

2024 GENERAL ELECTION

City of Portland Charter Amendment

Measure 26-253: Weatherization

OFFICIAL TITLE: Amends Charter: Removes citywide vote requirement for mandatory building weatherization

QUESTION: Shall Charter be amended to allow City to mandate weatherization of structures built before 1979 without a citywide vote?

REFERRAL: This measure is a Charter amendment referred to voters by the Portland Charter Commission on November 29, 2022, by a vote of 16-0.

FINANCIAL IMPACT: The City Budget Office determined the measure has no direct financial impact.

PROBABLE RESULT OF A “YES” VOTE: If this measure passes, the City could mandate building weatherization on structures built before September 1st, 1979.

PROBABLE RESULT OF A “NO” VOTE: If this measure fails, this section of the Charter will not change. The City will not be able to mandate weatherization on buildings built before September 1st, 1979 without referral to voters.

BACKGROUND: Currently, the City cannot mandate weatherization for any building built before September 1, 1979, unless Council refers the weatherization mandate to voters. This limit was added in 1980 via initiative petition and passed with 56% of the vote.

The City’s Bureau of Planning & Sustainability (BPS) initiated this proposal. The bureau’s reasons for the proposed amendment included:

1. The City’s climate and energy policy commitments cannot be achieved without strong mandates around energy efficiency.
2. The requirement to refer any energy efficiency standards to the voters is expensive, cumbersome, and has effectively prevented the City from taking steps necessary to equitably reduce energy waste and carbon emissions from the building stock.

BPS estimated that approximately 71% of properties in the urban service boundary (or 140,893 properties) were constructed prior to 1979. They also reiterated that no mandates about specific weatherization are being proposed with this amendment. The amendment would allow for weatherization and energy efficiency policy to be created

as an additional tool to reach the City's climate action goals.

During the Charter Commission's public comment period, it received 19 public comments related to this proposal. There was general support for the proposal because it would allow the City to increase energy efficiency and more effectively mitigate and adapt to the climate crisis. One commenter proposed that the proposal be applied only to residential structures and that owners should be given time to comply.

PROPOSAL: This charter amendment would remove the section of the City Charter that requires a citywide vote to allow the City to mandate weatherization for any building built before September 1, 1979. This would allow the City to move forward with longstanding climate and energy policy commitments which call for Portland to reach community-wide carbon neutrality and to eliminate fossil fuels entirely from electricity, buildings and transportation by 2050.

SUPPORTERS SAY:

- Weatherization increases energy efficiency and improves indoor air quality during wildfires.
- Insulating and air sealing buildings will make buildings more comfortable and more resilient to the effects of climate change.
- Removing restrictive language on weatherization from the City Charter will allow Portland's elected representatives to more flexibly and immediately respond to the impacts of climate change.

OPPONENTS SAY:

- There could be enforcement abuses by government employees administering any new ordinances passed after this law is modified.
- Landlords could use any new weatherization requirements imposed to increase rents.
- Removing the citywide vote requirement for mandatory building weatherization would remove our only protection against an out-of-control city council that wants to micromanage every aspect of the lives of Portland residents.