

**CITY OF PORT ORFORD  
ONLINE SESSION OF THE COMMON COUNCIL  
THURSDAY, MARCH 17, 2022 AT 5:30 P.M.**

**AGENDA**

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/792259461>

**You can also dial in using your phone.**

**United States (Toll Free): [1 877 309 2073](tel:18773092073)**

**United States: [+1 \(646\) 749-3129](tel:+16467493129)**

**Access Code: 792-259-461**

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<https://global.gotomeeting.com/install/792259461>

1. **Call to Order**
2. **Additions to the Agenda**
3. **Presentations to Council/Citizens-Community Center Fund Raising Committee (Pg 2-37)**
4. **Consent Calendar**
  - a. Minutes from February 17, 2022 are not available currently.
5. **Citizens' Concerns (Speak Only for Old & New Business Items on the Agenda)**
6. **Departmental Reports-**

<b>a. Public Works (Pg. 38-49)</b>	<b>b. Administration(Pg 50-51)</b>	<b>c. Finance (Pg 52-75)</b>
<b>d.Planning(Pg76-91)</b>	<b>e. Liaison</b>	
Fire District- Garratt	TLT- Pogwizd	Watershed- LaRoche (Pg. 92-93) Health- Burns
Port- Cox	Parks- Tidey	Emergency Mgmt.- Burns/Howe
School District- Kessler	Main Street- Burns	
7. **Old Business**
  - a. Ordinance 2022-05 Abatement of Nuisance and Dangerous Housing (pg. 94-137)
  - b. Water Conservation Rates (Pg 138-177)
  - c. Seasonal Gas Tax Resolution to send to Vote (Pg. 178-191)
  - d. Text My GOV Contract (Pg 192-205)
8. **New Business**
  - a. Cottage Cluster Zoning Overlay (Pg. 206-219)
  - b. Development of Offshore Wind Facilities (pg 220-227)
  - c. City Hall Admin Staff Job Duties and Salary Review (Pg.228-239)
  - d. Building Permit Application Changes (Pg. 240-243)
  - e. . Liquor License Approval- The Dive (Pg. 244-251)
  - f. Right of Way Approval Honey Café (Pg. 252-255)
9. **Considerations**

<b>a. Citizen</b>	<b>b. Staff</b>	<b>c. Councilor</b>	<b>d. Mayor</b>
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10. **Future Meetings**

Thursday, April 21, 2022, In Gable Chambers Regular Meeting and Online 5:30pm.
11. **Adjourn**

**PUBLIC:** When you join the meeting (5-10 min. prior to the meeting)

- If you plan to speak/comment during the meeting (when permissible to do so), please announce your name and “how” you are joining the meeting (i.e. by computer and/or phone). Speak slowly and clearly, so the organizer may “find” you and identify your “caller” location.
- Please wait to be called on to speak, to avoid talking over someone.

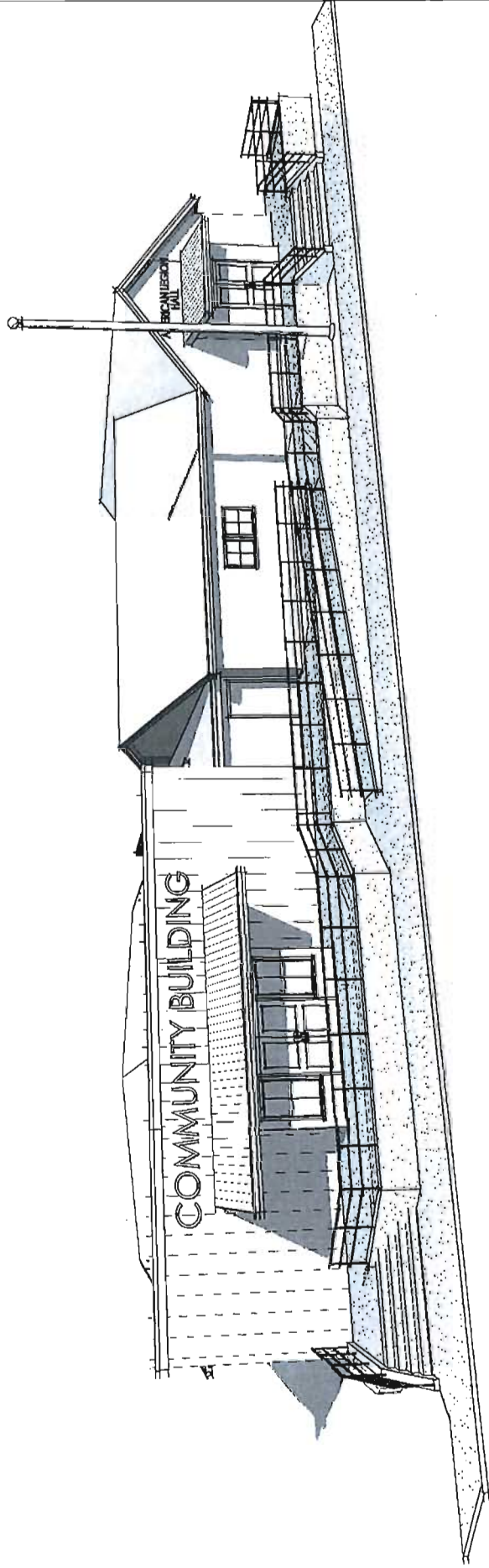
- When you are not speaking, please mute yourself (so the organizer doesn't have to do this).
- Please limit side conversations and multitasking while you are in the meeting.
- Be aware even if you are not on camera, sound can be heard over unmuted phones and will be distracting. And if you are on camera "absences" will be noticeable, and also distracting.
- To minimize feedback noise, we will only have the meeting host, Mayor, and one other speaker unmuted at any time during the meeting.
- Please be aware that if poor etiquette is being observed, it may be called out so you have an opportunity to fix the situation.

