

Administrative Rulemaking Procedure

A. Authority

The Director has been delegated the authority to adopt, amend, and repeal administrative rules appropriate to perform the duties outlined in Sections 30.01.120 and 3.103. Administrative rules shall be adopted, amended, and repealed in accordance with the procedures of this Section.

B. Rulemaking Procedure

1. Prior to adopting, amending, or repealing a rule the Director shall:
 - a. Appoint a Rules Coordinator.
 - b. Give notice of the proposed rule or rule change at least 60 days prior to the effective date of the rule. The notice shall include a description of the subjects proposed in the rules or rule change, the location and process to submit comments, the proposed date of the public hearing, and the location where copies of the full rules may be obtained. This notice shall be available on the Portland Housing Bureau website and in a newspaper of general circulation in the City.
 - i. Interim rules:
 1. The Director may adopt an interim rule without prior notice upon a finding that a failure to act promptly will result in prejudice to the public interest.
 2. Interim rules will be effective for a period of not longer than 180 days.
 3. The Portland Housing Bureau shall post public notice of the interim rule not more than 30 days after adoption by posting on its website and shall send notice to a newspaper of general circulation in the City as well as the Housing Bureau website. Such notice shall identify the location at which copies of the full set of the interim rules may be obtained.
 - c. During a public hearing, the Director or a designee shall hear testimony and receive written comments regarding the proposed rules, or rule changes. The Director may either adopt the proposed rule, modify it, or reject it.
 - d. If the Director makes a substantial modification to the proposed rule, the Director may provide additional time for public review and comment prior to adoption.
2. Unless otherwise stated, all rules will be effective upon adoption by the Director.
3. A rules making record shall be kept by the Rules Coordinator and shall include the following:
 - a. A summary or recording of oral submissions at the hearing;
 - b. Any written comments received in response to the notice of rulemaking;
 - c. The recommendation of an advisory committee or fiscal impact committee, if any;
 - d. The proposed rule, proposed modifications to the proposed rule, and the final rule shall be kept and made available upon request.
4. All administrative rules shall be posted on the Bureau's website and filed as a Portland Policy Document.
5. The Commissioner in charge shall be notified prior to the adoption, amendment, or repeal of all rules.