

## **Frequently Asked Questions: Placarding and Tenant Notification Requirements for URM Buildings**

To reduce the risk posed by unreinforced masonry (URM) buildings, Portland City Council passed an [ordinance](#) requiring owners of URM buildings place a placard on the building and to notify tenants and visitors that the structure is a URM. The ordinance was passed on October 10, 2018. If you are an owner, landlord, or tenant of a URM building, the following information may help you understand the requirements of the ordinance:

### **1) What is an Unreinforced Masonry (URM) Building?**

An Unreinforced Masonry Building is a building with at least one URM bearing wall that provides support for floor or roof framing. URM walls are typically made with adobe, burned clay, concrete or sand-limestone brick, hollow clay or concrete block, hollow clay tile, rubble and cut stone or unburned clay masonry. These walls have either no steel reinforcement or less than a minimum amount of vertical and horizontally placed reinforcement. See Definitions (<https://www.portlandoregon.gov/citycode/article/541044>) in Title 24.85 for more information on minimum reinforcement required.

### **2) Why are URM buildings dangerous during an earthquake?**

Built generally in the late 1800s and until around the 1960s, URM buildings were made with very brittle materials (as described in question 1). These buildings do not have any rebar or steel reinforcements. In addition, these walls generally were not attached to the floors and many had open front construction. Floors and roofs were not built with plywood. These outdated construction techniques make these buildings very vulnerable in an earthquake. URM buildings are considered one of the most dangerous buildings in a seismic event as evidenced in their performance in earthquakes around the world. Because the walls are not attached to the floors, the walls can separate and collapse endangering the public both in the building and outside and create debris that can injure pedestrians and/or block critical emergency response. Parapets and exterior ornamentation are very vulnerable and can easily dislodge even in smaller earthquakes endangering the passersby on the streets below.

### **3) What is the URM database?**

In the mid-1990s, The City of Portland created a database of all commercial buildings in city limits. Trained City staff, in collaboration with Portland State University (PSU), surveyed all commercial buildings in the City of Portland using procedures developed by American Technology Council (ATC) to identify different building types. This survey was based on site visits and visual inspections of building exterior combined with research of existing building records and permit history. Based on this survey of buildings, buildings that were identified as URMs were listed in a URM database. The information was made public in 1995.

In 2014, the City began verifying and updating the URM database. Verification included using newer available technology such as Mapworks and Google Maps, reviewing permit records, surveying building owners and visiting locations in the field. The database is continually

updated as new information is made available to keep the database as up to date and as accurate as possible.

#### **4) Where can I find the URM database?**

The URM database is available on the City of Portland's Bureau of Development Services website. To see the URM database, visit <https://www.portlandoregon.gov/BDS/70767>. The database is available in two formats:

1. An interactive map where you can type in an address to check if the building is currently classified as a URM, as well if any retrofitting has been done to the building; and
2. A list of addresses, with the same details listed above.

#### **5) I do not believe my building is a URM building. How can I have the building removed from of the URM database?**

If a building you own is in the URM database and you believe your building is not a URM, you may submit a written request accompanied by a stamped report from a registered structural engineer to have your building removed from the list. The report should provide adequate evidence based on review of permit drawings, comprehensive field investigations or other evidence to substantiate the claim. The information you provide will be reviewed by Bureau of Development Services and our staff may ask for additional information or require further investigation prior to making a determination. Once BDS staff have the information they need, BDS staff will review the evidence presented and make a determination.

The request may be sent via email to [BDS.URMBuildings@portlandoregon.gov](mailto:BDS.URMBuildings@portlandoregon.gov) or by mail to:

The Bureau of Development Services  
Attention: Amit Kumar  
1900 SW 4<sup>th</sup> Ave, Suite 5000  
Portland, OR 97201

#### **6) Do I need to pay to request that my building be removed from the URM database?**

There is no fee required if you are following the process listed in question 5. However, if the owner is not satisfied with the determination from the above process, the owner has a right to appeal to the BDS Administrative Appeals Board, per City Code Section 24.10.075, and still further to the Building Code Board of Appeal per City Code Section 24.10.080. The appeal process has a required fee. This fee may be refunded if the final determination from the Administrative Appeal Board or Building Code Board of appeal is made that the building has incorrectly been classified as a URM building. More information about the appeal and the appeal process can be found on the BDS website at this link: <https://www.portlandoregon.gov/bds/34196>.