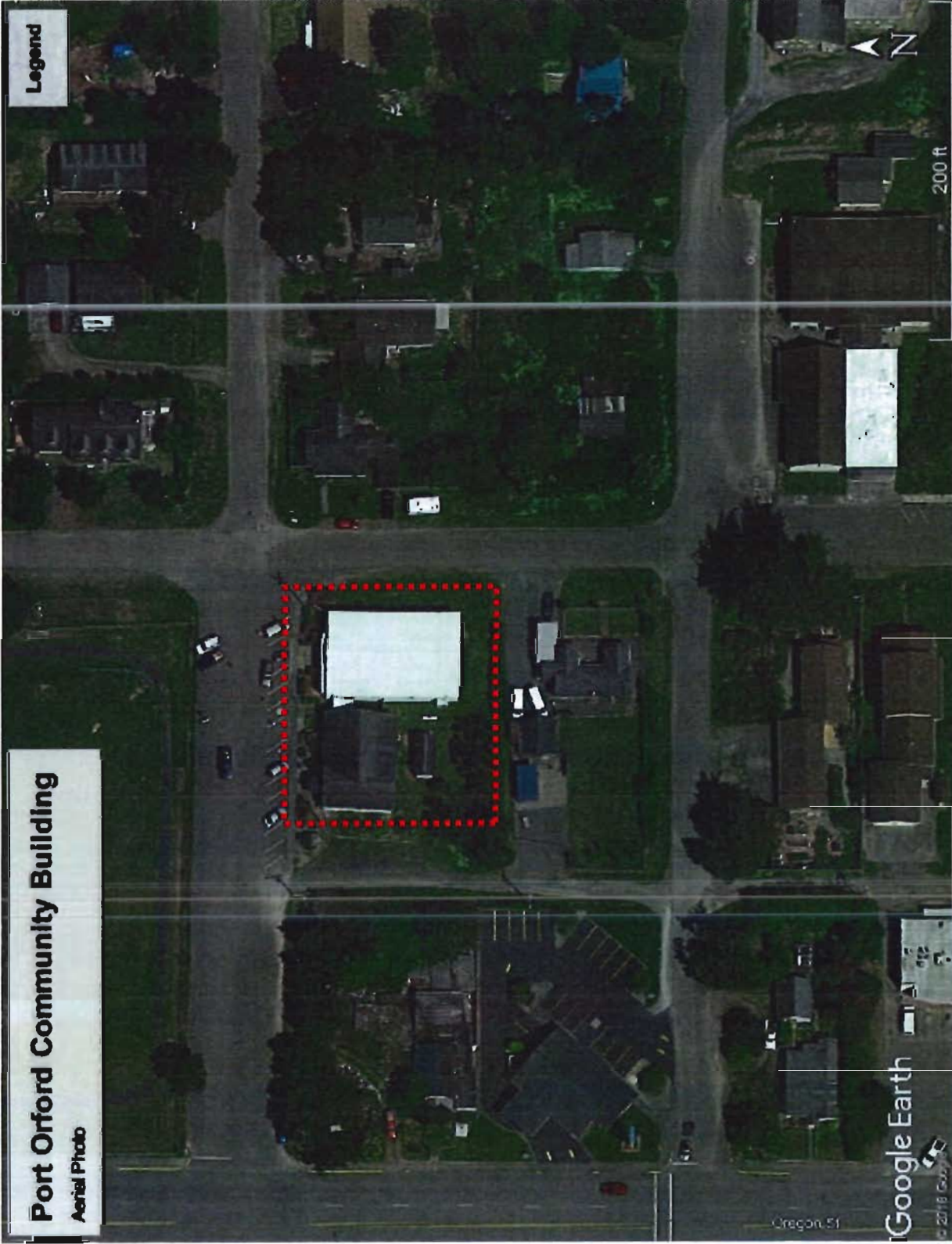
PORT ORFORD

COMMUNITY BUILDING & AMERICAN LEGION HALL  
BUILDING IMPROVEMENTS

NEEDS ASSESSMENT & CONCEPT DESIGN – FINAL REPORT

NOVEMBER, 2019



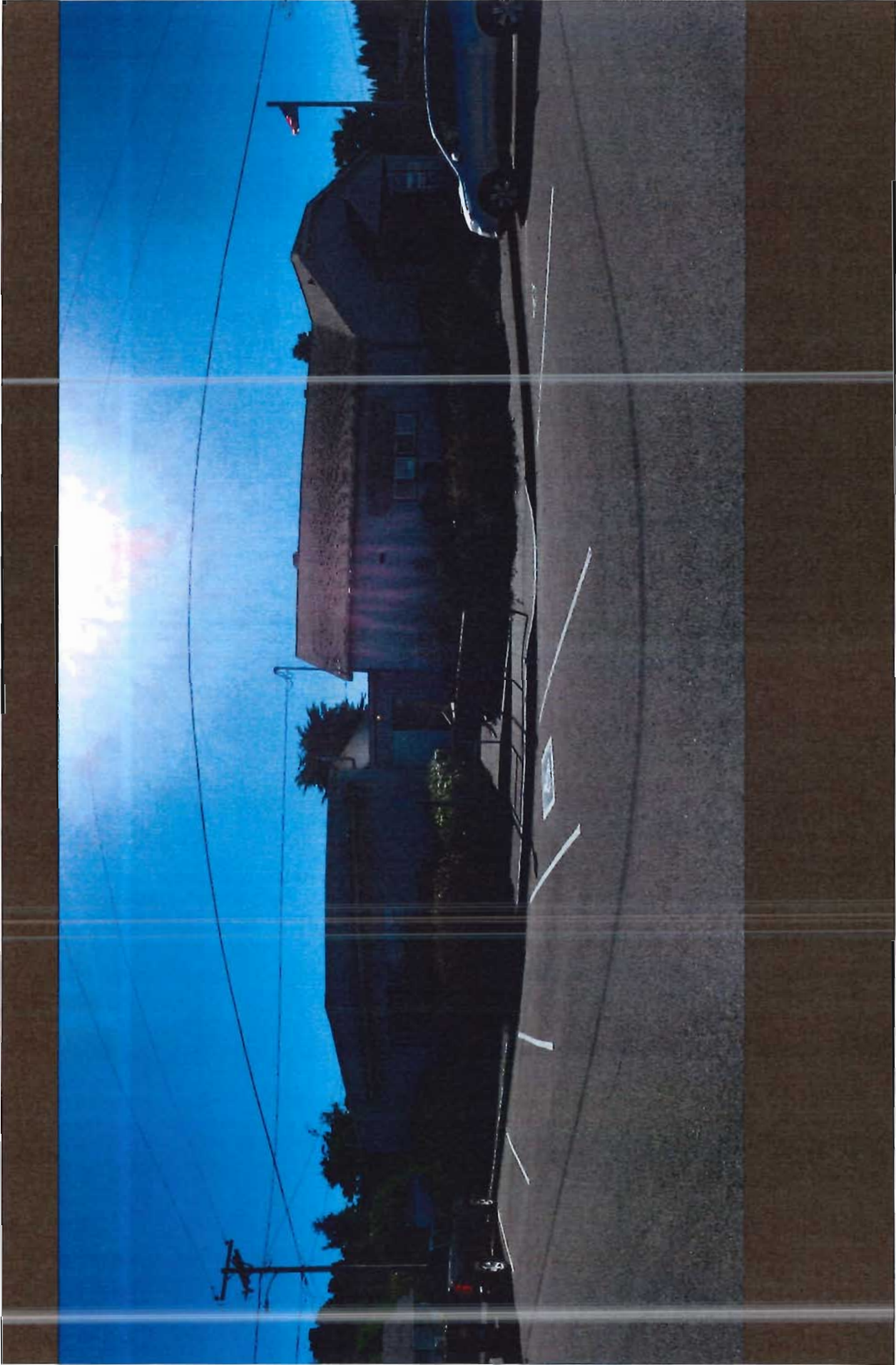


AERIAL SITE PHOTO

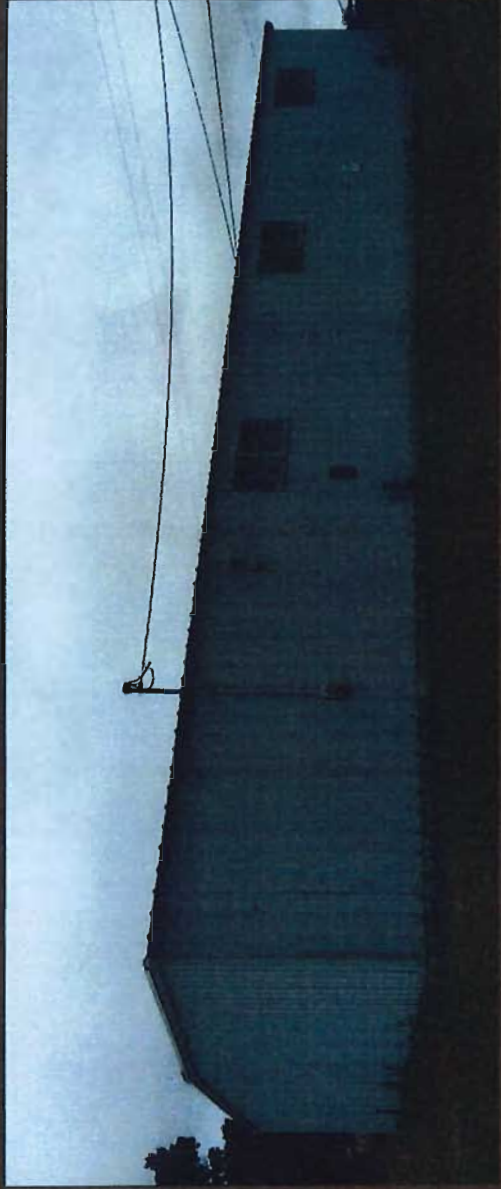
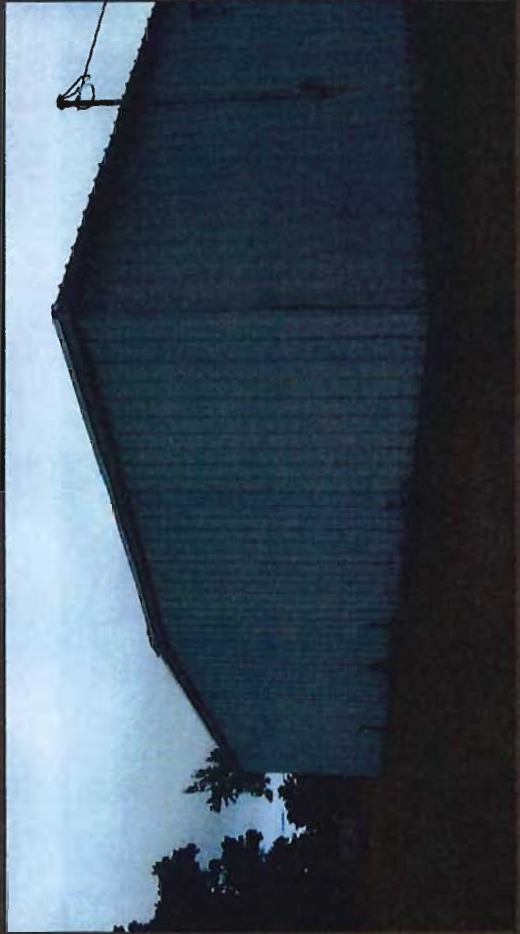
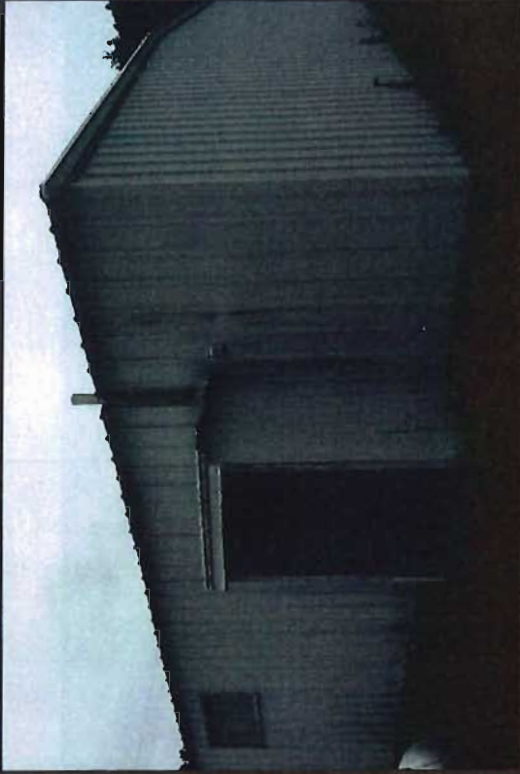


Existing Condition Photos





Existing Condition Photos



Existing Condition Photos





## Existing Condition Photos







Existing Condition Photos





Existing Condition Photos





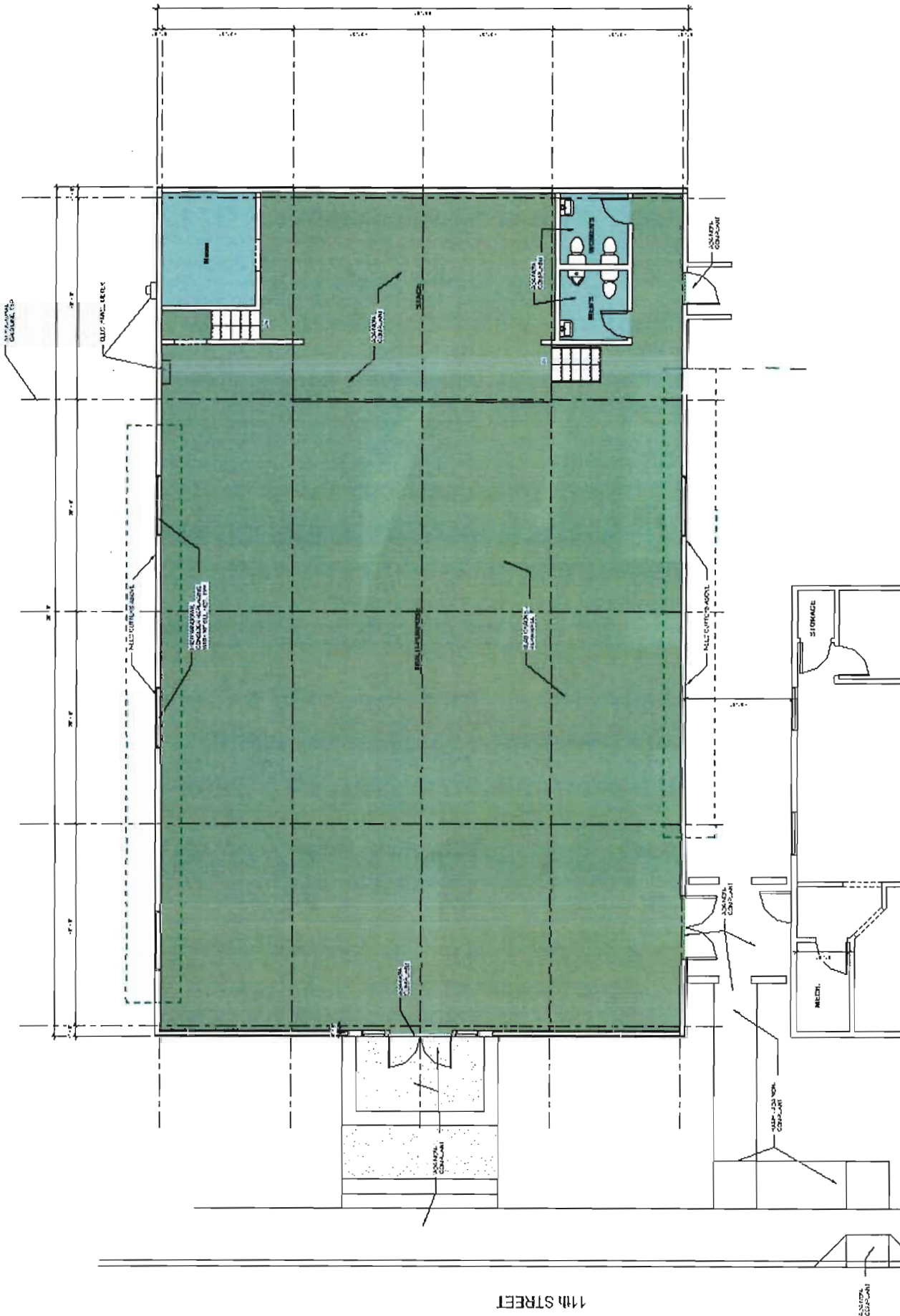
Existing Condition Photos





Existing Condition Photos





# DRAWINGS – Existing Floor Plan – Comm. Bldg.



<b>PORT ORFORD COMMUNITY BUILDING - NEEDS ASSESSMENT</b>	
<b>PORT ORFORD, OREGON</b>	
Building Size:	4,000 sq. ft.
Connecting Vestible:	100
Total	4,100
Replacement Cost (new construction) \$	1,865,500
Building Life Span: 10 yrs no work, 40 yrs with work	

**NEEDS ASSESSMENT**

<b>WORK ITEMS:</b>	<b>ESTIMATED COSTS &amp; NOTES</b>
	COSTS, including soft costs
	NOTES, Explanations

**CAMPUS ITEMS:**

ADA parking space	\$ -	Street parking
ADA accessible route to entrance	\$ -	Part of curb ramp replacement below
ADA replacement ramp	\$ 8,800	
Replace ADA curb ramp	\$ 2,500	
Replace Commons entry stairs, walk	\$ 5,000	



**BUILDING ITEMS:**

Asbestos removal allowance	\$	41,000	
ADA work:			
Door Thresholds	\$	1,200	
Restroom rebuild	\$	30,000	Does not include expansion, see Concept Design Cost Estimate
Stage ramp, access	\$	14,700	
Rebuild/replace Entry Awning	\$	5,625	Does not include entry/vestibule expansion, see Concept Design Cost Estimate
Add Entry Vestibule	\$	18,750	
Remodel/rebuild Connection Vestibule to American Legion Bldg.	\$	15,000	Does not include expansion, see Concept Design Cost Estimate
Metal Siding Replacement	\$	51,480	
Roofing - Metal roofing over existing, with rigid insul.	\$	105,000	
Install Gutters (part of roofing)			
Replace exterior doors	\$	10,000	
Window Replacement	\$	3,000	Includes lower sill height for views
Interior Finishes allowance	\$	102,500	
Ceiling replacement	\$	13,530	
Acoustical Wall Treatment	\$	7,500	
Plumbing / Mechanical	\$	-	Costs included in restroom work above
HVAC Improvements	\$	61,500	
Electrical	\$	102,500	Included panel replacement, lighting, fire alarm





SUB TOTAL	\$ 599,585	\$ -
Contingency	\$ 59,959	10%
SUB TOTAL CONSTRUCTION COSTS		
	\$ 161	cost per sq.ft.
<b>DEVELOPMENT COSTS:</b>		
Architectural/Engineering	\$ 79,145	12%
Furniture, Fixtures & Equipment	\$ 41,000	\$10 per sq. ft. allowance
Special Inspection	\$ 2,500	
Permits, Fees	\$ 13,191	2%
Soft cost contingency	\$ 32,977	5%
Subtotal Development Costs	\$ 168,813	
Development cost as percent of Construction Cost	26%	
TOTAL PROJECT COST	\$ 828,357	
	\$ 202	cost per sq.ft.

**PORT ORFORD COMMUNITY BUILDING**  
**PORT ORFORD, OREGON**

Building Size	50	80	4,000 sf
Connecting Vestibule	10	10	100
			<u>4,100 sf</u>

**SPACE PROGRAMMING**

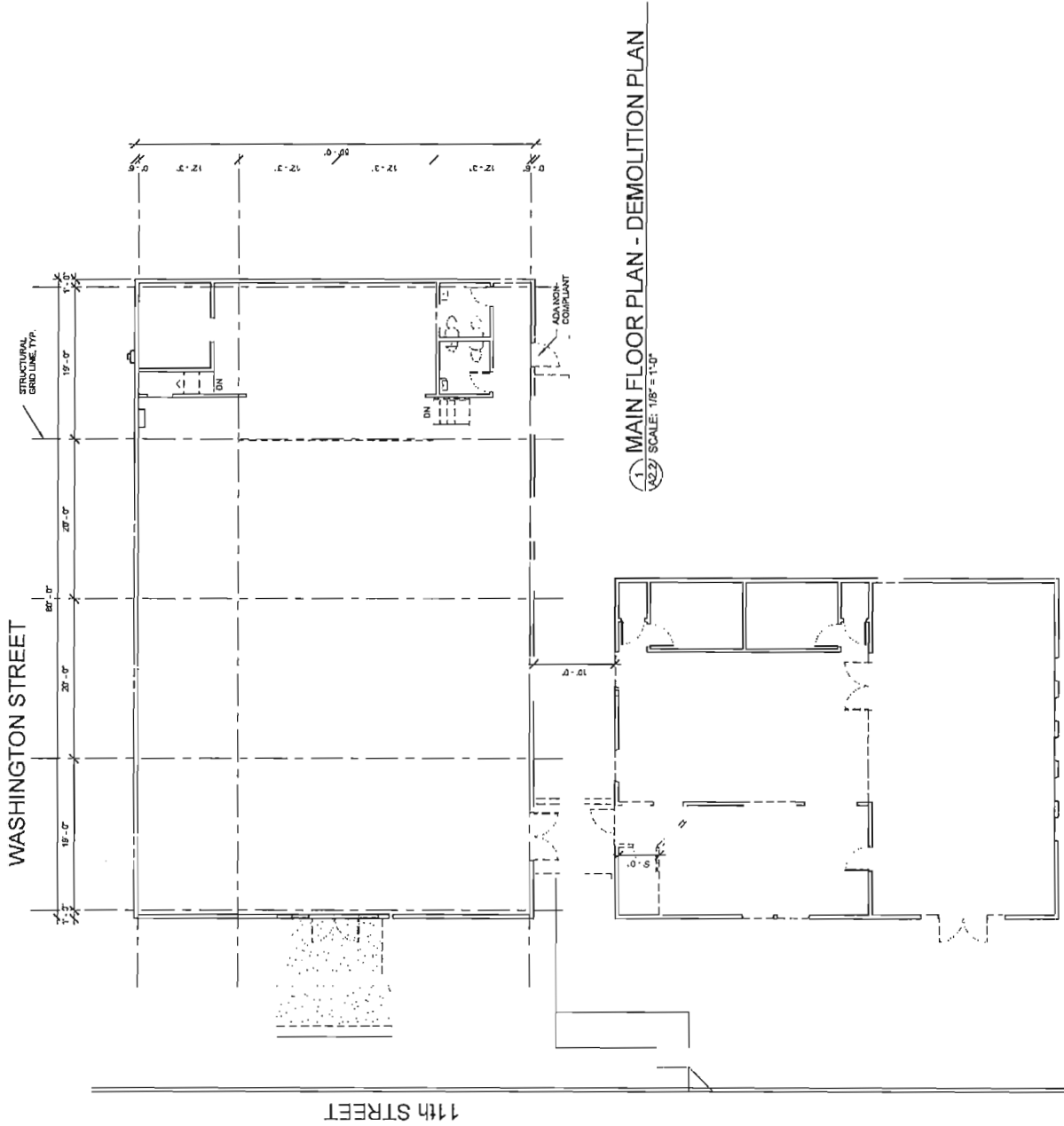
SPACE	EXISTING SIZE	NOTES	PROPOSED / REQUIRED SIZE	REQUIRED ADJACENT SPACES	SPACE REQUIREMENTS, EQUIPMENT NEEDS, OTHER NOTES
Multi-Purpose Room	3,025	For flexible seating, space has capacity for 200 for table and chair use. For dance space, flexible seating no tables, capacity would be approximately 400. Existing space is "posted" at 445 occupants.	No Change	Entry, Restrooms	Multiple functions: group meetings, lectures, musical performances, classes, physical activities, dance, movies, etc. Good acoustical performance required. Screen and projector provisions, digital audio and visual (rough-in provisions minimum). Special lighting for performances. Ceiling should be relatively high for the size the room if possible. Other uses include tool sales, quilting events, Christmas bizarre, weddings, and theater.
Stage	617		No Change	Multipurpose Rm.	ADA Compliance Required. Consider removing and lowering to 12 inch high platform.
Stage Ramp	N.A.		45 x 4 = 180 sf		Existing stage is 3 feet above main floor, requiring 30 ramp with 5' landings top, bottom and mid-point or 45 feet total length, 3.5 feet wide. Ramp could be located on exterior of building. If Platform, then ramp would be 12 feet long.
Green Room	93		No Change	Stage	Adjacent to Stage.
AV closet	N.A.		8 x 10 = 80	Multipurpose Rm.	Secure room for equipment, ventilated as required.
Men's Restroom: 1 toilet, 1 urinal	43		15 x 10 = 150	Multipurpose Rm.	ADA Compliance Required. 1 toilet per 125 male occupant. 1 per 75 for restaurant use. 1 per 40 for dance hall use.
Women's Restroom: 2 toilets	43		15 x 10 = 150	Multipurpose Rm.	ADA Compliance Required. 1 toilet per 65 female occupant, 1 per 75 for restaurant use. 1 per 40 for dance hall use.
Toilet Room			8 x 6 = 48	Stage	Used for performers, adjacent to stage, access without going out into Multipurpose Room.
Entry Vestibule	N.A.		12 x 10 = 120	Main entry	Vestibule to provide interior buffer from fierce summer northwest winds, harsh winter storms.
Commons Vestibule	100			Common space between building and adjacent building	Consider expanding to the south end of American Legion Building to provide space for expanded restrooms.
	<u>3,821 sf</u>		<u>728 sf</u>		
Circulation space, walls, etc.	179	4.5%	33		
Total Square Feet	<u>4,100 sf</u>		<u>761 sf</u>	TOTAL POTENTIAL BUILDING ADDITION SIZE (PRE-DESIGN)	
			<u>4,100</u>	EXISTING BUILDING SIZE	
			<u>4,861 sf</u>	TOTAL	



