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The Bureau of Environmental Services works with Portland residents and businesses to protect water quality, public health, and the environment through wastewater collection and treatment, sewer construction and maintenance, stormwater management, and stream and watershed restoration.

## **Proposed Sewer Connection and Repair Permit Fee Refund Rules**

This rulemaking proposes permanent administrative rules of the Portland Bureau of Environmental Services (BES) governing refunds of fees paid for BES work associated with sewer connection and repair permits. The proposed rules would replace temporary rules that have been in effect since July 2014. The maximum refund rate, refund eligibility criteria, and refund request requirements contained in the proposed rules are identical to those in the temporary rules.

**Public comment on the proposal will be accepted  
from 8 a.m. Monday, March 5, 2018  
through 5 p.m. Friday, April 6, 2018.**

See below for more details.

### **What are the goals of this rulemaking?**

Portland City Code (PCC) section 17.32.100 E acknowledges that certain situations may warrant refunds of permit fees and requires BES to adopt administrative rules that establish criteria for issuing refunds of sewer connection and repair permit fees. Temporary rules adopted in July 2014 lay out these criteria and associated requirements, and the present rulemaking proposes permanent rules to replace the temporary ones. BES proposes no significant substantive changes compared to the temporary rules and instead aims to provide the public with greater clarity of refund criteria and requirements.

The proposed rules support efficient use of ratepayer dollars. Like the temporary rules already in effect, the proposed rules authorize a maximum refund of 80% of the sewer connection or repair permit fee. This refund cap discourages citizens from seeking speculative permits that require BES staff resources to issue, and cancel, but that never materialize into actual system connections or repairs. In addition, by authorizing BES to refund less than 80% of a permit fee, the proposed rules help ensure that BES can recover administrative costs associated with issuing and cancelling a particular permit.



ENVIRONMENTAL SERVICES  
CITY OF PORTLAND

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Nick Fish, Commissioner  
Michael Jordan, Director

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# Proposed Sewer Connection and Repair Permit Fee Refund Rules

## What will ENB-4.29 do?

The proposed permanent ENB-4.29 will replace the existing temporary ENB-4.29 and will continue to provide criteria for BES decision-making surrounding refunds of fees paid for BES sewer connection and repair permits. The proposed rules also contain provisions related to administrative review processes and timelines that are consistent with provisions in other BES rules. Finally, the proposed rules set the requirements for submitting a permit fee refund request to BES. As proposed, the rules authorize BES to refund up to 80% of fees paid for a permit for a new connection or repair if any of the following apply:

- The City cancels the permit for reasons other than permit expiration.
- The property owner cancels the work authorized by the issued permit (note: a contractor who was the permit applicant must demonstrate that a written contract to complete permitted work was executed with the property owner prior to the date of submission of the permit application).
- The City requires changes to the details of the work proposed in the permit application.
- The City determines that a different permit or additional permits are required for the work that the permit applicant has proposed.

## How can I view the proposed rules?

The proposed rules will be posted online on at [www.portlandoregon.gov/bes/75773](http://www.portlandoregon.gov/bes/75773).

## How do I submit comments on this rulemaking?

Public comments on the proposal will be accepted from 8 a.m. Monday, March 5, 2018 through 5 p.m. Friday, April 6, 2018. Please submit comments in writing by emailing them to **Rachele Altman** at [rachele.altman@portlandoregon.gov](mailto:rachele.altman@portlandoregon.gov).

## Will a public hearing on the rulemaking be held?

BES will hold a **public hearing by request only** from 5:30 to 7 p.m. Monday, March 26, 2018 in the Lovejoy Room on the second floor of City Hall, 1221 SW 4th Ave., Portland, OR 97204. BES will cancel the tentative hearing if it receives no hearing request by 5 p.m. Monday, March 19, 2018 and notice will be posted at [www.portlandoregon.gov/bes/75773](http://www.portlandoregon.gov/bes/75773). A person may request a hearing by sending an email to [rachele.altman@portlandoregon.gov](mailto:rachele.altman@portlandoregon.gov) or calling **503-823-7767**.

## How do I get more information about this rulemaking?

The proposed rules, this fact sheet, and any updated information about the rulemaking for ENB-4.29 will be posted online at [www.portlandoregon.gov/bes/75773](http://www.portlandoregon.gov/bes/75773). You may also email [rachele.altman@portlandoregon.gov](mailto:rachele.altman@portlandoregon.gov) or call **503-823-7767** for more information.

The Bureau of Environmental Services is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please contact Rachele Altman at 503-823-7767, or use City TTY 503-823-6868, or Oregon Relay Service 711.

Traducción o interpretación

Chuyển Ngữ hoặc Phiên Dịch

翻译或传译

Письменный или устный перевод

Traducere sau Interpretare

Письмовий або усний переклад

翻訳または通訳

Turjumida ama Fasiraadda

الترجمة التحريرية أو الشفهية

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 **Rachele Altman, 503-823-7767**