

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 07-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending Multnomah County Code (MCC) Chapter 37.0915 Violations, MCC 37.0930 Enforcement Levels, MCC 37.0945 Emergency Enforcement, MCC 37.0950 Failure to Appeal and MCC 37.0955 Appeal, and adding a separate section for a Stop Work Order enforcement level.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code 33.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Code provisions should be periodically reviewed and updated. As part of that effort, the Planning Commission sees a need to revise and clarify the code enforcement provisions to guide the operation of the Code Compliance Program.
- c. The Multnomah County Road Rules should be specifically included within the enforcement authority of the Code Compliance Program to assist with enforcement of those rules.
- d. Specific authority for a Stop Work Order process is needed for emergency enforcement and provides the County with an additional enforcement tool short of proceeding to the court system to obtain a restraining order or injunction to secure compliance with our county code. This is consistent with the County's policy of seeking voluntary compliance as a first option.
- e. The Planning Commission is recommending that the language in MCC 32.0950 and MCC 37.0955 be revised in the following manner: 1) clarify procedures, 2) remove the option for a Hearings Officer to issue an oral Order and requires that an Order be in written form, 3) includes the option to order reimbursement to the County of all costs associated with County abatement of a violation, and 4) removes the requirement to notify surrounding property owners of an appeal of a Notice of Violation issued for a specific property since it is not a land use decision.
- f. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- g. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on May 7, 2007, where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves that:

The proposed Ordinance amending MCC Chapter 37.0915 Violations, MCC 37.0930 Enforcement Levels, MCC 37.0945 Emergency Enforcement, MCC 37.0950 Failure to Appeal and MCC 37.0955 Appeal, and adding a separate section for a Stop Work Order enforcement level, is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 7th day of May, 2007.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair