

ORDINANCE No.

Extend special rates and charges, and create new permit types for public works permitting services through Fiscal year 2013-2014. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On December 17, 2009, Council adopted Ordinance No. 183419 and authorized special rates and charges for public works permitting services received from January 3 through June 30, 2010. On June 16, 2010 and May 18, 2011, Council adopted Ordinance No. 18391 and 184600 respectively to extend the special rates and charges.
2. The special authorization was necessitated by a comprehensive set of Council-directed reforms of public works permitting procedures that took effect in January 2010. The Council authorized special rates and charges for a transition period that was expected to end on June 30, 2010. Thereafter, new rates and charges were to be adopted annually in the same manner as other City rates and charges.
3. From January 2010 (the inception of the revised Public Works permitting process) through May, 2011, the public works bureaus have experienced insufficient public works permitting activity (40 out of a total of 80 permits issued to that point completed the new revised process), to support a thorough cost of service analysis that is required to establish new rates and charges. The public works bureaus require additional data with the new permitting procedures to complete such an analysis and recommend new rates and charges. The types of permits span a wide range of improvements including but not limited to downtown streets, industrial and commercial, and large and small residential street improvements. 40 permits were deemed insufficient to set a rate for each of these categories of permits. As of June 2012, for infill projects, where the scope and type of improvements are consistent, there was deemed to be sufficient data to establish a set fee. The residential infill permit type was adopted by Council under Ordinance No. 185470 and will be retained.
4. Based on information gathered between January 2010 and January 2013, the Bureaus have determined that enough projects have been completed to develop new rates and charges for most public works permit types. Starting with Fiscal Year 2013-2014, these rates and charges will be adopted annually in the same manner as other City rates and charges. The exception to this will be the PW Complex Permit; fees for that permit type will be full cost recovery as established under existing Title 17 fee provisions.
5. As with Council Ordinance Nos. 183419, 183911, 184600 and 185470, this ordinance does not alter current City practices to recover the costs of construction management and inspection associated with public works permit projects.

NOW, THEREFORE, the Council directs:

- a. That Council suspends the existing public works permitting fees authorized by City Code Chapters 17.24 and 17.32 for all new public works permitting services provided from July 1, 2013 through June 30, 2014.
- b. The Council adopts the public works permitting types and fees set forth in Exhibit A of this Ordinance for all new public works permitting services provided from July 1, 2013 through June 30, 2014.
- c. This ordinance and the attached Exhibit A are binding city policy.

Passed by the Council:

Mayor Charlie Hales

Prepared by: Christopher M. Wier

Date Prepared: May 8, 2013

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Deputy