

CHARTER OF THE CITY OF PORTLAND, OREGON

CHAPTER 11

SPECIAL SERVICES

ARTICLE 1. WATER WORKS**Section 11-101. General Authority.**

The City may construct, reconstruct, purchase or otherwise acquire, keep, maintain, improve, alter and change water works and all plants and facilities found appropriate by the Council for furnishing water to the City, its property, its inhabitants, and the places and people along or in the vicinity of the pipes, conduits or aqueducts constructed or used for that purpose. The City may acquire by purchase or otherwise, own and possess real and personal property or interests therein, within and without the limits of the City, which the Council finds necessary or convenient. The Council may establish and maintain headworks and supply sources, with all convenient reservoirs, tanks, pumps, supply systems, distribution and related facilities, including land and interests in land; may establish and maintain public use of such lands outside of the Bull Run Watershed Closure Area for secondary purposes; may enter into mutual aid agreements with other government entities, tribes and utilities; and may acquire other water systems serving property within present or future boundaries of the City. The Council may make all necessary expenditures to carry out these purposes and may enter into contracts for supply of water by the City or supply of water to the City or its inhabitants. Any surplus water may be sold to persons, public or private, outside the City, on terms and conditions the Council finds appropriate. [New sec. Nov. 8, 1966.]

Section 11-107. Bull Run Watershed Protections.

The Bull Run Watershed Closure Area, as defined in City Code and containing the federally designated Bull Run Watershed Management Unit, is dedicated to the production of pure, high quality drinking water and the protection and stewardship of the Bull Run's natural environment. Policies and practices established in the Charter affecting City lands within the Bull Run Watershed Management Unit are constrained by and must conform with applicable federal and state law, federal and state administrative policy, and tribal treaty rights if any. Only the following individuals may enter City lands within the Bull Run Watershed Closure Area: authorized employees or authorized contractors of the United States Forest Service, the United States Bureau of Land Management, or the Portland Water Bureau; persons accompanied by such authorized employees; law enforcement personnel; or emergency response personnel.

Recreational use of City lands in the Bull Run Watershed Closure Area is prohibited. Residential, industrial or commercial uses are prohibited, except as necessary for protection, enhancement, operation or maintenance of the water supply system and facilities for electric power

generation and transmission. Domestic animals may not run at large within the Bull Run Watershed Closure Area and grazing is prohibited.

Tree cutting or removal, including salvage, is prohibited on City lands within the Bull Run Watershed Closure Area except for the following purposes: protection, enhancement or maintenance of water quality; protection, enhancement or maintenance of water quantity; construction, expansion, protection or maintenance of municipal water supply facilities; construction, expansion, protection or maintenance of facilities for the transmission of energy through the Bull Run Watershed Management Unit or of hydroelectric facilities or hydroelectric projects associated with municipal water supply facilities; or management of dangerous or hazardous trees that pose a threat to human safety or City infrastructure.

City land or infrastructure within the Bull Run Watershed Closure Area that is integral to the delivery of municipal water shall not be transferred to any private entity. City land or infrastructure within the Bull Run Watershed Closure Area that is integral to the delivery of municipal water shall not be transferred to any public entity unless the transfer is approved by ordinance passed by City Council.

Development in the Bull Run Watershed Closure Area that is allowed by the Charter must first avoid, then minimize and mitigate for impacts to water quantity and quality, cultural resources, and the natural environment including soils, vegetation, and fish and wildlife and related habitat, to the greatest extent practicable. Public notice of development inside the Bull Run Watershed Closure Area is required and all development must comply with the Bull Run Watershed Protection provisions of the Portland City Code.