

working for clean rivers

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.

Public Comments Requested Updates to Code and Rule Related to the Administrative Review Process

What is administrative review?

As used in this code and rule change package, “administrative review” refers to reconsideration of a bureau decision by Bureau of Environmental Services (BES) employees upon request by an affected ratepayer or customer. “Appeal” refers to appeal by a ratepayer or customer of a bureau decision to the City’s Code Hearings Officer after the BES administrative review process has been exhausted.

Why is BES proposing updates to city code and administrative rules regarding administrative review?

In an effort to ensure we’re providing clear and consistent information to our customers, BES took a look at language in city code and rules and identified sections that could be updated to ensure requesting and participating in the administrative review process is predictable, consistent, and user-friendly for our customers.

What is BES proposing to change?

BES is proposing updates to Portland City Code (PCC) Title 17 and related Administrative rules. The proposed updates include addressing inconsistencies regarding deadlines, including adding deadlines where there are none currently or extending deadlines. BES is also proposing removing or changing language that is inconsistent between code and rules regarding which decisions are eligible for administrative review. Other, more minor, proposed updates include removing or revising grammatical errors, missing words, and typos, as well as removing and revising any gender-specific language. Please note, these proposed changes relate only to city code and rule that is implemented solely by BES.

Proposed changes to Title 17 of PCC include:

- Removing language regarding which decisions are or are not subject to administrative review and appeal.
- Deleting language regarding appeals to the Code Hearings Officer (CHO) and associated fees paid to BES that are not consistent with current city code, which specifies that requests for appeals to the CHO and appropriate fee(s)

DEADLINE TO COMMENT

5 p.m. Friday
June 21, 2019

Email comments to Alice Brawley-Chesworth at **alice.brawley-chesworth@portlandoregon.gov**

DEADLINE TO REQUEST A HEARING

5 p.m. Friday
June 7, 2019

QUESTIONS?

For more information, visit **www.portlandoregon.gov/bes/79018** or contact **Alice Brawley-Chesworth** at **alice.brawley-chesworth@portlandoregon.gov** or calling **503-823-4913**.



ENVIRONMENTAL SERVICES
CITY OF PORTLAND
working for clean rivers

Nick Fish, Commissioner
Michael Jordan, Director

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Updates to Code and Rule Related to the Administrative Review Process

must be paid directly to the CHO per Title 2 of city code.

- Fixing grammatical errors and typos and removing or updating gender-specific language.

Proposed Changes to Related Administrative Rules include:

- Removing language that identifies which decisions are eligible for administrative review and adding language that makes all bureau decisions eligible for administrative review and appeal unless the rule explicitly states otherwise.
- Updating language regarding which decisions are not eligible for administrative review. It's important to note that bureau decisions that have, in practice, been reviewable and/or eligible for appeal continue to be so.
- Adding language about the administrative review process to rules sections that don't currently have any administrative review language.
- Adding language that includes clear deadlines and timeframes, fixing grammatical errors and typos, and removing or updating gender-specific language.
- Deleting language regarding appeals to the Code Hearings Officer and associated fees paid to BES that is not consistent with city code later adopted in Title 2 that superseded statements in BES rule.
- Fixes two drafting errors where words were clearly omitted or deleted by mistake (ENB-4.16 and ENB-4.18).

How is this a value to the city and customers?

City residents and business owners who request and participate in the administrative review process must be provided a predictable, consistent, and user-friendly process. Information about administrative reviews and appeals should be easy to find and easy to follow.

The proposed updates to PCC Title 17 and related Administrative Rules will help make requesting and participating in the administrative review process clear and consistent for bureau customers and ensure consistency in the way the bureau provides and manages administrative review of bureau decisions.

How can I view the proposed rules?

The proposed rules will be posted online at www.portlandoregon.gov/bes/79018.

How do I submit comments on the proposed code and rule changes?

Public comments on the proposal will be accepted from 8 a.m. on May 22, 2019, to 5 p.m. on June 21, 2019. Please submit comments in writing by emailing them to **Alice Brawley-Chesworth** at alice.brawley-chesworth@portlandoregon.gov.

Will a public hearing on the proposed code and rule changes be held?

A hearing on this proposal will be held **by request only** on Tuesday, June 11, 2019, from 5 p.m. to 7 p.m. in the Pettygrove Room of City Hall, at 1221 SW 4th Ave., Portland, OR 97204. The City will cancel the tentative hearing if it receives no hearing request by 5 p.m. on Friday, June 7, 2019, and will post a cancellation notice at www.portlandoregon.gov/bes/79018. A person may request a hearing by sending an email to Alice Brawley-Chesworth at alice.brawley-chesworth@portlandoregon.gov or calling 503-823-4913.

How do I get more information?

The proposed code and rules and any updated information about the proposal and related public process will be posted at www.portlandoregon.gov/bes/79018. You may also call Alice Brawley-Chesworth at call **503-823-4913** or email alice.brawley-chesworth@portlandoregon.gov.

The Bureau of Environmental Services is committed to providing meaningful access. To request translation, interpretation, modifications, accommodations, or other auxiliary aids, please call 503-823-7740 or Oregon Relay Service 711.

Traducción o interpretación | Chiakun mak me chiakun fos | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译 | 翻訳または通訳
Письменный или устный перевод | Traducere sau Interpretare | Письмовий або усний переклад | Turjumida ama Fasiraadda
الترجمة التحريرية أو الشفهية | ການແປພາສາ ຫຼື ການອະທິບາຍ | अनुवाद तथा दोभाषे सेवा