

ORDINANCE No. 186748

\*Establish rules for use of the Duckworth Dock Moorage (Ordinance; add Code Sections 19.16.500 and 19.16.515)

The City of Portland ordains:

Section 1. The Council finds:

1. The Kevin J. Duckworth Memorial Dock, formerly known as the Eastbank Steel Bridge Transient Boat Tie-up, is located in the Willamette River, south (upstream) of the Steel Bridge and attached to the Eastbank Esplanade and is hereinafter referred to as “the Duckworth Dock”.
2. The Duckworth Dock was built as part of the Oregon Convention Center/Lloyd District development program to serve both recreational and commercial boats visiting the area. The Duckworth Dock was funded, in part, through a grant received from the Oregon State Marine Board (OSMB) in 1997. Council authorized that grant through Ordinance No. 171468, passed August 13, 1997.
3. As part of that Agreement, the Portland Bureau of Transportation (PBOT) was allowed to restrict access to daytime hours only until Dec. 30, 1999.
4. Boats moored at the Duckworth Dock for extended periods have occupied so many spaces frequently enough that recreational boaters have been unable to find available space. Returning to a “day-use only” practice will create more turnover by stopping the overnight moorages that typically extend for several days. The OSMB has consented to day-use only provisions with the exception of certain weekends (a 72-hour limit would be in effect from the weekend before Memorial Day to the weekend after Labor Day).
5. PBOT has worked with the Multnomah County Sheriff’s Office (MCSO) River Patrol, the Harbor Master, the Mayor’s Office, the City Attorney’s Office, the Parks Bureau and the OSMB to develop ways of managing the Duckworth Dock.
6. City Code provides rules for use of Municipal Boat Landings through PCC 19.16.060. Those boat landings are regulated by the Bureau of Parks and Recreation and the code is very specific to park facilities. The attached proposed code (Exhibit A) mirrors many of the provisions of that code and establishes an exclusion and appeals process modeled after Park’s exclusion and appeals process. It also allows the PBOT Director to promulgate rules, enter into enforcement agreements and establish reasonable fees.
7. PBOT has also submitted to the Council for its consideration an Ordinance authorizing the Mayor to amend the City’s agreement with OSMB to allow a one-year trial of restricting the use of the Duckworth Dock to day-use only, with the exception of summer weekends. OSMB’s approval is contingent on establishing a means of enforcing the nighttime closure.

NOW, THEREFORE, the Council directs:

- a. Code Sections 19.16.500 Duckworth Dock Moorage and 19.16.515 Exclusions is added, as shown in Exhibit A.

Section 2. The Council declares that an emergency exists because of the need to establish the code, subsequently execute the OSMB amendment, and designate enforcement authority before the boating season ends; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **AUG 06 2014**

Mayor Charlie Hales  
Prepared by: Jillian Detweiler:ajc  
Date Prepared: July 30, 2014

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By *Gayla Jennings*  
Deputy

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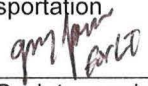
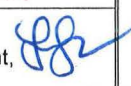
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Agenda No. **ORDINANCE NO.**

Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR CHARLIE HALES</b>	CLERK USE: DATE FILED <u>AUG 01 2014</u>
<b>COMMISSIONER APPROVAL</b>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p> <p><b>ACTION TAKEN:</b></p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
<b>BUREAU APPROVAL</b>	
Bureau: Bureau of Transportation Director: LEAH TREAT 	
Prepared by: Andrew Carlstrom:ajc Date Prepared: July 30, 2014 <i>ASC</i>	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>August 6, 2014</b>	
✓ <b>City Auditor Office Approval:</b> required for Code Ordinances <i>Toni</i>	
✓ <b>City Attorney Approval:</b>  required for contract, code, easement, franchise, comp plan, charter	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____
<b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> <b>Total amount of time needed: 5 MIN</b> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	_____	_____
4. Novick	✓	
Hales	✓	