

IMPACT STATEMENT

Legislation title: * Amend fee schedule for the Office of Neighborhood Involvement Noise Control Program (Ordinance)

Contact name: Theresa Marchetti

Contact phone: 503-823-3092

Presenter name:

Purpose of proposed legislation and background information:

Increase Noise Variance fees by 5% to meet budget projections for FY 2015-16

Financial and budgetary impacts:

This ordinance increases Noise Variance fees by 5%, as planned in the FY 2016 budget. The source of the funds is from applicants in the City of Portland.

Community impacts and community involvement:

The members of the Noise Review Board were consulted to review the fees and support the proposed changes. The Noise Review Board supported the changes recommended.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

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

**City of Portland
Office of Neighborhood Involvement**

Noise Variance and Other Fees Schedule

Effective Date: July 15, 2015

REVIEW FEES - 10 or more business days prior to date of event	
High Noise Impact Events	\$384
Construction	
One week in duration	\$536
More than one week in duration	\$536 for the first week, plus \$179 for each additional week up to a total maximum of \$893 per 12 month period.
Motor Vehicle Racing	\$2,744 for the first year, plus \$893 per additional year of request.
Noise Review Board Variances	\$2,744 plus \$893 per additional year of request
All Other Applications	\$87
ACCELERATED REVIEW FEES - Less than 10 business days prior to the date of the event*	
High Noise Impact Events	\$770
Construction	
One week in duration	\$715
More than one week in duration	\$715 for the first week, plus \$356 for each additional week up to a total maximum of \$1,786 per 12 month period.
Motor Vehicle Racing	\$5,488 for the first year, plus \$1,786 per additional year of request.
Noise Review Board Variances	\$5,488 plus \$1,786 per additional year of request
All Other Applications	\$174
*Variance applications submitted less than four business days prior to the date of the noise variance event, shall be charged a review fee equal to one and a half times the accelerated review fees listed above.	
ADDITIONAL FEES AFTER INITIAL APPROVAL	
Scope of Work Revision	
All Other Applications	\$43
High Noise Impact Events	\$84
Construction, Motor Vehicle Racing	\$174
Noise Review Board Variances	\$435
Date Change Only	
All Other Applications, High Noise Impact Events	\$43
Construction, Motor Vehicle Racing	\$87
Noise Review Board Variances	\$174
ADDITIONAL FEES	
Administrative Review Fee \$116	
Administrative Review Appeal Fee \$525	
County Recording Fee Equal to the cost of recording charges	

EXHIBIT A

City of Portland
Office of Neighborhood Involvement
PROPOSED

Noise Variance and Other Fees Schedule

Effective Date: July 15, 20142015

REVIEW FEES - 10 or more business days prior to date of event	
High Noise Impact Events	\$366 \$384
Construction	
One week in duration	\$510 \$536
More than one week in duration	\$510 \$536 for the first week, plus \$170 \$179 for each additional week up to a total maximum of \$850 \$893 per 12 month period.
Motor Vehicle Racing	\$2,613 \$2,744 for the first year, plus \$850 \$893 per additional year of request.
Noise Review Board Variances	\$2,613- \$2,744 plus \$850 \$893 per additional year of request
All Other Applications	\$83 \$87
ACCELERATED REVIEW FEES - Less than 10 business days prior to the date of the event*	
High Noise Impact Events	\$733 \$770
Construction	
One week in duration	\$681 \$715
More than one week in duration	\$681 \$715 for the first week, plus \$339 \$356 for each additional week up to a total maximum of \$1,701 \$1,786 per 12 month period.
Motor Vehicle Racing	\$5,227 \$5,488 for the first year, plus \$1,701 \$1,786 per additional year of request.
Noise Review Board Variances	\$5,227 \$5,488 plus \$1,701 \$1,786 per additional year of request
All Other Applications	\$166 \$174
*Variance applications submitted less than four business days prior to the date of the noise variance event, shall be charged a review fee equal to one and a half times the accelerated review fees listed above.	
ADDITIONAL FEES AFTER INITIAL APPROVAL	
Scope of Work Revision	
All Other Applications	\$41 \$43
High Noise Impact Events	\$80 \$84
Construction, Motor Vehicle Racing	\$166 \$174
Noise Review Board Variances	\$414 \$435
Date Change Only	
All Other Applications, High Noise Impact Events	\$41 \$43
Construction, Motor Vehicle Racing	\$83 \$87
Noise Review Board Variances	\$166 \$174
ADDITIONAL FEES	
Administrative Review Fee	\$110 \$116
Administrative Review Appeal Fee	\$500 \$525
County Recording Fee	Equal to the cost of recording charges

ORDINANCE No.

REFERRED TO COMMISSIONER OF PUBLIC UTILITIES

* Amend fee schedule for the Office of Neighborhood Involvement Noise Control Program (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Office of Neighborhood Involvement's Livability Programs provide tools and resources to improve community livability and safety. The Noise Control Program works to improve neighborhood livability by enforcing noise regulations and issuing variances for events and activities that cause more noise than normally allowed.
2. The fees charged by the Office of Neighborhood Involvement partially fund the Noise Control Program but are not intended to provide full cost recovery for the critical service of enforcing Title 18 Noise Regulations.
3. The fees provided in Exhibit A include a 5% increase to the Noise fees, except for the Administrative Review Appeal Fees. Although the proposed review fee does not provide recovery of the direct costs related to taking a case to Code Hearings, it is proposed at a level intended to be more manageable for appropriate appeals.
4. The Noise Review Board, which is composed of community and industry representatives, reviewed and supported the fee changes referenced in this ordinance.
5. The changes to the fees provided in Exhibit A are required to reach the budgetary goals for Fiscal Year 2015-16.

NOW, THEREFORE, the Council directs:

- a. The Fee Schedule attached as Exhibit A to this ordinance shall be effective July 15, 2015.
- b. Exhibit A to this ordinance is adopted as binding City policy.

Section 2. The Council declares that an emergency exists because the fees should be in place to meet budgetary goals for Fiscal Year 2015-16; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council:

Mayor Charlie Hales
Prepared by: Amy Archer
Date Prepared: June 11, 2015

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

Agenda No.
ORDINANCE NO.
Title

* Amend fee schedule for the Office of Neighborhood Involvement Noise Control Program (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL</p> <p>Bureau: Ofc of Neigh. Involvement Bureau Head: Amalia Alarcón de Morris</p> <p>Prepared by: Amy Archer Date Prepared: 6/11/2015</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date July 15, 2015</p>	<p>CLERK USE: DATE FILED JUL 10 2015</p> <p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN:</p> <p>JUL 15 2015 REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/> <i>Pulled</i></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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