



CITY OF
PORTLAND, OREGON
OFFICE OF CITY ATTORNEY

Linda Meng, City Attorney
1221 S.W. 4th Avenue, Suite 430
Portland, Oregon 97204
Telephone: (503) 823-4047
Fax No.: (503) 823-3089

July 15, 2008

INTEROFFICE MEMORANDUM

TO: Sam Adams
Portland City Commissioner (131/220)

FROM: Linda Meng
City Attorney

Mark R. Moline
Senior Deputy City Attorney

SUBJECT: Renaming a City Street

You have asked us to provide clarification regarding the City Code requirements to rename a City street.

Question No. 1: Who may apply to the City to rename a street?

Answer: Any individual or organization may apply to rename a street.
PCC 17.93.010 A.

Question No. 2: May a single petition signed by the same 2,500 persons request more than one street as options for the renaming?

Answer: Yes. There is nothing in the City Code which prohibits the petition from including more than a single street for the renaming.

Question No. 3: Must the street to be renamed start and end within the City boundaries?

Answer: Yes. PCC 17.93.020 requires that the street proposed for renaming must start and terminate entirely within the City boundaries. This means that streets that extend beyond the Portland City limits, for example, Burnside or Glisan cannot be renamed.

Question No. 4: May the City Council contribute funds to cover the applicant's cost of printing and mailing postcards and public notices, as described in PCC 17.93.030 D.1?



Commissioner Adams

July 15, 2008

Page 2

Answer: Yes. There is nothing in the City Code that prohibits the Council from contributing to an applicant's costs. However, if the Council chooses to contribute to an applicant's costs, it should be by a separate Ordinance.

Question No. 5: May the Historian Panel which will review and make a recommendation regarding the appropriateness of the proposed renaming be formed prior to the applicant submitting the petition for the renaming of the street?

Answer: Yes. There is nothing in the Code that prohibits the formation of the Historian Panel prior to the applicant submitting the petition for the renaming of the street.

Question No. 6: Who serves on the Historian Panel?

Answer: PCC 17.93.040 A. delegates to the Commissioner in Charge of the Office of Transportation the authority to appoint the Historian Panel. The panel is made up of three historians or persons with the appropriate expertise as determined by the Commissioner in Charge of the Office of Transportation.

Question No. 7: What does it mean to be a "resident" of the City of Portland?

Answer: The street renaming code does not define the term "resident." Generally, the term "resident" means those who live within the City limits of the City of Portland. In many legal contexts, there is an element of intention to remain considered to be part of the definition of "resident." For example, Webster's Third New International Dictionary defines "resident" as one "dwelling or having an abode for a continued length of time." Generally, residents are people who live here and intend to make the City of Portland their home, as contrasted with people who are here temporarily, such as vacationers.

Question No. 8: Is a street renaming subject to referendum or initiative?

Answer: It depends. If the City Council renames the street following the process already established by Portland City Code 17.93.010 et. seq., that action is considered "administrative" as opposed to "legislative" and not subject to the initiative or referendum process. *Foster v. Clark* 309 Or 464, 473-474 790 P. 2d 1 (1990).

MRM:cw