

PROPOSED AMENDMENTS TO PORTLAND CITY CODE (PCC) CHAPTER 24.55 – BUILDING DEMOLITION

1. Amend the following definitions:
 - “Demolition” – the existing definition is too complicated for both our staff and customers. The new proposed definition deletes reference to work on the foundation because neighbors don’t care what goes on below what they can see from the street, and BDS doesn’t want to encourage developers to use bad foundations just to avoid being called a demolition.
 - “Major addition” – the proposed new definition is much simpler to apply; it is just adding 500 square feet or more of new interior space.
 - “Major alteration” – the existing definitions of “major addition” and “major alteration” are tied together. We propose having separate definitions, each of which is simpler.
2. Require dust suppression for major alterations if engage in any mechanical demolition activities (using heavy machinery to pull down any part of the structure). By separating out the definitions of “major addition” and “major alteration,” this makes it easy to address the main impact to the neighbors of “virtual demolitions,” which is the potential for exposure to dust that contains hazardous materials.
3. Clarify pointes related to the existing demolition delay appeal hearing, including:
 - Making clear that any party can introduce evidence at the hearing (currently the applicant must present all evidence at the time they file the appeal; this isn’t practical because they don’t always have the budget and financing details worked out yet)
 - Removing the term “pro-forma budget” and replacing it with “project budget.” The term “pro-forma” was recommended by a member of United Neighbors for Reform, but no one knows what it means (including the Code Hearings Officers), and it unnecessarily complicates the process.
 - Clarifying that the appellant doesn’t actually have to complete the transaction (e.g., complete the sale or move the structure) within the 95-day delay period; they just have to come to an agreement within the 95 days.
4. Proposed changes to the new SB 871 Implementation Ordinance (mitigation of asbestos and lead-based paint in residential demolitions) to be effective prior to go-live date of no later than July 1, 2018:
 - As we’ve been working on the administrative rules to accompany the SB 871 Implementation Ordinance (24.55.205), the question of when during the process the asbestos inspector needs to be on-site arose. That lead into a discussion of whether the “asbestos inspector” certification was the best certification and whether there were other options. Expense and availability of inspectors were the main concerns raised by the contractors. Amend ordinance to allow certified asbestos worker and certified asbestos supervisors to satisfy requirement and add provisions that allow an alternative to having a certified person on-site if full destructive asbestos testing is completed prior to demolition.

- Remove the exception for the during demolition inspection. As BDS has been working through the implementation at the staff level, we determined that we will have the capacity for the extra inspection and our current computer programming can accommodate all three inspections.

5. Various technical changes as follows:

- Correct reference errors in 24.55.100
- Remove definitions that are no longer applicable
- Make it clear that delay provisions and major residential addition/alteration (MRAA) provisions only apply to 1-2 family dwellings (not apartments and other large residential projects)
- Clarify MRAA notice provisions and add graphic to the MRAA section because it got deleted from the demolition section when the SB 871 Ordinance was adopted