provisions in the 2002 Code regulating manufactured dwelling parks. The 2010 Manufactured Dwelling Installation Specialty Code took effect on April 1, 2010. (OAR 918-500-0510.)

The City administers these State codes and, therefore, should formally adopt them as it has with the other specialty codes it administers.

Because the City added Chapter 24.90 to the City Code, entitled, “Manufactured Dwelling Installation and Accessory Structures, Manufactured Dwelling Parks, Recreational Parks, Park Trailer Installations and Accessory Structures,” before the State adopted the 2002 Oregon Manufactured Dwelling and Park Specialty Code and the 2010 Oregon Manufactured Dwelling Installation Specialty Code, Chapter 24.90 needs to be revised to conform to these State specialty codes and the corresponding Oregon Administrative Rules (OAR) and to correct other minor errors and internal inconsistencies.

Chapter 24.95 of the City Code, entitled, “Special Design Standards for Five Story Apartment Buildings,” is obsolete because the current International Building Code and Oregon Structural Specialty Code now regulate all of the subject matter encompassed in Chapter 24.95. Therefore, Chapter 24.95 should be repealed to avoid inconsistencies between the City Code and State law.

III. FINANCIAL IMPACT

There are no financial impacts anticipated from the proposed code adoptions.

IV. LEGAL ISSUES

No issues have been identified or have arisen regarding the proposed code adoptions.

V. CONTROVERSIAL ISSUES

None.

VI. LINK TO CURRENT CITY POLICIES

In order to be consistent with the State Building Code, the City adopts the State Building Codes then in effect and updates the references to those State Building Code provisions in the Portland City Code. The State adopted four new specialty codes covering topics that the Portland Bureau of Development Services administers, including manufactured dwellings, energy efficiency, and solar installations. The sections of the City Code that address these topics are as follows:

- Manufactured Dwellings: Chapter 24.90, Manufactured Dwelling Installation and Accessory Structures, Manufactured Dwelling Parks, Recreational Parks, Park Trailer Installation and Accessory Structures;
- Energy Efficiency: Chapter 24.10, Building Regulations, Administration and Enforcement; and

- Solar Installations: Chapter 27.01, Heating and Ventilating Regulations, Title and Scope, which includes a repealed Section 27.01.035, entitled "Specialty Solar Code." This section was repealed by Ordinance No. 169905, effective April 1, 1996. Section number 27.01.035 is being assigned to the new City Code provision adopting the Oregon Solar Installation Specialty Code by reference.

VII. CITIZEN PARTICIPATION

None; revisions are mandated by State law.

VIII. OTHER GOVERNMENT PARTICIPATION

Not applicable. Work on this proposal has been limited to representatives of the Bureau of Development Services.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

BDS does not anticipate the addition of new jobs as a result of this ordinance.

M/W/ESB participation on this contract is N/A

- X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? N/A WHAT IS THEIR BUSINESS LICENSE NUMBER? N/A IS THEIR ACCOUNT WITH THE CITY CURRENT? N/A IF NOT, HOW MUCH IS OWING? N/A



City of Portland, Oregon
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December 12, 2012

185798

To: Mayor Adams
Commissioner Fish
Commissioner Fritz
Commissioner Leonard
Commissioner Saltzman

From: Paul L. Scarlett, Director
Bureau of Development Services

PLS

Regarding: Proposed City Code revisions to adopt new State specialty codes, including the 2010 Energy Efficiency Specialty Code, the 2010 Solar Installation Specialty Code, the 2010 Manufactured Dwelling Installation Specialty Code, and portions of the 2002 Oregon Manufactured Dwelling and Park Specialty Code pertaining to manufactured dwelling parks; amend Chapter 24.90; and repeal Chapter 24.95.

In 2002, the State adopted a new code entitled, "Oregon Manufactured Dwelling and Park Specialty Code," effective April 1, 2002. The Bureau of Development Services has been administering that code since 2002. In 2010, the State adopted the Oregon Manufactured Dwelling Installation Specialty Code, effective April 1, 2010, which replaced all of the 2002 Manufactured Dwelling and Park Specialty Code, except for the provisions regulating manufactured dwelling parks. The State also adopted two other new specialty codes, the Oregon Energy Efficiency Specialty Code, effective July 1, 2010, and the Oregon Solar Installation Specialty Code, effective October 1, 2010.

ORS 455.040 requires that the State Building Code be uniform throughout the State. The City serves as the local administrator for the State Building Code provisions and has adopted the State specialty codes it administers by reference in the Portland City Code. The Bureau of Development Services currently administers and enforces Building Regulations (Title 24), which includes manufactured dwellings and parks (see Chapter 24.90) and energy efficiency requirements, as well as Heating and Ventilation Regulations (Title 27), which includes solar installations. In order to maintain the City status of code administrator and to maintain consistency with the State Building Codes, the City should add to the applicable chapters of Titles 24 and 27 provisions to adopt by reference the Oregon Energy Efficiency Specialty Code, the Oregon Solar Installation Specialty Code, the Oregon Manufactured Dwelling Installation Specialty Code, and portions of the 2002 Oregon Manufactured Dwelling and Park Specialty Code pertaining to manufactured dwelling parks.

In 1996, the City added Chapter 24.90 to the City Code, which regulates manufactured dwellings and parks. Because Chapter 24.90 was adopted before the State adopted its specialty codes

governing these topics, some provisions of Chapter 24.90 are inconsistent with current State law. Consequently, Chapter 24.90 needs to be amended to eliminate these inconsistencies and make other minor modifications for clarity and internal consistency.

Chapter 24.95 of the City Code, entitled, "Special Design Standards for Five Story Apartment Buildings," is obsolete and inconsistent with State law because the current International Building Code and Oregon Structural Specialty Code now regulate all of the subject matter encompassed in Chapter 24.95. Therefore, Chapter 24.95 should be rescinded.

The attached ordinance accomplishes the State requirements and makes the City Code consistent with the current State Building Code by:

1. adding provisions to the applicable chapters of Titles 24 and 27 to adopt by reference the Oregon Energy Efficiency Specialty Code, the Oregon Solar Installation Specialty Code, the Oregon Manufactured Dwelling Installation Specialty Code, and portions of the 2002 Oregon Manufactured Dwelling and Park Specialty Code pertaining to manufactured dwelling parks;
2. amending Chapter 24.90; and
3. repealing Chapter 24.95.