



City of

PORTLAND, OREGON

Development Review Advisory Committee

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TO: Rebecca Esau, Beth Benton, Mike Liefeld, Jeremy Russell, Elshad Hajiyev, Nancy Thorington, DRAC
Demolition Committee Members

CC: Ted Wheeler, Samuel Diaz

RE: Demolition Inspection Program Improvements

It has been a little over a year since Portland, through the Bureau of Development Services (BDS), implemented what may be the strongest regulatory program in the country to protect the community from exposure to lead and asbestos spread by mechanical demolitions. The following represent the recommendations of the Development Review Advisory Committee (DRAC), developed with the support of BDS staff, to improve the effectiveness of the current program. Ensuring that all painted exterior non-structural surfaces with lead be removed prior to starting mechanical demolition and that proper wetting strategies are used during the course of mechanical demolitions drive these recommendations. The recommendations are presented below in order of how soon we expect them to be implemented.

Immediate process improvements to collect more data. Weekly reporting on the demolition inspection program including:

- If the demolition was underway while the inspector is on site for the during-demolition (205) inspection.
- How many, and of what type, of demolition violations occurred (e.g. non-permitted demolition, failure to remove painted exterior non-structural surfaces that contain lead before mechanical demolition, etc.).
- The parties involved in the demolition violations, including owner, applicant, general contractor, and demolition contractor.

The goal of gathering and reporting demolition inspection program data is to help guide future improvements to better the program. Knowledge of those involved in more than one demolition-related violation will allow for both citations and targeted information campaigns to help achieve better compliance.

Near-term process improvements to increase compliance of demolition regulations. Approval of pre-demolition (200) inspections will include the following corrections (i.e. approved with corrections):

Photos of each side of the structure in which painted surfaces are required to be removed, photos showing the proper disposal of material containing lead (e.g. a photo inside the dumpster), and a photo demonstrating that wetting equipment is onsite need to be submitted to BDS before approval of the during-demolition (205) inspection is issued. Failure to submit the required photos will be deemed a violation.

NOTE: Photos are used in the inspection process often and across most inspection teams including Residential Combination, FIR, Erosion Control, and Urban Forestry (tree protection)

- During-demolition (205) inspections may only be scheduled at the pre-demolition (200) inspection if the demolition is planned to take place the next day. In all other cases, the inspection will be scheduled in a way that provides better coordination (e.g. calling into the automated inspection scheduling system before 6:00am on the scheduled inspection date as is done with other inspections).

Nearly all inspections are scheduled through the automated IVR system as described above including Residential Combination (structural, mechanical, electrical, & plumbing) and erosion control.

Near-term process improvements should be implemented *as soon as possible* while the refinement, notification, and implementation of the changes below are undertaken.

Final process improvements to ensure compliance with demolition regulations. Changes to the program to include the following components:

- The inspector must verify that painted exterior non-structural surfaces with lead are removed and wetting equipment to suppress dust is onsite before mechanical demolition begins.
- Failure to remove painted exterior non-structural surfaces with lead will result in a not-approved inspection and will need to be reinspected.

Staff will work with DRAC, through the Demolition Committee, to determine how best to implement these changes including whether administrative rules should be updated. Topics to be discussed will include coordination of inspections and resource utilization in order to ensure compliance with demolition regulations. Staff to the Demolition Committee will share timely updates with the leadership of DRAC and the Process Improvement & Technology Committee related to the process and recommendations including draft/approved minutes and draft/proposed recommendations.

Review scope of demolition regulations. DRAC will review and make recommendations, with input from staff and stakeholders, regarding whether any commercial demolitions should be subject to additional regulations or oversight. The Demolition Committee will present findings/recommendation to DRAC at the January 2020 meeting. BDS staff will also present findings/recommendations to DRAC at the January 2020 meeting.