**SPACE PROGRAMMING – Comm. Bldg.**

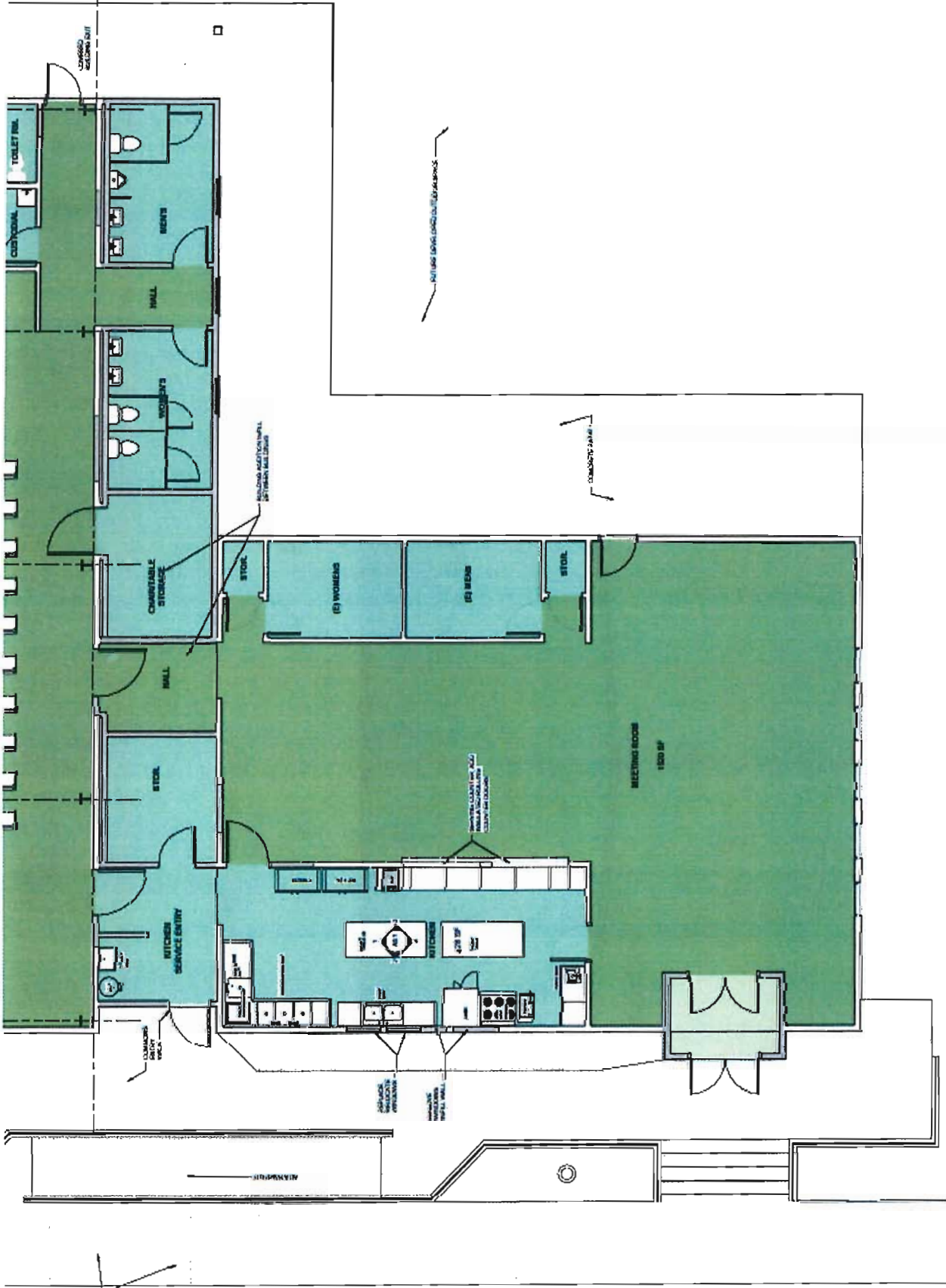
COMMUNITY BUILDING & AMERICAL LEGION HALL  
IMPROVEMENTS  
CONCEPT DESIGN





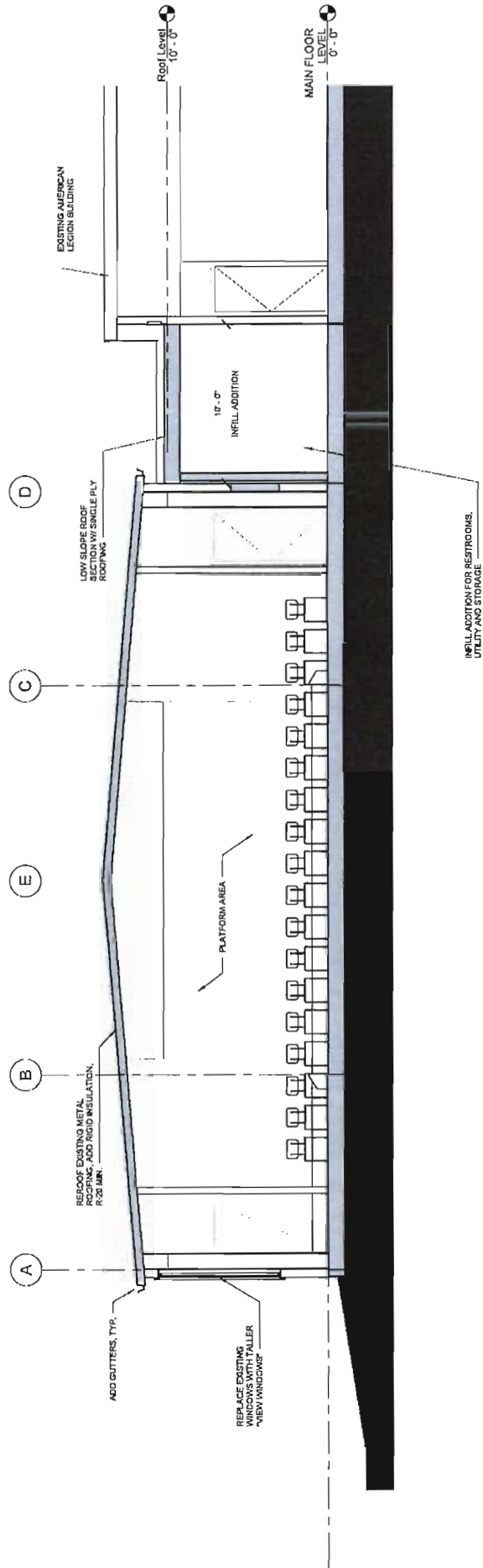






# DRAWINGS – Proposed Floor Plan



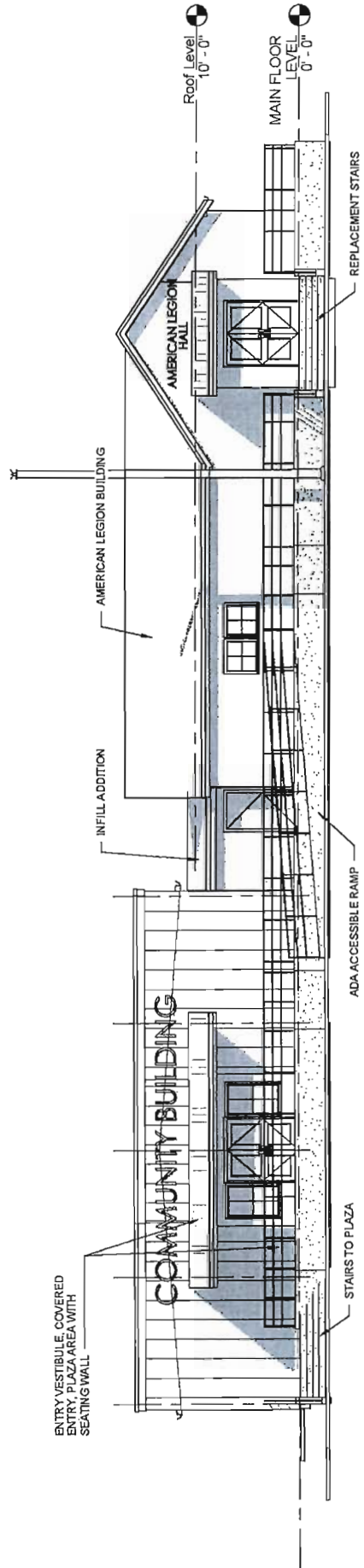


 EAST-WEST BUILDING SECTION  
 SCALE: 1/4" = 1'-0"



