

**ORDINANCE No. 187664**

Amend Floating Structures Code to add administrative appeal provisions, revise external Appeal Board provisions to conform to the State Building Codes, add term limits to Boards, delete obsolete provisions and make other technical changes (Ordinance; amend Code Title 28)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. BDS administers Portland City Code (PCC) Title 28, Floating Structures.
3. As part of its administrative duties and as required by the State of Oregon Building Codes as codified in Oregon Revised Statutes Chapter 455, BDS is required to provide an administrative appeal process for permit applicants who are aggrieved by a decision of BDS acting as the Building Official related to the interpretation or administration of the Building Codes or who want to request a modification to the strict interpretation of the Building Codes or consideration of an alternate material, design or method of construction or equipment.
4. BDS currently has an Administrative Appeal Board that consists of a BDS employee who is a licensed Oregon Building Official, along with other BDS staff who have expertise in reviewing the issues presented to the administrative Appeal Board. This ordinance codifies the scope of authority of the Administrative Appeal Board and procedures for filing appeals to the Administrative Appeal Board in Title 28.
5. Title 28 currently provides for a Floating Structure Code Board of Appeal and a Floating Structures Appeal Group. The Floating Structure Code Board of Appeal consists of members of the Floating Structures Appeal Group and members of the Building Code Board of Appeal. This ordinance consolidates those bodies into a single Floating Structures Code Board of Appeals. In addition, the provisions of Title 28 governing the Floating Structures Board of Appeal are outdated and need to be revised to conform to the State Building Codes. This ordinance also contains provisions that add term limits for the Floating Structures Board of Appeal members to be consistent with external appeal boards in other City Code titles.
6. Title 28 creates the River Community Advisory Committee, a citizen advisory board representing members of the community who own and occupy floating structures, that provides input and recommendations to the BDS Director on

matters that impact the floating structures community. This ordinance makes appointments to and terms of the River Community Advisory Committee consistent with other BDS advisory boards and commissions.

7. In addition to the above, this ordinance deletes obsolete provisions and makes minor language changes to correct technical errors and improve internal consistency in Title 28.

NOW, THEREFORE, the Council Directs:

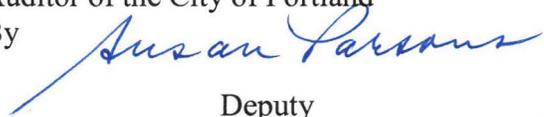
- a. Portland City Code Title 28 is amended as set forth in Exhibit A.

Passed by the Council: APR 06 2016

Commissioner Dan Saltzman  
Prepared by: Nancy Thorington, BDS  
Date Prepared: March 30, 2016

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

Agenda No. 187664  
ORDINANCE NO.  
Title

Amend Floating Structures Code to add administrative appeal provisions, revise external Appeal Board provisions to conform to the State Building Codes, add term limits to Boards, delete obsolete provisions and make other technical changes (Ordinance; amend Code Title 28)

**INTRODUCED BY**  
Commissioner/Auditor:  
**Commissioner Dan Saltzman**

**COMMISSIONER APPROVAL**

Mayor—Finance and Administration - Hales

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman *[Signature]*

Position 4/Safety - Novick

**BUREAU APPROVAL**

Bureau: Bureau of Development Services  
Bureau Head: Paul L. Scarlett *[Signature]*

Prepared by: Leanne Torgerson  
Date Prepared: 3/16/16

Financial Impact & Public Involvement Statement  
Completed  Amends Budget

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

**City Auditor Office Approval:**  
required for Code Ordinances *[Signature]*

**City Attorney Approval:**  
required for contract, code, easement, franchise, comp plan, charter *[Signature]*

Council Meeting Date 3/30/16

CLERK USE: DATE FILED MAR 22 2016

Mary Hull Caballero  
Auditor of the City of Portland

By: *[Signature]*  
Deputy

**ACTION TAKEN:**

MAR 30 2016 PASSED TO SECOND READING APR 06 2016 9:30 A.M.

**AGENDA**

**TIME CERTAIN**   
Start time: \_\_\_\_\_

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

**CONSENT**  *Pulled*

**REGULAR**   
Total amount of time needed: \_\_\_\_\_  
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<i>[Signature]</i> Fritz	✓
2. Fish	2. Fish	✓
3. Saltzman	3. Saltzman	✓
4. Novick	4. Novick	✓
Hales	Hales	✓