## 7) What does the ordinance regarding URM buildings require?

### The ordinance requires:

- (a) All URM buildings that have not been retrofitted to prevent collapse during a major earthquake to have a placard posted in a conspicuous location with the following language: “This is an Unreinforced Masonry building. Unreinforced Masonry buildings are not safe in the event of a major earthquake.”
- (b) Owners of URM buildings that have not been retrofitted to prevent collapse during a major earthquake are required to notify tenants and renters that their building is an Unreinforced Masonry building and that Unreinforced Masonry buildings are not safe in the event of a major earthquake
- (c) Strengthening some existing seismic triggers for URM buildings in Title 24.85

The ordinance also establishes standards that the buildings need to be retrofitted to be exempt from the requirements for a placard and tenant notification, an appeals process and an enforcement mechanism.

## 8) What standards does the URM building need to be retrofitted to be exempt from Placarding and Tenant notification of this ordinance?

Retrofitting standards were established using the national standard published by American Society of Civil Engineers (ASCE,) ASCE-41. The following types of buildings are exempt from the Placarding and Tenant notification requirements:

1. Buildings that were fully retrofitted to American Society of Civil Engineers (ASCE,) standard ASCE 41-17 or ASCE 41-13 to performance criteria referred to as *Collapse Prevention* under an earthquake hazard defined as BSE-2 in ASCE-41 or
2. Buildings that were retrofitted to a *Life Safety* performance criteria under a smaller earthquake called as BSE-1 in the above referenced standard.

Some buildings may have undergone past seismic retrofitting. These buildings would be grandfathered in provided the building underwent a complete seismic retrofit that met or exceeded the following standards: Life safety performance level under FEMA-178, FEMA-356, ASCE 31 or ASCE 41-03 or Oregon Structural Specialty Code (OSSC) 1993 edition or later.

## 9) What is meant by Collapse Prevention and Life Safety Standards?

**Collapse Prevention:** a building at this performance level will in a post-earthquake damage state have damaged components and continues to support gravity loads but retains no margin against collapse. *A structure retrofitted to “collapse prevention” is not expected to collapse during the initial earthquake but will be left in a very vulnerable state. Depending on the extent of the damage, the structure may not be practical to repair or safe to reoccupy. Significant risk of injury caused by falling hazards from structural debris will likely also exist.*

**Life Safety:** a building at this performance level will in a post-earthquake damage state have damaged components but retains a margin against the onset of partial or total collapse. *A structure retrofitted to “Life Safety” will have some structural elements and components*

*that are severely damaged, but this damage would not result in large falling debris hazards, either inside or outside the building. Injuries might occur during the earthquake; however, the overall risk of life-threatening injury because of structural damage is expected to be low.*

**10) What is the timeline for Placarding and Tenant notification?**

The ordinance requires URM owners to post a placard according to the following timeline:

**Publicly-owned buildings:** On or before January 1, 2019

**Non-profit owned buildings:** On or before November 1, 2020

**All other buildings:** On or before March 1, 2019

**11) Do the requirements for Placarding and Tenant Notification apply to all URMs, including Commercial and Residential buildings?**

The ordinance applies to all commercial URM buildings (unless they are exempt if they have been retrofitted to the standards specified in question 8). Note that buildings with three or more residential units are commercial buildings per the Building Code. The requirements for Placarding and Tenant Notification do not apply to One and Two-family dwellings

**12) If a building is not currently on the database of URMs but is discovered to be a URM, what is the process for placarding and tenant notification?**

If a building is discovered to be a URM but is not listed in the current URM database, the Bureau of Development Services will update its database once it is made aware of the building (and if the building has not been retrofitted to the required standards). The building owner will be notified that the building is a URM and can appeal that determination. The building owner will be required to post a placard and to notify tenants within three months of the notification or according to the timeline for placarding and tenant notification in the ordinance, whichever is later.

**13) How are URM Building owners going to be notified of the new requirements for URM buildings?**

The Bureau of Development Services will notify all URM building owners in its database of the new requirements and whether their building needs to comply with the requirements of the ordinance for placarding and tenant notification. BDS intends to send these notifications by December 31, 2018.

**14) Do buildings that underwent voluntary seismic retrofits in the past meet the standards of seismic retrofit to be exempt from the requirements of this ordinance?**

It depends. Voluntary seismic upgrades in general are not automatically considered to meet the standards described in Question 8 (above) as they generally met only portions of the required upgrades in those standards. Due to constraints such as limited scope of work, accessibility and availability of funds, typically only portions of the required full seismic retrofit

work were completed and hence were considered voluntary upgrades. If an engineering analysis can show that the previously completed voluntary upgrades met all the requirements listed in the standards used at the time of the retrofit and listed as an acceptable standard in Question 8, then the building may be exempt from the placarding and tenant notification requirements.

**15) Can URM buildings now be upgraded to older standards such as Life Safety performance levels under FEMA-178, FEMA-356, ASCE 31 or ASCE 41-03 to avoid Placards and Tenant Notification Requirements?**

No. Buildings undergoing new retrofits or completing partial retrofits from before the ordinance would need to meet current requirements for *Collapse Prevention and Life Safety* performance levels using ASCE 41-13 or ASCE 41-17 to be considered exempt from the placarding and tenant notification requirements.