DRAWINGS

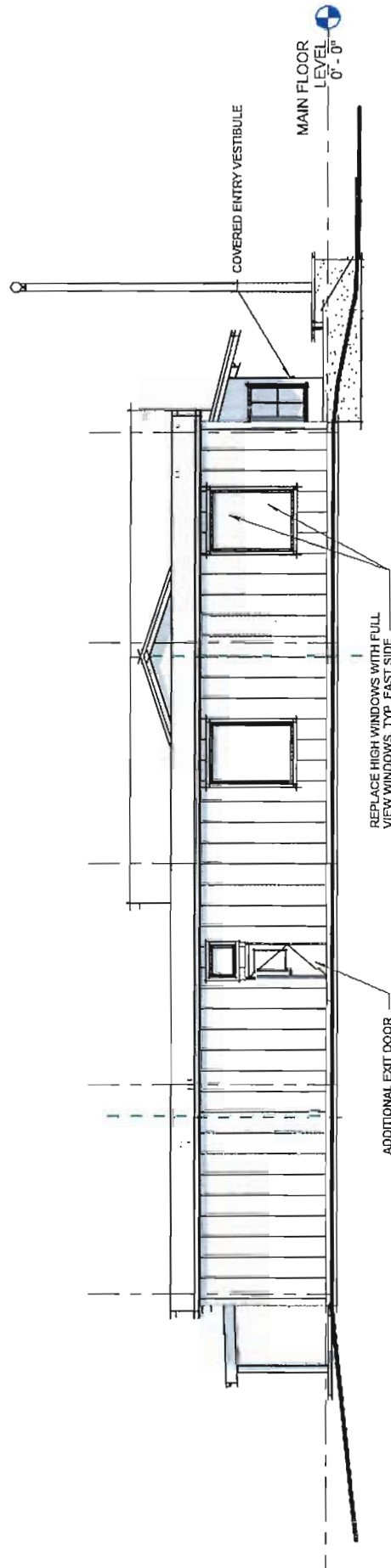




## NORTH ELEVATION - UPDATE

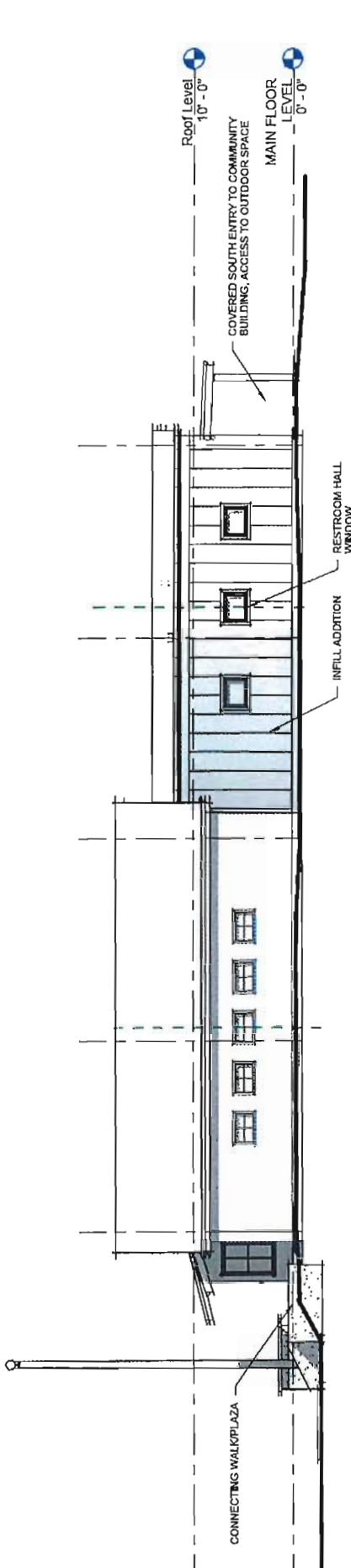


DRAWINGS – Building Elevations

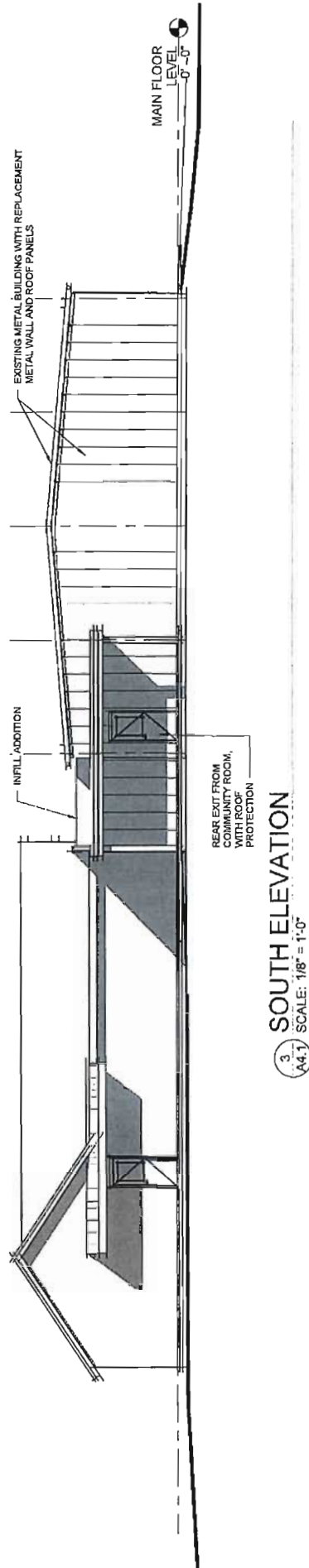


### EAST ELEVATION

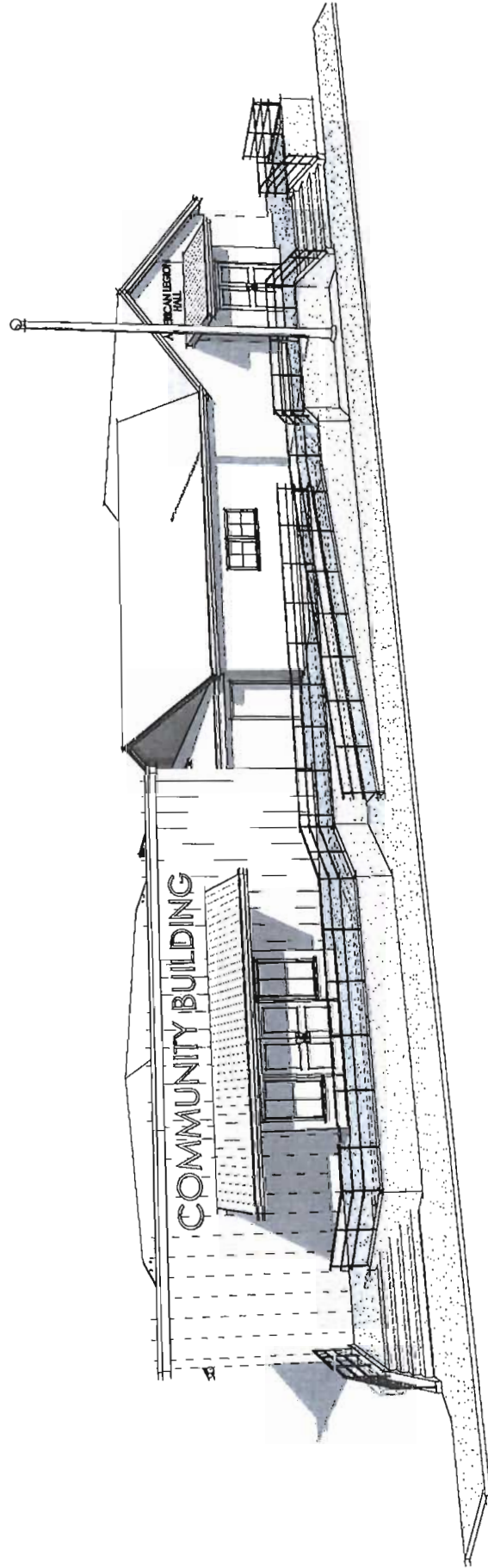




# WEST ELEVATION



# DRAWINGS – Building Elevations



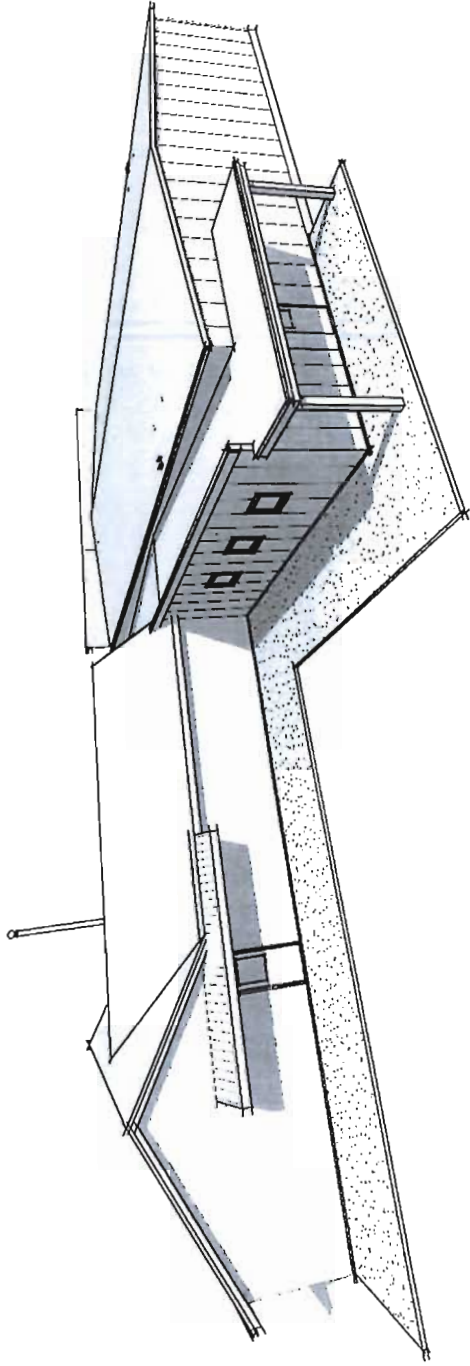
DRAWINGS – 3d Concept Renderings





# DRAWINGS – 3d Concept Renderings





3 View from Southwest

A4.2 SCALE:



DRAWINGS – 3d Concept Renderings

<b>PORT ORFORD COMMUNITY BUILDING &amp; AMERICAN LEGION BUILDING - CONCEPT DESIGN SUMMARY COST ESTIMATE</b>			
<b>PORT ORFORD, OREGON</b>			
<b>COMMUNITY BUILDING SIZE:</b>			
Main Building	50	x	80
Commons Vestibule			4,000 sf
Entry Vestibule Addition			100
Restroom/Storage Infill			75
			778
	Total Building Area		4,953 sf
<b>LEGION BUILDING SIZE:</b>			
Main Building			2,361 sf
Entry vestibule addition			26
Commons Vestibules - dedicated to Legion Bldg. (included above)			-
	Total Building Area		2,387 sf
	Total Overall Building Area		7,340 sf



CONCEPT DESIGN ESTIMATE

**CONSTRUCTION COSTS:**

Site Improvements:		\$	65,900
<u>Community Building Improvements:</u>			
Improvements from Comm. Bldg Needs Assessment Cost Estim:		\$	599,585
Adjustment for work not required from Needs Assessment		\$	(36,625)
Restroom Infill and Vestibule Additions, Platform Replacement		\$	256,250
<u>Legion Building Improvements:</u>			
Kitchen General Remodel	428 sf	\$	125
Service entry, Storage, Hall			Included above
Casework	28 lf	\$	300
Upper cabinets	18 lf	\$	150
Entry roof replacement	1 ea	\$	12,000
Entry Vestibule Addition	1 ea	\$	20,000
Hood connection, exhaust fan, makeup air	1 ea	\$	15,000
Plumbing, water heater, sinks	1 ls	\$	10,000
Electrical panel relocate	1 ea	\$	3,000
			<b>SUB TOTAL \$ 1,009,710</b>

Contingency 10% \$ 100,971  
**SUB TOTAL CONSTRUCTION COSTS \$ 1,110,681**  
 \$ 151 per sf total

**DEVELOPMENT COSTS:**

Furniture, Fixtures & Equipment	\$	73,400	10 sf	7,340 sf	\$	73,400
Architect/Engineer Fees		\$	133,282	12%		\$
Permits, Fees		\$	22,214	2%		\$
Special Inspection		\$	5,500			\$
Soft cost contingency		\$	50,486	5%		\$
						<b>Development Cost Subtotal \$ 284,881</b>

26%  
**Total Project Cost Estimate \$ 1,395,562**  
 \$ 190 per sf total

New Construction - Building of Similar Size \$ 3,578,250  
 (not including land cost)

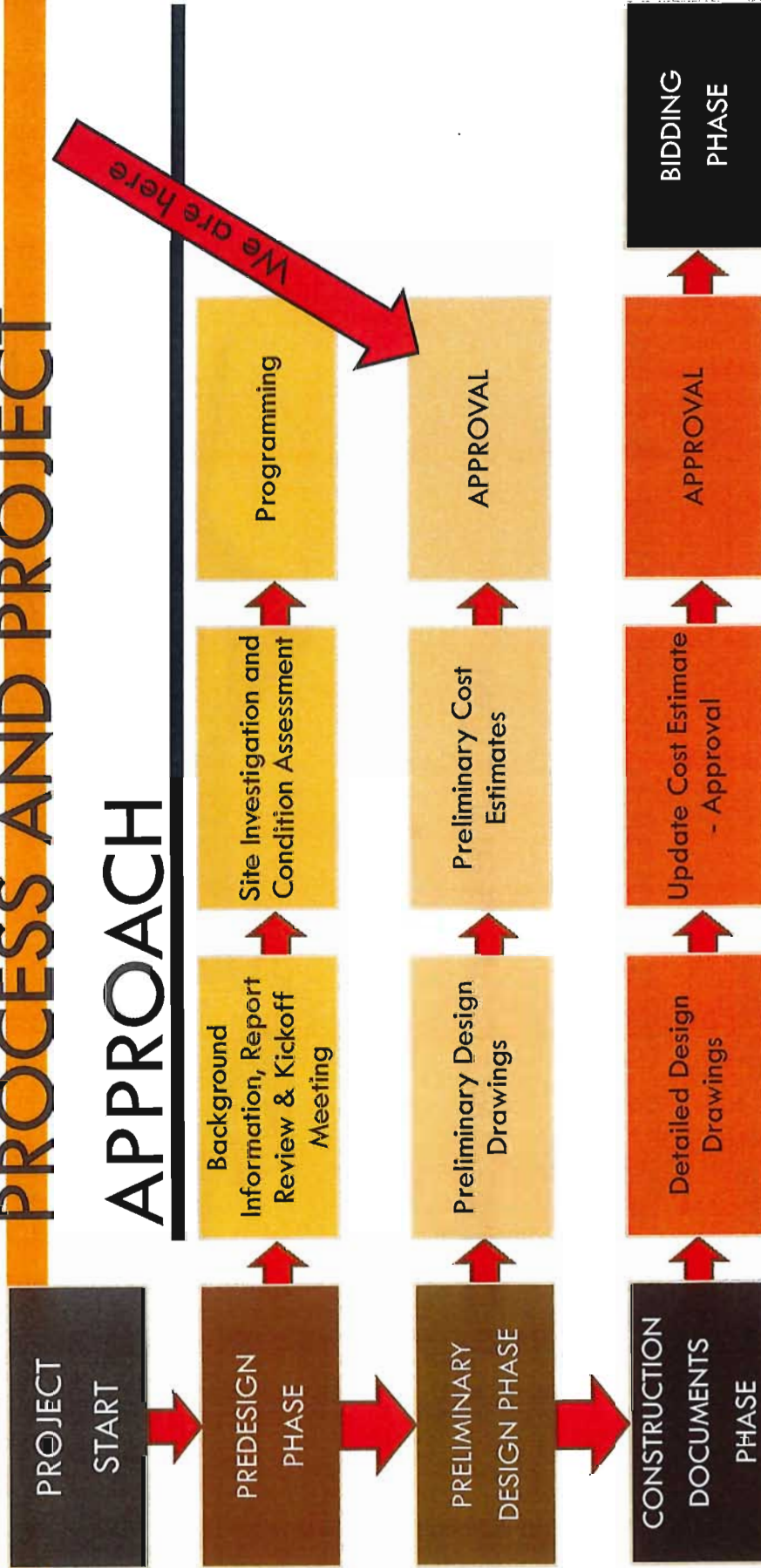


**CONCEPT DESIGN ESTIMATE**



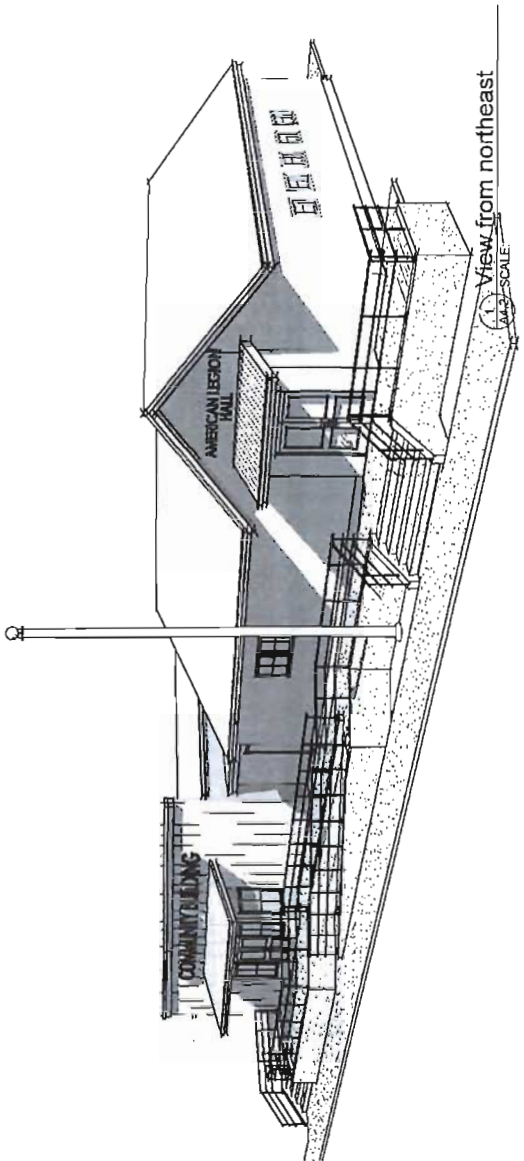
# PROCESS AND PROJECT

## APPROACH



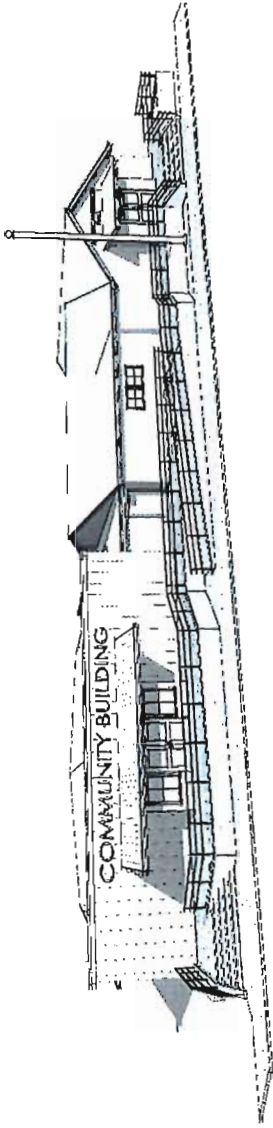
NEXT STEPS:

- PRESENT AS REQUESTED/NEEDED
- SECURE FUNDING
- FINALIZE DESIGN – DESIGN DEVELOPMENT & CONSTRUCTION DOCUMENTS
- BIDDING AND CONSTRUCTION



Questions?

Thank you!



