

ORDINANCE NO. 840

AN ORDINANCE TO PROVIDE A PROCEDURE TO REQUEST A BUILDING NUMBER DIFFERENT FROM THE UNIFORM SYSTEM ADOPTED BY THE CITY OF TROUTDALE, GRANTING AUTHORITY TO THE BUILDING OFFICIAL TO DETERMINE A BUILDING NUMBER AND PROVIDING A PROCESS FOR APPEAL.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Ordinance No. 746, adopted in 2004 and codified as Chapter 15.30 of the Troutdale Municipal Code, established a street and building numbering system for the City.
2. Certain addresses in the City predating Ordinance No. 746 do not conform to the uniform building numbering system.
3. Residents who have had their address for many years wish to keep their current address but the Building Official currently has no authority to approve a nonconforming address.
4. The City Council has carefully considered testimony at public hearings and has determined that it is in the best interest of the City's residents to establish a procedure to allow the Building Official to consider an application to retain a current address and make a determination to approve or deny such an application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City of Troutdale adds the following section to Chapter 15.30 – STREET AND BUILDING NUMBERING SYSTEM of the Troutdale Municipal Code:

15.30.045 – Application for Nonconforming Building Number.

- A. If a person wishes to retain an existing building number which is improper under the rules for numbering buildings set forth in this chapter, the person may apply to the Building Official to retain the building number and state the reason(s) on the application form why the building number should be retained. The application form shall include a release of liability by the applicant to the City for any claims related to the use of a nonconforming number, and indemnification agreement from third party claims.

- B. The Building Official shall review the application and make a determination as to whether the nonconforming building number may be retained. The Building Official may set conditions, including limiting the length of time the nonconforming building number may be retained but no approval shall extend past the date the property is transferred to a new occupant or owner.
- C. The Building Official shall record an instrument placing the public on notice of a determination approving a nonconforming building number in the appropriate real estate records of the county, that states the event(s), if any, the occurrence of which will trigger changing the pre-existing address to a conforming address. No approval for a nonconforming address shall extend past the date the property is transferred to a new owner, or the date a new occupant takes possession of the approved property.
- D. The Building Official shall notify all affected public safety agencies, including but not limited to police, fire and 911, of the application and accept input from the agencies prior to making a determination.
- E. A determination by the Building Official may be appealed to the City Council. The appeal must be requested in writing and delivered to the City Recorder within 30 days of the determination by the Building Official. The City Council will hear testimony from the applicant and the Building Official and make a final determination.
- F. Failure to change a building number to comply with the determination of the Building Official, or the City Council if appealed, shall make the person subject to the provisions of Section 15.030.100.

Section 2. Section 15.30.090 of the Troutdale Municipal Code is amended to read as follows:

15.30.090 – Enforcement.

It is unlawful for any person to alter any building number which conforms to the provisions of this chapter. It shall also be unlawful knowingly to retain any number which is improper under the rules for numbering buildings set forth in this chapter, or to display any number on a building other than the number assigned the building, *unless the building number has been assigned pursuant to the application process in Section 15.30.045 above.*

YEAS: 6
NAYS: 0
ABSTAINED: 0



Doug Daoust, Mayor

Date 12/15/16



Sarah Skroch, City Recorder
Adopted: December 13, 2016