**16) My URM building has been retrofitted. Does it need to comply with the requirements for tenant notification and placarding?**

If the retrofit meets the standards listed in Question 8, the building is exempt from the placarding and tenant notification requirements of this ordinance. BDS will notify URM building owners if the seismic retrofit on their building met the standards noted above according to available building permit data and whether their building needs to meet the placarding and tenant notification requirements of this ordinance.

**17) Can I appeal the requirements for Placarding and Tenant notification? Do I need to pay for the appeal?**

If you believe that the building has been retrofitted to the standard noted above but the City records do not indicate that to be the case, you may file an appeal along with documentation justifying the assertion.

The request may be sent via email to [BDS.URMBuildings@portlandoregon.gov](mailto:BDS.URMBuildings@portlandoregon.gov) or by mail to:

Attention: Amit Kumar  
1900 SW 4th Ave, Suite 5000  
Portland, OR 97201

BDS will review the appeal and decide whether your building has been retrofitted to the required standard.

There is no fee required if you are following the process listed above. However, if the owner is not satisfied with the determination from the above process, the owner has a right to appeal to the BDS Administrative Appeals board and still further to the Building Code Board of Appeal. The appeal process has a required fee. This fee may be refunded if the final determination from the Administrative Appeal Board or Building Code Board of appeal is made that does not require the owner to comply with placarding and tenant notification requirements of the ordinance. More information about the appeal and the appeal process can be found on the BDS website at this link: <https://www.portlandoregon.gov/bds/34196>.

**18) Do I need to post the placard and notify my tenants while my appeal is being considered?**

You will not have to post a placard or notify your tenants in accordance with the requirements of the ordinance until three months after the final determination of your appeal.

**19) I do not want to have a placard on my URM building. What can I do to get my URM building removed?**

The placard would be removed only in the case that the URM building is retrofitted to the standards specified, thereby removing the URM from the database and negating the need to have a placard posted.

**20) What is the penalty for non-compliance and how is it enforced?**

Portland Fire and Rescue will inspect the placement of placards as part of their inspection program. If a building is out of compliance with the ordinance at the time of inspection, the building owner will be given 40 days to comply. The Fire Bureau will conduct a re-inspection and, if the building is still out of compliance, the Fire Bureau will forward the information to the BDS Enforcement Section to gain compliance with the requirements for placards.

BDS Enforcement Section will use its existing enforcement program and authority to enforce the requirements for placarding and tenant notification.

Enforcement fees can be found on the BDS website under the title Code Enforcement Fees: <https://www.portlandoregon.gov/bds/article/67128>

**21) What am I required to do as a landlord?**

Landlord of URM buildings will be notified by the City of Portland if the building needs to have a placard and if tenant need to be informed. Within the timeline specified for these actions, you are required to place a placard and notify your tenants. You will be required to record an agreement with the county stating that:

(a) you have notified existing tenants (this does not require amending any existing leases; notice may be via letter or otherwise) and that lease/rental agreements include language to inform potential new tenants that "This is an Unreinforced Masonry building. Unreinforced Masonry buildings are not safe in the event of a major earthquake."

(b) that you agree to maintain the placard till such time the City authorizes its removal.

Landlords of URM buildings will also be notified on how to provide evidence to the City that you have met the requirements for placarding and tenant notification

**22) How do I let my tenants know? Do I need to write new leases for tenants that are already in my building?**

URM building owners/landlords are required to notify existing tenants that: “This is an Unreinforced Masonry building. Unreinforced Masonry buildings are not safe in the event of a Major Earthquake.”

In addition, every new lease or rental agreement entered or renewed after the timeline for placarding noted above must contain the following statement: “This is an Unreinforced Masonry building. Unreinforced Masonry buildings are not safe in the event of a Major Earthquake.”

### **23) I am a tenant. How do I know if my building is a URM?**

The City of Portland has created a database of known URM buildings. The database can be accessed using the following link: <https://www.portlandoregon.gov/BDS/70767>.

At the bottom of the page, there is a link to an interactive map where you can search the property using the property address. If you have questions, please email your question to [BDS.URMBuildings@portlandoregon.gov](mailto:BDS.URMBuildings@portlandoregon.gov).

### **23) I am a tenant; how do I submit a complaint if my landlord does not comply with placarding?**

Please submit your complaint via email to the following email address:  
[BDS.URMBuildings@portlandoregon.gov](mailto:BDS.URMBuildings@portlandoregon.gov).

Or you may mail your complaint to the following address:

City of Portland Bureau of Development Services

Attention: Amit Kumar

1900 SW 4th Ave, Suite 5000

Portland, OR 97201