# Pledge Log for PORT ORFORD COMMUNITY CENTER REMODEL

Thank you for financially supporting community wide efforts for the remodel of the Community Building and the American Legion Hall into a Community Center. Your volunteer fund raising committee has generated over \$130,000 of our goal to raise \$200,000 to demonstrate to grant providers the community commitment for the facility. Please make checks out to the Community Service Fund which is a 501c3, making your contribution tax deductible.

Donor name	Donor phone	Date of pledge	Pledged amount	Collected amount	Difference	Notes/Address
						\$0.00
						\$0.00
						\$0.00
<b>Total</b>			\$0.00	\$0.00		\$0.00

MAIL TO:  
 Community Center  
 PO Box 1333  
 Port Orford, OR  
 97465





PORT ORFORD COMMUNITY CENTER FUND

Fiscal agent: Community Service Fund

P.O. Box 1333

Port Orford, Oregon 97465

501c3 Tax ID # 20-1175828

**LEVELS OF GIVING:**

The following are our giving levels. We hope you will consider either matching an existing level or create a new level of giving.

<u>AMOUNT</u>	<u>NOTE</u>
A. \$1000 and under	We have several individual gifts at this level.
B. \$1000 to \$5000	Our fundraising events fall here.
C. \$5000	Our first challenge gift...it was matched; now a double match?
D. \$10,000	We just received this challenge gift and we need matches.
E. Start a new level	You might want to consider new levels of giving.
F. A major gift	We are happy to talk with you about this special Level; perhaps a naming opportunity would be of interest.

**CURRENT STATUS:**

The fundraising committee was organized in the Fall of 2019. To date, our donation total is \$130,000 +. The goal is to obtain about 13% of the \$1.5 million budget from our local community in order to demonstrate local support for the Community Center Project prior to applying for major grants. We are halfway to the \$200,000 local support goal.

Please consider supporting the remodel of the only publicly-owned gathering venue with a full kitchen and meeting space in Port Orford.

**You can donate by clicking on "DONATE NOW", on our website – <https://portorfordcommunitycenter.org> or we can pick up your donation, or you can mail your donation to the address in the letterhead. NOTE – To qualify for a tax deductible donation, checks should be made payable to the fiscal agent (RCOPO Community Service Fund), with a memo "Community Center."**

If you would like to know more about the project, please contact:

John Johnston 541-332-0147...Email: [johnstonj6130@gmail.com](mailto:johnstonj6130@gmail.com)

Tobe Porter 541-332-4340 ...Email: [tobe1945porter@gmail.com](mailto:tobe1945porter@gmail.com)

THANK YOU FOR YOUR CONSIDERATION!

LOOK FOR DONATION BOXES IN MOST RETAIL OUTLETS



## Public Works report for the month of January 2022

### Water Plant: Op's - NO Run Days 5

Raw water into plant 5,939,000 Treated water 4,422,000 Backwash water used 140,00 Leaks 205,000

### Immediate Major Issues Water

#### Hubbard's / Reservoir Dredging / Dam leakage

1. Dredging waiting quote and permitting.
2. **Update** Dam leakage, Bid awarded to Billiter marine. Materials for repairs on order, schedule date to be determined on arrival of materials.

#### Water Treatment plant, Finished Water Pump Replacement / Pressure relief valve on raw water

1. **Update** Finished water pump replacement, new pump has been received / electrical parts were delivered and are on site. Waiting on quote from contractor for building steel stand and cone for install.
2. **Update** Pressure relief valve repairs, parts on order 6-8 weeks out.
3. **Still Pending** Water rights permitting for Garrison Lake and Mill creek from 2007 still in process.
4. Water survey, updating operation and maintenance manuals in progress.

#### Coast Guard Hill Pump Station, Complete Skid Controls / pumps and piping replacement

1. **Coast guard hill pump station update**, one vender is working on quote, Pump tech is working on Quote they had a staff turn-over. Rom-tech is possible third vender waiting on reply.

#### Hubbard's Reservoir R&M

1. **Update** Scatter 7 turbidity meter is repaired and back in operation
2. Dam repairs bid awarded to Billiter marine and in progress
3. Looking into silt boom in order to allow water production during storm events.

**Water distribution:** Several contractors working in the city, boring and excavating work to install new fiber runs. We have been inundated with locates request, old mapping and history is causing issues with accurately locating our utilities.

### Water leaks Repaired:

- Tichenor Ave. Still need to set meter and box waiting on fittings

### New Services in October 2021

- No new services installed

### Meter Swop out'

- No meter swaps

## Public Works report for the month of January 2022

### Waste Water plant: Op's:

Grit system and classifier replacement on going. Repairs & maintenance plant / collections.

- **Update: T&M contract awarded to Billiter Marine for temporary repairs. Site meet in February in order to organize repair process and material. We have the all the necessary parts on hand and scheduled for the second week of March.** Arizona lift station, piping has failed to pressure line. This station will need retrofitted ASAP working with Smith and loveless for a quote.
- Grit removal system, some parts received continue working on repairs.
- Ordered 2 new blower 5-6 months out maybe early July
- Pending Influent Flow Meter, working on quote for replacement meter is no longer supported
- Received Muffin Monster grinder, replacement is in progress.
- City hall council chambers heat is out, parts on order circuit board and fan motor.
- Submitted forms to participate with Oregon State University in the national wastewater surveillance study for COVID. Not only were we chosen to receive a free auto sampler and materials, **we are the only wastewater treatment facility in Curry county participating.** The data will go into a national database with the Oregon Health Authority.

### Streets Maintenance:

- Continue winter time maintenance, mowing and trimming as needed and time allows
- Fire Hydrant Main. Started annual hydrant maintenance on going.
- Filled several potholes this month, working on quotes for more cold patch
- Trees, cleaned up and disposed of blown down trees in various locations
- Cleared / cleaned storm basins and drainage throughout the city.

### Parks

- Installed new pressure tank at Battle Rock, has helped allot with clogs
- Battle Rocks, Roof leaks in both bathrooms and rotten wood around sky-lights.
- Interpretive trail, wooden decking and railings are failing (rotten). Made temp repairs
- Pick up and disposal of trash and debris in parks.
- Un-clog & clean 12<sup>th</sup> St & Battle Rock bathrooms (18 times)
- Continue mowing and trimming of parks as time allows.

### PW Works Equipment PM

- Run and Pm generators monthly
- Oil changes on work truck



**Jessica Ginsburg**

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**From:** John Isadore <jisadore@portorford.org>  
**Sent:** Thursday, March 10, 2022 4:16 PM  
**To:** 'Jessica Ginsburg'  
**Subject:** Public Works monthly report February 2022  
**Attachments:** Public Works monthly report February 2022.docx; Port Orford, OR - Sales - Replace 15-0109 - 32740[1].docx; Port Orford, OR - Replace 15-0109 - 32740.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This is the quote for retrofitting Arizona Lift station

John,  
Please see attached scope for Port Orford. Pricing is as follows:

EV 1000 Wet Well Mounted Pump Station and all accessories per attached scope: \$89,009.

Adder for Duro-Last Stainless Steel Baseplate: \$8,840.

Please review and let me know that this is what you need. Note there are a lot of options on the data sheets if you desire to have them added.




**Smith & Loveless, Inc.**

14040 Santa Fe Trail Drive  
 Lenexa, Kansas 66215  
 913/888-5201

Name and Address:

Quotation Date: February 8, 2022  
 Inquiry Number: 32740  
 Engineer:  
 Job Location: Port Orford, OR  
 Project: Replace 15-0109

Smith & Loveless, Inc., having an office at 14040 Santa Fe Trail Drive, Lenexa, Kansas 66215 (hereinafter referred to as "Seller"), hereby agrees to sell to the buyer designated below (hereinafter referred to as "Buyer"), the following equipment subject to all of the provisions set forth in this Sales Agreement. *The Sales Representative is not an agent or employee of Seller and is not authorized to enter into any agreement on Seller's behalf or bind Seller in any way.*

**ONE** Smith & Loveless Factory-Built **EVERLAST™** Series 1000 pumping station complete with hinged fiberglass housing and structural steel base suitable for installation on top of a 4'-0" inside diameter wet well opening. The principal items of equipment include two vertical, close-coupled, vacuum-primed, 4", 4B2X\*1 Smith & Loveless non-clog pumps, each capable of delivering 180 GPM at 27' TDH with a maximum static suction lift of 20', and each driven by 3 HP, 1200 RPM, 3 phase, 60 cycle, 230 volt motor; valves, 4" internal piping; central control panel with circuit breakers; motor starters and automatic pumping level controls; heater; priming pumps; ventilator, and all internal wiring.

Station provided with 4" flanged suction connections and 4" plain-end discharge connection with compression coupling.

**Standard Equipment Included:**

NEMA 1 station control panel  
 Relay logic float switch level controls  
 High water alarm  
 Automatic alternator  
 Vacuum priming system  
 Prime mode selector – Constant or On-Demand  
 Pump failure/prime failure via common alarm contact  
 Duplex GFI convenience receptacle  
 Individual running time meters  
 Removable float switch access coverplate  
 Compound pressure gauges  
 Spare S&L mechanical seal and volute gasket  
 10 year enhanced warranty on pump impeller, volute, base and fiberglass enclosure

**Optional Equipment Items Included:**

**RAPIDJACK®** Check Valves  
**X-PELLERS®** Super Clog-Resistant Mono-Port Impellers  
 Transformer (3 KVA)  
 Alarm Light (120 V)  
 Alarm Dialer Interface  
 Insulated Hood  
 Auxiliary Heater  
 Four (4) Float Opti-Float, Float Switch System  
 NEMA Rated Starters

**Specifically Excluded Items:**

Unloading, hauling from nearest unloading area and storage  
Excavation, backfilling, grading and all field labor  
Concrete, concrete work, grout or grouting  
Concrete embedded items  
Piping connections or any piping outside the pump station  
Electrical wiring and conduit outside the pump station  
Unpacking and installation of accessory items, including touch-up painting

Smith & Loveless, Inc. will provide one electronic copy of the O&M on CD in PDF format and four hard copies of the O&M. Additional copies can be provided for \$50 per copy.

**PRICE, SUBMITTAL DATA & DELIVERY:**

\$ \_\_\_\_\_

We are currently experiencing large increases in the price of materials and components with very little advance notice. Therefore, the sales price of the equipment quoted herein is subject to an escalation in price. Escalation shall be based upon the increase incurred by Smith & Loveless for the material or components in excess of 5% from the time of quote. The escalation shall be calculated as the % increase over 5% of the material/component item and shall include material handling factor and overhead. Such escalation shall be verified through quotes, invoices or receipts from suppliers to Smith & Loveless.

F.O.B. factory plus any taxes, which may apply. Truck/Rail freight allowed to the job site, rail siding or nearest unloading area-unloading to be by Buyer. Due to the spike in gas prices, which is beyond the control of Smith & Loveless at the time of our quotation/bid, a fuel surcharge may need to be assessed at time of shipment.

One day supervision of initial operation over one trip is included. If additional days are required, Seller will furnish a factory-trained supervisor for \$975 per day including travel time plus actual travel expenses.

Price is firm for 30 days from the date of proposal.

With continuing approval of the Smith & Loveless Credit Department, payments terms are 100% Net 30 days from date of shipment, or at time of start-up, whichever occurs first.

Seller to send Submittal Data for approval 4-6 weeks after receipt of complete details at Seller's factory.

Manufacturing completion is estimated 14-16 weeks after receipt in Seller's office of approved Submittal Data and/or after all notations or comments have been clarified, approved and inserted into the manufacturing documents by the Seller. Variations in the time Submittal Data is returned to Seller and/or Submittal Data marked approved but which contain contingencies or variations may impact the completion time of the equipment.

**ADDITIONAL TERMS AND CONDITIONS**

1. **GENERAL A.** Buyer's execution of this Agreement constitutes Buyer's offer to purchase, on the terms and conditions set forth herein, the equipment described in this agreement, and such offer is irrevocable for thirty (30) days after Buyer executes and delivers to Seller this Agreement together with all necessary engineering data and information. Prices are firm for thirty (30) days after the bid date provided a firm order is received at the factory within that time period and provided approved Submittal Data is received at the factory within forty-five (45) days from the date submittals are forwarded from the factory. In the event firm orders and Submittal Data are not received by Seller within the times set forth above, then price and delivery estimates may change due to changes in the costs of material and labor and/or factory capacity at the time when the firm orders or approved Submittal Data is received by Seller. Seller reserves the right to amend this Sales Agreement if not signed and returned within thirty (30) days from the quotation date. In the event we are unable to ship within estimated period for reasons beyond our control, including a request by the Buyer to defer shipment, the prices are subject to adjustment to those prevailing at the time of shipment.

**B.** THIS AGREEMENT IS NOT BINDING ON SELLER UNLESS SIGNED ON SELLER'S BEHALF BY AN OFFICER OR MANAGER OF SELLER.

**C.** This Agreement constitutes the entire contract between the parties with respect to said equipment (any prior agreement, representation, covenant or warranty, written or oral, being superseded hereby) and may not be amended or modified except by a written

instrument duly executed by both parties, the provisions of any purchase order or other document submitted by or on behalf of Buyer to the contrary notwithstanding.

D. All notices hereunder are to be in writing and mailed postage prepaid to the party being notified at the address indicated in this agreement or at such other address as may be designated in writing.

E. Remedies provided for herein are cumulative and are in addition to all other remedies as may be available at law or in equity.

F. This Agreement is governed by and subject to the laws of the State of Kansas and the Buyer by executing this agreement agrees to submit to the Jurisdiction of the State of Kansas and the venue for any disputes between the parties will be in the District Court of Johnson County, Kansas, or the Federal District Court of Kansas.

**2. NOTICE TO PROCEED-** Return to Seller of approved Submittal Data or notification to Seller that the submission of submittals will be waived, constitutes notice to Seller to proceed with manufacture. In the event Seller does not receive approved Submittal Data within forty-five (45) days after Seller's submission of submittal data for approval, then Seller reserves the right to amend price and delivery of the equipment being sold. Final approved Submittal Data means approval by Buyer (or Buyer's representative) of Seller's Submittal Data and/or after all notations or comments have been clarified, approved and inserted into Seller's manufacturing documents at which point Seller's estimated completion schedule commences. Variations in the time Submittal Data is returned to Seller and/or Submittal Data marked approved but which contain contingencies or variations may impact the completion time of the equipment. Seller agrees to furnish only the equipment included in Seller's quotation and/or as described and modified in the Submittal Data. Approval of the Submittal Data constitutes acceptance of the equipment in the configuration described therein. If Seller is directed to change the scope of the equipment after notice to proceed to manufacture, then Seller reserves the right to amend the price and delivery of the equipment.

**3. EXCUSED PERFORMANCE-** Seller is not liable for any failure or delay in performance hereof, with respect to delivery or otherwise, if such failure or delay is due to any cause beyond Seller's control including, but not limited to, any Act of God, war, civil disturbance, riot, labor difficulty, factory capacity, fire, other casualty, accident or supplier's failure or inability to perform.

