

Ordinance No. 4412
An Ordinance Amending
Provisions of Chapters Five and Nine of the Beaverton
City Code Related to the Tualatin Basin Goal 5
Program

WHEREAS, the City of Beaverton collaborated with local governments in the Tualatin River Basin to form the Tualatin Basin Partners for Natural Places; and

WHEREAS, the Tualatin Basin Partners for Natural Places, through an intergovernmental agreement with Metro, developed a program that facilitates and encourages habitat friendly development practices and low impact development techniques throughout the Tualatin River Basin; and

WHEREAS, the proposed Beaverton City Code amendments are minor changes that further the goal of facilitating and encouraging these practices and techniques; and

WHEREAS, Chapter 5 concerns public protection in the form of nuisances affecting public safety and surface waters and drainage; and

WHEREAS, Chapter 9 concerns community development and associated drainage requirements; and

WHEREAS, the purpose of the recommended changes are to comply with the intergovernmental agreement with Metro and the Tualatin Basin Partner's program; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Chapter 5, of the Beaverton Code Public Protection is amended to read as follows:

BC5.05.090.B.7. the types of vegetation as defined in Chapter 90 of the Development Code as *nuisance*, ~~noxious as applicable to~~ significant natural resource areas. [BC 5.05.090B amended by Ordinance No. 4224, 8/19/02]

5.05.110.A. No owner or person in charge of any building or structure shall cause, suffer or permit rain water, ice or snow to fall from the building or structure onto a street or public sidewalk or to *allow concentrated* water flow across the sidewalk.

5.05.110.B. The owner or person in charge of property shall install and maintain in a proper state of repair adequate drainpipes or a drainage system so that any overflow water accumulating on the roof or about the building *does is not flow carried across or upon* the sidewalk.

5.05.133 No person shall knowingly allow *or direct* an exterior lighting fixture to shine ~~glaring~~ light that unreasonably interferes with another person's use or enjoyment of property *or shine direct rays of light into a significant natural resource area, vegetated corridor, water quality sensitive area, or preserved habitat benefit area. Lighting fixtures must be a full cut-off design that is shielded, hooded and oriented towards the ground so that direct rays of the lighting source are not visible past the property boundaries and do not shine into the night sky.* [BC 5.05.133, added by Ordinance No. 3889, 3/28/94]

Section 2 Chapter 9, Community Development of the Beaverton Code is amended to read as follows:

9.05.135.A. Drainage generally. All graded sites shall be developed *and maintained* to provide control of storm and surface waters. Adequate provisions shall be made to prevent storm or surface waters from damaging the face of an excavation or the sloping face of a fill, and to prevent grading or other construction activity from causing significant concentration or acceleration of drainage entering adjacent property without an easement from the owner of the adjacent property, which shall be in a form approved by the city attorney and recorded at the Washington County Department of Assessment and Taxation. All drainage provisions shall be subject to the approval of the city engineer and shall be designed to *maintain all storm and surface water draining on site or to carry all or part of* storm and surface waters to the nearest practical street, storm drain, or natural water course, approved by the city engineer as a safe place to deposit and receive such waters.

First reading this 13th day of November, 2006.

Passed by the Council this 4th day of December, 2006.

Approved by the Mayor this 6th day of December, 2006.

ATTEST:

Catherine Jensen
Deputy City Recorder for
SUE NELSON, City Recorder

APPROVED:

Linda C. Adlard
ROB DRAKE, Mayor
Mary Pat Ten