**4. CREDIT APPROVAL-** The credit terms specified herein are subject to Seller's continuing approval of Buyer's credit and if, in Seller's sole judgment, Buyer's credit or financial standing is impaired as to cause Seller to deem itself insecure, Seller may withdraw the extension of credit and require other payment terms.

**5. PAYMENT-** Subject only to any credit terms, which Seller may extend, the total purchase price hereunder is due at such time, within or after the estimated shipment period specified herein, as said equipment is ready to be shipped. Buyer shall pay in full all invoices within the time for payment specified therein and Buyer's payment obligation is in no way dependent or contingent upon Buyer's receipt of payment from any other party. Any balance owed by Buyer for thirty (30) days or more after the same becomes due is subject to a 2% per month delinquency charge until paid. In addition to all other amounts due hereunder, Buyer shall reimburse Seller in full for all damages, costs and expenses, including reasonable attorneys' fees, which Seller may incur with respect to Buyer's breach of this Sales Agreement or the collection of past due amounts from Buyer. If Buyer is in default under this or any other agreement with Seller, Seller may, at its option, defer performance hereunder until such default is cured.

**6. SECURITY INTEREST-** Until all amounts due hereunder have been paid in full, Seller has a security interest in said equipment and has all rights of a secured party under the Uniform Commercial Code including, without limitation, the right to take possession of said equipment without legal process and the right to require Buyer to assemble said equipment and make it available to Seller at a place reasonably convenient to both parties. At Seller's request, Buyer shall execute any financing statement or statements submitted by Seller in order that Seller's security interest in said equipment may be perfected.

**7. WARRANTY & LIABILITY-** Seller warrants only that said equipment is free from defects in materials and workmanship as set forth in Seller's standard Certificate of Warranty furnished to Buyer at the time of final shipment. THIS WARRANTY IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ALL IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE OR DESIGN AND WHICH ARE EXPRESSLY DISCLAIMED BY SELLER. Seller's sole responsibility with respect to any equipment which proves to be defective as to materials or workmanship is either to replace or to repair the same as is set forth in said Certificate of Warranty. Unless authorized in writing by Seller, Seller is not responsible for any charge or expense incurred for the modification, servicing or adjusting of said equipment after the same has been delivered to Buyer. Seller is not liable in association with its warranty or in any other capacity for any consequential, incidental or liquidated damages, late fees/damages or penalties.

**8. CLAIM PERIOD-** Buyer shall immediately inspect said equipment upon receipt thereof and immediately notify the carrier of any damage, shortage or other nonconformance. Seller is not obligated to consider any claim for damages, shortages or non-conformance unless notified by Buyer within ten (10) days after Buyer's receipt of said equipment.

**9. CANCELLATION-** Should Buyer cancel this agreement without Seller's prior written consent, Seller may, at its option, recover from Buyer a cancellation charge of not less than 20% of the purchase price hereunder. This cancellation charge is intended to compensate Seller for difficult-to-calculate economic losses, including but not limited to, material and labor costs, as well as loss of anticipated profits suffered due to cancellation.

**10. SEVERABILITY** – If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**11. STORAGE-** If at such time, within or after the estimated shipment period specified herein, as Seller notifies Buyer that said equipment is ready to be shipped Buyer requests a delay in shipment, Seller may, at its option, agree to store said equipment for a period of time determined by Seller, provided that such agreement will not affect Buyer's obligation to pay in full all invoices as they become due, and provided further that for each month, or portion thereof, said equipment is so stored by Seller, Buyer shall pay to Seller as a storage fee an amount equal to 2% of the purchase price.

12. **DRAWINGS, ILLUSTRATIONS AND MANUALS-** Catalog and proposal drawings, bulletins, and other accompanying literature are solely for purpose of general style, arrangement and approximate dimensions. Seller may make any changes Seller deems necessary or desirable. Submittal for approval, if required, will be made after receipt of complete information from Buyer. Unless otherwise specified at the time of quotation, six sets will be furnished. Additional sets are at \$25.00 per set. Installation, maintenance and operation manuals will be furnished in the number of copies specified at the time of quotation. If none specified, four will be provided at no added cost, with additional copies at \$50.00 each.

13. **PERMITS, LICENSES-** Buyer at its sole cost and expense shall obtain all building or other permits or licenses with respect to the installation and operation of said equipment required by any federal, state or local governmental body.

14. **PATENT INDEMNIFICATION-** Seller shall, at its own expense, defend any suit instituted against Buyer, based on any claim that equipment furnished hereunder infringes any Letters Patent of the United States, and Seller shall pay any damages assessed against Buyer in any such suit, provided that Buyer, upon service of process upon Buyer, gives to Seller notice in writing of the institution of such suit, and permits Seller, through counsel chosen by Seller, to defend the same, and gives Seller all information in Buyer's possession and reasonable assistance and authority to enable Seller so to do. Seller shall have no liability or obligation to Buyer for patent infringement resulting from compliance by Seller with written instructions or specifications of Buyer concerning the structure, operation, material, or method of making equipment furnished hereunder.

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
at Lenexa, KS.

Buyer

**SMITH & LOVELESS, INC**

By \_\_\_\_\_  
Print Name

By \_\_\_\_\_  
Authorized Signature

By \_\_\_\_\_  
Authorized Signature

Prepared by \_\_\_\_\_  
Sales Representative

Address \_\_\_\_\_

Is this purchase tax exempt? Yes \_\_\_ No \_\_\_

If **YES**, attach Sales Tax Exemption Certificate. Failure to provide tax exempt certificate prior to shipment will result in Buyer being responsible for all applicable taxes.

**NOTE:** The Sales Representative is not an agent or employee of Seller and is not authorized to enter into any agreement on Seller's behalf or to bind Seller in any way.

# Everlast™ Wet Well Mounted Pump Station Engineering Order

<b>Location:</b> Port Orford, OR <b>Purchaser:</b> <b>Prepared By:</b> Sean Cudney <b>Rep Firm:</b> APSCO, LLC	<b>Engineer:</b> <b>Project:</b> Replace 15-0109 <b>Quote Number:</b> 32740-EV-1
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Everlast™ Series	1000	Wet Well Diameter:	4' - 0"	Wet Well Opening Diameter:	4' - 0"	Mounted On Concrete Slab	<input type="checkbox"/>
Suction Pipe Size:	4	Discharge Valve Size:	4	Common Discharge Pipe Size:	4		
Duro Last SS Baseplate:	<input type="checkbox"/>	Base Plate Thickness	3/8"	Suction Hardware:	Plated	Discharge Coupling	316 SS
Rapid Jack Check Valve:	<input checked="" type="checkbox"/>	Pressure Gauge Range:	30"-0-30 PSI				
Electrical Service Data:	3	Phase	60	Cycle	230	Volts	
220v Option	<input type="checkbox"/>	120 Volt Single Phase Available:	<input type="checkbox"/>	120 Volt Single Phase Transformer Required	3	KVA Transformer	

Control Panel Data Type: 

PUMP DATA	PUMP 1	PUMP 2				
Design Char. (GPM@TDH)	180 @ 27	180 @ 27				
Pump Model	4B2X*1	4B2X*1				
Impeller Diameter						
Rotation	CCW	CW				
Mechanical Seal Size	1 7/8	1 7/8				
Static Suction Lift	20	20				
<b>MOTOR DATA</b>						
Horsepower	3	3				
RPM	1200	1200				
Frame Style	WP1	WP1				
Hertz	60	60				
Efficiency Class	PREMIUM	PREMIUM				
Motor Duty	SEVERE	SEVERE				
Thermal Protection	None	None				
Altitude	<3000 FT	<3000 FT				
UL Testing	UL REC	UL REC				
Voltage	208-230/460	208-230/460				
<b>MOTOR CONTROL EQUIPMENT</b>						
Electrical Data	208-230/460	208-230/460				
Circuit Breaker						
Magnetic Starter						
Overload Coils						
<b>CONTROL SYSTEM</b>						
	Relay Logic					
<b>LEVEL CONTROL SYSTEM</b>						
	Pumps Off	Low Level	Second Level	Float Switches	High Level	INDICATION: Low Level Alarm
Measurement Device Type	Float Switches	Float Switches		Float Switches		High Level Alarm
Level Actuation	1.5	3.5		4		Float Switches
	Opti-Float	Opti-Float		Opti-Float		Opti-Float

# Everlast™ Wet Well Mounted Pump Station Engineering Order

## Standard Equipment

1000 SERIES - Relay Logic with Float Switch Control System, 120v Control Circuits, Vacuum Priming System with Sonic Start™ Streamline, Prime Mode Selector - Constant or On-Demand Prime, Timed Alternation, High Water Alarm, Pump Fail/Prime Fail Sensors, Compound Pressure Gauges, Running Time Meters - Individual, Single Tilt Hood with Hood Assist, One Piece Hinged Aluminum Manway Cover, Spare Mechanical Seal

## Pre-Engineered Packages

**Station Monitoring Package**

Pump Overload Power Failure, Time Delay Relay, Phase Monitor Relay

**Cold Climate Package**

Aux. Heater, Insulated Hood, Vacuum Release System

**Enhanced Alarm Package**

Intrusion Alarm, Operator Assist, Low Water

**Building Package**

Delete Hood, Panel Heater, Vent Blower & Manway Cover

## Pre-Engineered Options

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Low Water Alarm                       | <input type="checkbox"/> Panel Alarm Silence Switch Auto       | <input type="checkbox"/> Add-a-Phase Interface                           |
| <input type="checkbox"/> High Level Alarm Back-Up Float Switch | <input type="checkbox"/> Panel Alarm Silence Switch Manual     | <input type="checkbox"/> Roto-Phase Relay                                |
| <input type="checkbox"/> Low Level Alarm Back-Up Float Switch  | <input type="checkbox"/> Remote Alarm Silence Switch Auto      | <input type="checkbox"/> Shade Aide                                      |
| <input type="checkbox"/> Dedicated Prime Failure Alarm         | <input type="checkbox"/> Surge Protective Device               | <input type="checkbox"/> Amp Meters                                      |
| <input type="checkbox"/> Dedicated Pump Failure Alarm          | <input type="checkbox"/> Phase Monitor                         | <input type="checkbox"/> Certified Pump Test Curves                      |
| <input type="checkbox"/> 12-V Battery & Charger                | <input type="checkbox"/> Single Phase Power Monitor            | <input checked="" type="checkbox"/> Insulated Hood                       |
| <input checked="" type="checkbox"/> Vapor Proof Red Light      | <input type="checkbox"/> Sequential Alternator                 | <input checked="" type="checkbox"/> Auxiliary Heater                     |
| <input type="checkbox"/> Weatherproof Horn 120 VAC             | <input type="checkbox"/> Base1/Base2/Auto Alt Selector         | <input type="checkbox"/> DeleteHood                                      |
| <input type="checkbox"/> Weatherproof Bell                     | <input type="checkbox"/> Main Disconnect Switch                | <input type="checkbox"/> Delete Manway Access                            |
| <input type="checkbox"/> Alarm Light w/Flasher                 | <input type="checkbox"/> Main Circuit Breaker                  | <input type="checkbox"/> Emergency Pump Connection                       |
| <input type="checkbox"/> Totalizing RunTime Meter              | <input type="checkbox"/> Time Delay Relay                      | <input type="checkbox"/> Wet Well Fall Barrier                           |
| <input type="checkbox"/> Pump Run Lights                       | <input type="checkbox"/> Generator Interlock                   | <input type="checkbox"/> Wet Well Vent Blower                            |
| <input type="checkbox"/> MultiSensor Tester                    | <input type="checkbox"/> Intrinsically Safe Float Relays       | <input type="checkbox"/> Wet Well Analog Signal Output                   |
| <input checked="" type="checkbox"/> Alarm Dialer Interface     | <input type="checkbox"/> Intrinsically Safe Transducer Barrier | <input type="checkbox"/> Transducer Signal Splitter                      |
| <input type="checkbox"/> Operator Assist Alarm                 | <input type="checkbox"/> Non-Mercury Float Switches            | <input checked="" type="checkbox"/> NEMA Starters                        |
| <input type="checkbox"/> Intrusion Alarm                       | <input type="checkbox"/> Spare 20 Amp Circuit Breakers         | <input type="checkbox"/> RVSS Starters                                   |
| <input type="checkbox"/> Remote Alarm Contacts                 |  | <input type="checkbox"/> Stainless Steel Panel Enclosure                 |
|  |  | <input type="checkbox"/> Additional Spare Mechanical Seal (One Standard) |



## Everlast™ Wet Well Mounted Pump Station Engineering Order

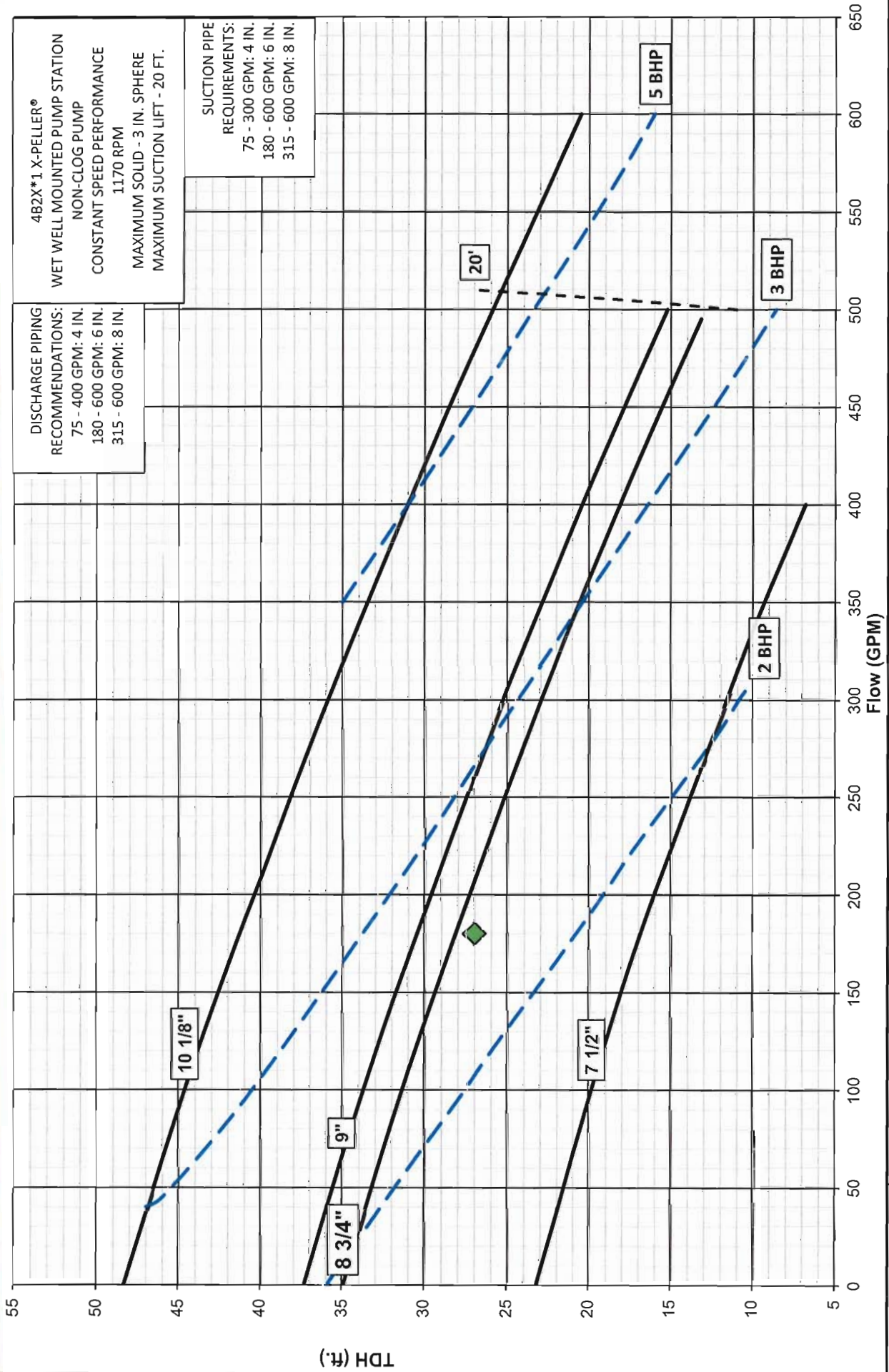
Current	Item Description	32740-EV-1
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Yes	1. Provide a four (4) float Opti-Float, float switch system.	
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Smith & Loveless Inc.

# Pump Curve



Location:	Port Orford, OR	Design Point:	180 GPM @ 27 ft.	Pump Model:	4B2X*1, 1170 RPM
Project Name:	Replace 15-0109	Impeller Trim:	8 - 3/4 Inches	HP & Efficiency:	3 HP & 51.5%

# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Administration Report

ITEM NO: 6b.

### Projects Completed:

Union Contract Approved and Signed in July 2021

Ocean View repaving project completed and the submission for grant reimbursement- Reimbursement Received November 2021

New Waste Water Treatment Plant Operator Started in September 2021

Contractor Hired for City Hall repairs

Utility Accounts Receivable Reviewed and Collections letters sent.

Main Street has volunteered to upgrade outside of City Hall beginning the Spring of 2022. Applying for TLT Grant funds for this project.

Business Licenses revenue was budgeted for \$6,500 Currently we have received over \$12,000

Utility Clerk Position has been filled. Please Welcome Caitlyn to our City Hall Family.

TLT Committee has been formed and once we start to get grant applications we will be calling our 1<sup>st</sup> meeting.

Field Trip Completed and it was a success The City Staff enjoyed having them visit, learn and asking a lot of questions.

### Ongoing Projects and Updates:

**Water Infrastructure Grants**-Update in the Old Business section of Agenda 7e.

**Building Inspector/Building Code**- Updated Building code for Abatement and Nuisance and Dangerous Housing is in the Agenda.

**Citation Clean up**- When this project started the balance outstanding was \$837,217.86 thru 09/28/2021. As of March 11<sup>th</sup> the balance due is \$732,751.75 thru 09/28/2021 also. Therefore, we have collected **\$104,466.11** in past due Citations.

**Emergency Management Planning**- We have a few meetings to start implementing the Emergency Plan that has been put together for the whole county. We also have had meetings and conversations with Gary Burns, Jim Howe and myself. Those updates will be given during the liaison reports by Jim Howe.

**Watershed Project**-Linda Tarr will be giving a Watershed Council update. Invoices have been turned in for Reimbursement of cleaning out the Gorse. We are on to another step to being the Forest Monument plan. We are currently discussing options and who will be able to help the city with this plan.

**Kayak Launch-** I have been working with Dave Lacy and his team. The next step is community outreach. They are working on different ways to do this. We also have a memorial rock near where that kayak launch is going to be and it is going to have to be moved. I will contact the family that is listed on the rock.

**City Hall, Water Plant and Wastewater Plant-** All of the buildings are in need of repairs and maintenance. We have started to receive bids for the roof repairs on Water Treatment plant, Wastewater Treatment plant, City Hall and Community Building. These repairs are not going to be cheap by any means. I have attached a copy of one bid that is for \$31,500. Hoping to have more Bids by next City Council meeting so we can begin some of these repairs. I have talked to Legacy Construction and the new payment window in front of Caitlin's desk will be completed before the end of March and the other wall will be completed by then too. We are talking about patching some holes in the walls and painting City Hall offices. Some residents have offered to Volunteer their time to do the painting. We are shooting to have that starting in April.

**Volunteers-** We have received many applications from Volunteers willing to come and assist City staff on multiple projects. We have had our first few volunteers in the office helping archiving files. We still have a lot that needs to be done but every step forward is in the right direction.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Finance

ITEM NO: 6 c.

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Attached are the financials thru March 2022. Some highlights are the funds are operating under budget. We are collecting nicely still on the citations and Caitlin has been helping and learning more about that process too. Please let me know if you have any questions about the financials attached.

We received the 1<sup>st</sup> draft of the audited financials for FY21. We are hoping to wrap that up before the end of the month.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



City of Port Orford

# Income Statement

## Account Summary

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 010 - GENERAL FUND</b>						
<b>Revenue</b>						
<u>010-00-40100</u>	Prior Year Fund Balance	175,079.00	175,079.00	0.00	0.00	175,079.00
<u>010-00-41110</u>	Property Taxes Current	312,665.00	312,665.00	0.00	536,928.67	-224,263.67
<u>010-00-41120</u>	Property Taxes-Prior	10,000.00	10,000.00	0.00	5,229.64	4,770.36
<u>010-00-41160</u>	Local Marijuana Tax	3,000.00	3,000.00	0.00	0.00	3,000.00
<u>010-00-41210</u>	State Cigarette Tax	1,271.00	1,271.00	0.00	518.60	752.40
<u>010-00-41220</u>	State Liquor Tax	22,500.00	22,500.00	0.00	10,997.58	11,502.42
<u>010-00-41310</u>	State Revenue Sharing	12,653.00	12,653.00	0.00	9,831.28	2,821.72
<u>010-00-41320</u>	Payment in Lieu of Tax (PILOT)	500.00	500.00	0.00	2,263.74	-1,763.74
<u>010-00-42010</u>	Interest on Investments	2,000.00	2,000.00	0.00	1,384.19	615.81
<u>010-00-42110</u>	LSN - Franchise Fees	4,000.00	4,000.00	0.00	2,844.56	1,155.44
<u>010-00-42111</u>	Charter Franchise Fees	14,040.00	14,040.00	0.00	7,420.23	6,619.77
<u>010-00-42112</u>	Frontier Franchise Fees	1,700.00	1,700.00	0.00	3,133.94	-1,433.94
<u>010-00-42113</u>	Vonage Franchise Fees	30.00	30.00	0.00	0.00	30.00
<u>010-00-42210</u>	Business Licenses	6,500.00	6,500.00	0.00	14,215.00	-7,715.00
<u>010-00-44214</u>	Court Administrative Fees	3,400.00	3,400.00	160.00	2,150.00	1,250.00
<u>010-00-44320</u>	Subdivision Engineering Fees	14,000.00	14,000.00	0.00	0.00	14,000.00
<u>010-00-44330</u>	Planning Fees	3,000.00	3,000.00	91.00	4,138.39	-1,138.39
<u>010-00-44340</u>	Lien Search Fees	500.00	500.00	0.00	0.00	500.00
<u>010-00-45120</u>	Citations	278,435.00	278,435.00	4,310.00	154,720.81	123,714.19
<u>010-00-45730</u>	Circuit Court Collection	3,500.00	3,500.00	90.00	2,887.50	612.50
<u>010-00-46114</u>	Charge to Parks Fund	14,023.00	14,023.00	0.00	0.00	14,023.00
<u>010-00-46120</u>	Charge to Public Safety Fund	27,117.00	27,117.00	0.00	0.00	27,117.00
<u>010-00-46140</u>	Charge to Street Fund	16,470.00	16,470.00	0.00	0.00	16,470.00
<u>010-00-46210</u>	Miscellaneous Receipts	1,000.00	1,000.00	0.00	131,418.27	-130,418.27
<u>010-00-46880</u>	Reimbursements	2,000.00	2,000.00	0.00	12,615.48	-10,615.48
	<b>Revenue Total:</b>	<b>929,383.00</b>	<b>929,383.00</b>	<b>4,651.00</b>	<b>902,697.88</b>	<b>26,685.12</b>
<b>Expense</b>						
<u>010-10-51200</u>	Administrator/Manager	31,372.00	31,372.00	1,078.00	17,248.00	14,124.00
<u>010-10-51350</u>	Accounting Assistant	16,091.00	16,091.00	422.72	8,130.36	7,960.64
<u>010-10-51400</u>	Accountant	22,954.00	22,954.00	0.00	11,429.68	11,524.32
<u>010-10-52010</u>	Social Security	5,745.00	5,745.00	102.38	2,616.32	3,128.68
<u>010-10-52020</u>	PERS Retirement	17,998.00	17,998.00	391.10	3,242.70	14,755.30
<u>010-10-52030</u>	Worker's Comp./Disability Ins.	405.00	405.00	0.56	247.75	157.25
<u>010-10-52040</u>	Health, Dental, Life Ins.	27,850.00	27,850.00	701.52	11,382.65	16,467.35
<u>010-10-52050</u>	Unemployment Insurance	10,000.00	10,000.00	0.00	0.00	10,000.00
<u>010-10-55800</u>	Vacation Expense	0.00	0.00	0.00	-2,079.72	2,079.72
<u>010-10-62210</u>	Telephone	3,600.00	3,600.00	0.00	2,067.88	1,532.12
<u>010-10-62310</u>	Management Travel	2,500.00	2,500.00	0.00	0.00	2,500.00
<u>010-10-62912</u>	Dues & OR Statutes	2,500.00	2,500.00	0.00	2,187.32	312.68
<u>010-20-51310</u>	Court Clerk	10,426.00	10,426.00	196.41	7,373.26	3,052.74
<u>010-20-51350</u>	Clerical	3,618.00	3,618.00	84.54	1,623.35	1,994.65
<u>010-20-52010</u>	Social Security	1,263.00	1,263.00	18.01	637.23	625.77
<u>010-20-52020</u>	PERS Retirement	4,067.00	4,067.00	22.03	2,380.40	1,686.60
<u>010-20-52030</u>	Worker's Comp./Disability Ins.	14.00	14.00	0.16	3.66	10.34
<u>010-20-52040</u>	Health, Dental, Life Ins.	5,864.00	5,864.00	214.09	3,335.60	2,528.40
<u>010-20-61210</u>	Office & Operating Supplies	1,000.00	1,000.00	0.00	1,195.56	-195.56
<u>010-20-61230</u>	Software Maintenance	1,706.00	1,706.00	0.00	-6,216.50	7,922.50
<u>010-20-62170</u>	Judge Contract	3,600.00	3,600.00	0.00	2,400.00	1,200.00
<u>010-20-62210</u>	Telephone	400.00	400.00	0.00	203.80	196.20
<u>010-20-62230</u>	Postage	1,000.00	1,000.00	0.00	722.04	277.96
<u>010-20-62343</u>	Travel & Training / Meetings	2,000.00	2,000.00	0.00	0.00	2,000.00





## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>010-20-62912</u>	Dues & OR Statutes	100.00	100.00	0.00	50.00	50.00
<u>010-20-62941</u>	Reimbursements/Citations	5,000.00	5,000.00	0.00	2,187.00	2,813.00
<u>010-20-63210</u>	LEMIA	0.00	0.00	0.00	-2.00	2.00
<u>010-20-63220</u>	State Assessment	59,750.00	59,750.00	-867.50	26,541.50	33,208.50
<u>010-20-63221</u>	State Court Facilities Acct.	0.00	0.00	0.00	-5.00	5.00
<u>010-20-63230</u>	County Assessments	19,120.00	19,120.00	-272.00	7,382.00	11,738.00
<u>010-30-51200</u>	Administrator/Manager	8,200.00	8,200.00	269.50	4,312.00	3,888.00
<u>010-30-51520</u>	Police Chief	3,910.00	3,910.00	141.93	2,337.27	1,572.73
<u>010-30-52010</u>	Social Security	1,050.00	1,050.00	30.43	491.99	558.01
<u>010-30-52020</u>	PERS Retirement	3,050.00	3,050.00	107.78	899.29	2,150.71
<u>010-30-52030</u>	Worker's Comp./Disability Ins.	204.00	204.00	0.14	2.37	201.63
<u>010-30-52040</u>	Health, Dental, Life Ins.	2,350.00	2,350.00	78.45	1,264.34	1,085.66
<u>010-50-51301</u>	Planning Assistant	5,463.00	5,463.00	0.00	3,217.40	2,245.60
<u>010-50-52010</u>	Social Security	405.00	405.00	0.00	238.91	166.09
<u>010-50-52020</u>	PERS Retirement	1,710.00	1,710.00	0.00	980.64	729.36
<u>010-50-52030</u>	Worker's Comp./Disability Ins.	10.00	10.00	0.00	1.13	8.87
<u>010-50-52040</u>	Health, Dental, Life Ins.	1,637.00	1,637.00	0.00	666.13	970.87
<u>010-50-61231</u>	Tsunami Resilience Grant	0.00	0.00	0.00	-100.00	100.00
<u>010-50-62120</u>	Subdivision Engineering Contra	14,000.00	14,000.00	0.00	0.00	14,000.00
<u>010-50-62150</u>	Planning Contract	15,000.00	15,000.00	0.00	13,781.09	1,218.91
<u>010-50-62160</u>	Professional Services	300.00	300.00	0.00	1,466.46	-1,166.46
<u>010-50-62175</u>	Legal Services	1,000.00	1,000.00	0.00	325.00	675.00
<u>010-50-62230</u>	Postage	500.00	500.00	0.00	84.62	415.38
<u>010-50-62343</u>	Travel & Training / Meetings	250.00	250.00	0.00	0.00	250.00
<u>010-50-62410</u>	Advertising	250.00	250.00	0.00	396.00	-146.00
<u>010-60-61210</u>	Office & Operating Supplies	9,000.00	9,000.00	0.00	6,073.53	2,926.47
<u>010-60-61220</u>	Office Equip. Leases	1,725.00	1,725.00	142.42	1,139.36	585.64
<u>010-60-61230</u>	Software Maintenance	8,886.00	8,886.00	0.00	6,834.79	2,051.21
<u>010-60-62100</u>	Bank Charges	4,000.00	4,000.00	0.00	5,124.15	-1,124.15
<u>010-60-62110</u>	Auditing & Accounting	11,000.00	11,000.00	0.00	20,637.38	-9,637.38
<u>010-60-62140</u>	Computer Services	500.00	500.00	0.00	1,970.19	-1,470.19
<u>010-60-62160</u>	Professional Services	1,500.00	1,500.00	0.00	1,966.44	-466.44
<u>010-60-62175</u>	Legal Services	14,400.00	14,400.00	0.00	11,552.00	2,848.00
<u>010-60-62180</u>	Port Orford Rural Fire Dist.	53,946.00	53,946.00	0.00	43,724.00	10,222.00
<u>010-60-62190</u>	Curry County 911 Dispatch Service	30,900.00	30,900.00	0.00	15,450.00	15,450.00
<u>010-60-62220</u>	Internet Access	1,200.00	1,200.00	0.00	891.34	308.66
<u>010-60-62230</u>	Postage	700.00	700.00	0.00	1,414.23	-714.23
<u>010-60-62343</u>	Travel & Training / Meetings	6,000.00	6,000.00	0.00	385.72	5,614.28
<u>010-60-62410</u>	Advertising	800.00	800.00	0.00	0.00	800.00
<u>010-60-62610</u>	Insurance & Bonds	18,348.00	18,348.00	0.00	9,231.86	9,116.14
<u>010-60-62740</u>	Electricity	13,500.00	13,500.00	0.00	6,625.86	6,874.14
<u>010-60-62805</u>	R & M City Hall	20,000.00	20,000.00	0.00	4,721.69	15,278.31
<u>010-60-62819</u>	Municipal Code Book	0.00	0.00	0.00	1,100.30	-1,100.30
<u>010-60-62835</u>	Small Tools and Minor Equip.	5,000.00	5,000.00	0.00	668.78	4,331.22
<u>010-60-62920</u>	Dues & Memberships	700.00	700.00	0.00	0.00	700.00
<u>010-60-62930</u>	Custodial Services	2,907.00	2,907.00	0.00	1,950.85	956.15
<u>010-60-62935</u>	Custodial Supplies	500.00	500.00	0.00	160.57	339.43
<u>010-60-62936</u>	Miscellaneous	2,000.00	2,000.00	0.00	932.67	1,067.33
<u>010-60-91114</u>	Transfer to Parks Fund	35,000.00	35,000.00	0.00	0.00	35,000.00
<u>010-60-91120</u>	Transfer to Public Safety Fund	230,000.00	230,000.00	0.00	0.00	230,000.00
<u>010-60-91142</u>	Transfer to Streets Capital Improvement	27,845.00	27,845.00	0.00	0.00	27,845.00
<u>010-60-98500</u>	Contingency	81,845.00	81,845.00	0.00	0.00	81,845.00
<u>010-60-99000</u>	Unappropriated Reserves	27,949.00	27,949.00	0.00	0.00	27,949.00
	<b>Expense Total:</b>	<b>929,383.00</b>	<b>929,383.00</b>	<b>2,862.67</b>	<b>279,205.19</b>	<b>650,177.81</b>
	<b>Fund: 010 - GENERAL FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>1,788.33</b>	<b>623,492.69</b>	
<b>Fund: 014 - PARKS FUND</b>						
<b>Revenue</b>						
<u>014-00-40100</u>	Prior Year Fund Balance	95,966.00	95,966.00	0.00	0.00	95,966.00
<u>014-00-41410</u>	Transient Lodging Tax	100,000.00	100,000.00	2,627.76	99,578.65	421.35



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>014-00-42010</u>	Interest on Investments	500.00	500.00	0.00	491.78	8.22
<u>014-00-43415</u>	DLCD Grant	0.00	0.00	0.00	35.00	-35.00
<u>014-00-43419</u>	Buffington Park Playground Upgrade	0.00	0.00	0.00	25,518.98	-25,518.98
<u>014-00-43420</u>	OR Marine Board Grant	3,900.00	3,900.00	0.00	0.00	3,900.00
<u>014-00-44410</u>	Rent - Community Building	1,000.00	1,000.00	0.00	0.00	1,000.00
<u>014-00-44420</u>	American Legion Income/Rent	2,500.00	2,500.00	0.00	175.00	2,325.00
<u>014-00-44430</u>	Visitor Center Rental	600.00	600.00	0.00	0.00	600.00
<u>014-00-44435</u>	Battle Rock Binocular Receipts	250.00	250.00	0.00	0.00	250.00
<u>014-00-46110</u>	Transfer from General Fund	35,000.00	35,000.00	0.00	0.00	35,000.00
<u>014-00-46880</u>	Reimbursements	700.00	700.00	0.00	260.84	439.16
<u>014-00-46890</u>	Contributions Fort Point	20,000.00	20,000.00	0.00	-445.28	20,445.28
	<b>Revenue Total:</b>	<b>260,416.00</b>	<b>260,416.00</b>	<b>2,627.76</b>	<b>125,614.97</b>	<b>134,801.03</b>
<b>Expense</b>						
<u>014-00-51505</u>	PW Superintendent	4,920.00	4,920.00	412.38	6,612.83	-1,692.83
<u>014-00-51600</u>	WWTP Operator	203.00	203.00	54.00	660.01	-457.01
<u>014-00-51750</u>	Seasonal Maint. Worker	7,253.00	7,253.00	0.00	3,928.89	3,324.11
<u>014-00-51800</u>	Maintenance Worker #1	4,760.00	4,760.00	157.60	3,121.96	1,638.04
<u>014-00-51801</u>	Utility Worker #3	2,932.00	2,932.00	80.07	1,770.10	1,161.90
<u>014-00-51810</u>	Maintenance Worker #2	5,523.00	5,523.00	195.49	3,678.77	1,844.23
<u>014-00-51900</u>	Utility Worker #2	2,842.00	2,842.00	0.00	0.00	2,842.00
<u>014-00-52010</u>	Social Security	1,904.00	1,904.00	65.86	1,462.98	441.02
<u>014-00-52020</u>	PERS Retirement	4,203.00	4,203.00	220.31	3,956.64	246.36
<u>014-00-52030</u>	Worker's Comp./Disability Ins.	3,076.00	3,076.00	0.31	1,621.91	1,454.09
<u>014-00-52040</u>	Health, Dental, Life Ins.	11,569.00	11,569.00	270.24	4,251.49	7,317.51
<u>014-00-52050</u>	Unemployment Insurance	5,125.00	5,125.00	0.00	0.00	5,125.00
<u>014-00-53014</u>	Charge to Parks	8,485.00	8,485.00	0.00	0.00	8,485.00
<u>014-00-55800</u>	Accrued Sick Leave	0.00	0.00	0.00	-1,094.58	1,094.58
<u>014-00-61210</u>	Office & Operating Supplies	1,000.00	1,000.00	0.00	48.00	952.00
<u>014-00-61260</u>	Uniforms	50.00	50.00	0.00	28.36	21.64
<u>014-00-61340</u>	Fuel (Equip & Vehicles)	2,000.00	2,000.00	0.00	1,187.20	812.80
<u>014-00-61360</u>	Heating Fuel-Community Bldg	2,000.00	2,000.00	0.00	19.85	1,980.15
<u>014-00-61361</u>	Heating fuel - American Legion	2,000.00	2,000.00	0.00	0.00	2,000.00
<u>014-00-62110</u>	Auditing & Accounting	900.00	900.00	0.00	1,937.93	-1,037.93
<u>014-00-62160</u>	Professional Services	700.00	700.00	0.00	100.78	599.22
<u>014-00-62165</u>	Tourism & Beautification Grant	15,000.00	15,000.00	0.00	2,159.00	12,841.00
<u>014-00-62210</u>	Telephone	375.00	375.00	0.00	203.79	171.21
<u>014-00-62220</u>	Internet Access	800.00	800.00	0.00	649.54	150.46
<u>014-00-62410</u>	Advertising	150.00	150.00	0.00	0.00	150.00
<u>014-00-62415</u>	Business Promotion	36,967.00	36,967.00	0.00	0.00	36,967.00
<u>014-00-62610</u>	Insurance & Bonds	1,439.00	1,439.00	0.00	757.63	681.37
<u>014-00-62740</u>	Electricity	2,850.00	2,850.00	0.00	2,664.66	185.34
<u>014-00-62744</u>	Electricity-Legion Hall	1,500.00	1,500.00	0.00	0.00	1,500.00
<u>014-00-62745</u>	Electricity-Community Bldg	700.00	700.00	0.00	0.00	700.00
<u>014-00-62812</u>	R & M - Battle Rock	2,000.00	2,000.00	0.00	2,050.33	-50.33
<u>014-00-62813</u>	R & M - A-Frame	500.00	500.00	0.00	0.00	500.00
<u>014-00-62814</u>	R & M - Comm. Building	1,000.00	1,000.00	0.00	141.62	858.38
<u>014-00-62817</u>	R & M Visitor Center	2,000.00	2,000.00	0.00	593.14	1,406.86
<u>014-00-62825</u>	R & M - Buffington	4,875.00	4,875.00	0.00	937.65	3,937.35
<u>014-00-62827</u>	R & M - American Legion	1,000.00	1,000.00	0.00	855.95	144.05
<u>014-00-62829</u>	R & M - 12th St. Boat Ramp	1,500.00	1,500.00	0.00	294.88	1,205.12
<u>014-00-62835</u>	Small Tools & Minor Equipment	1,500.00	1,500.00	0.00	929.86	570.14
<u>014-00-62836</u>	Comm Bldg S Tools & Minor Equip	2,132.00	2,132.00	0.00	0.00	2,132.00
<u>014-00-62837</u>	Amer Legion S Tools & Minor Eq	8,893.00	8,893.00	0.00	0.00	8,893.00
<u>014-00-62840</u>	Vehicles & Equipment Maint.	1,500.00	1,500.00	0.00	312.41	1,187.59
<u>014-00-62842</u>	Parks Committee Projects	9,663.00	9,663.00	0.00	0.00	9,663.00
<u>014-00-62846</u>	Skate Park Committee Projects	436.00	436.00	0.00	0.00	436.00
<u>014-00-62847</u>	Binocular Rent	260.00	260.00	0.00	0.00	260.00
<u>014-00-62930</u>	Custodial Services	15,694.00	15,694.00	0.00	10,893.37	4,800.63
<u>014-00-62935</u>	Custodial Supplies	0.00	0.00	0.00	83.79	-83.79



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>014-00-62942</u>	Reimbursements / Refunds	0.00	0.00	0.00	483.00	-483.00
<u>014-00-62945</u>	Charge to Parks.	5,538.00	5,538.00	0.00	0.00	5,538.00
<u>014-00-72040</u>	Battle Rock Parks Trails	30,000.00	30,000.00	0.00	0.00	30,000.00
<u>014-00-98500</u>	Contingency	40,699.00	40,699.00	0.00	0.00	40,699.00
	<b>Expense Total:</b>	<b>260,416.00</b>	<b>260,416.00</b>	<b>1,456.26</b>	<b>57,303.74</b>	<b>203,112.26</b>
	<b>Fund: 014 - PARKS FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>1,171.50</b>	<b>68,311.23</b>	
<b>Fund: 020 - PUBLIC SAFETY</b>						
<b>Revenue</b>						
<u>020-00-40100</u>	Prior Year Fund Balance	101,296.00	101,296.00	0.00	0.00	101,296.00
<u>020-00-41120</u>	Property Taxes-Prior	8,000.00	8,000.00	0.00	2,098.54	5,901.46
<u>020-00-41130</u>	Public Safety Tax Option	248,059.00	248,059.00	0.00	2,502.84	245,556.16
<u>020-00-42010</u>	Interest on Investments	1,000.00	1,000.00	0.00	-154.24	1,154.24
<u>020-00-43430</u>	Police Grants	0.00	0.00	0.00	215.64	-215.64
<u>020-00-44190</u>	Professional Services	50.00	50.00	0.00	0.00	50.00
<u>020-00-44191</u>	Burning Permit	250.00	250.00	15.00	270.00	-20.00
<u>020-00-45150</u>	Insurance/Reimbursement	100.00	100.00	0.00	105.00	-5.00
<u>020-00-46110</u>	Transfer From General Fund	230,000.00	230,000.00	0.00	0.00	230,000.00
<u>020-00-46210</u>	Miscellaneous Receipts	0.00	0.00	75.00	273.94	-273.94
	<b>Revenue Total:</b>	<b>588,755.00</b>	<b>588,755.00</b>	<b>90.00</b>	<b>5,311.72</b>	<b>583,443.28</b>
<b>Expense</b>						
<u>020-00-51100</u>	Overtime	8,000.00	8,000.00	28.16	11,738.02	-3,738.02
<u>020-00-51120</u>	On Call Pay	6,240.00	6,240.00	279.00	6,584.25	-344.25
<u>020-00-51520</u>	Police Chief	67,288.00	67,288.00	2,866.88	47,131.47	20,156.53
<u>020-00-51740</u>	Police Sergeant	0.00	0.00	2,287.20	20,298.91	-20,298.91
<u>020-00-51755</u>	Police Officer #2	51,671.00	51,671.00	1,752.10	36,580.86	15,090.14
<u>020-00-51756</u>	Traffic Officer	56,202.00	56,202.00	0.00	14,178.74	42,023.26
<u>020-00-51757</u>	Police Officer #3	53,201.00	53,201.00	2,082.40	37,714.06	15,486.94
<u>020-00-51850</u>	Police Officer #4	0.00	0.00	1,103.85	14,221.30	-14,221.30
<u>020-00-52010</u>	Social Security	19,030.00	19,030.00	776.13	14,001.89	5,028.11
<u>020-00-52020</u>	PERS Retirement	72,715.00	72,715.00	3,006.31	55,155.87	17,559.13
<u>020-00-52030</u>	Worker's Comp./Disability Ins.	12,571.00	12,571.00	2.40	6,412.81	6,158.19
<u>020-00-52040</u>	Health, Dental, Life Ins.	51,662.00	51,662.00	1,819.10	33,463.44	18,198.56
<u>020-00-53020</u>	Charge to Public Safety	27,117.00	27,117.00	0.00	0.00	27,117.00
<u>020-00-55800</u>	Vacation Expense	0.00	0.00	0.00	-20,394.28	20,394.28
<u>020-00-61210</u>	Office & Operating Supplies	2,000.00	2,000.00	0.00	1,793.21	206.79
<u>020-00-61260</u>	Uniforms	3,900.00	3,900.00	0.00	622.50	3,277.50
<u>020-00-61270</u>	Reserves Uniforms	500.00	500.00	0.00	0.00	500.00
<u>020-00-61340</u>	Fuel (Equip & Vehicles)	12,000.00	12,000.00	0.00	7,254.75	4,745.25
<u>020-00-62110</u>	Auditing & Accounting	2,100.00	2,100.00	0.00	4,433.60	-2,333.60
<u>020-00-62140</u>	Computer Services	0.00	0.00	0.00	109.00	-109.00
<u>020-00-62175</u>	Legal Services	250.00	250.00	0.00	0.00	250.00
<u>020-00-62210</u>	Telephone	5,500.00	5,500.00	0.00	3,127.20	2,372.80
<u>020-00-62230</u>	Postage	300.00	300.00	0.00	181.79	118.21
<u>020-00-62343</u>	Travel & Training / Meetings	3,500.00	3,500.00	0.00	100.00	3,400.00
<u>020-00-62410</u>	Advertising	150.00	150.00	0.00	0.00	150.00
<u>020-00-62610</u>	Insurance & Bonds	11,193.00	11,193.00	0.00	5,864.61	5,328.39
<u>020-00-62835</u>	Small Tools & Minor Equipment	2,000.00	2,000.00	0.00	17.99	1,982.01
<u>020-00-62840</u>	Vehicles & Equipment Maint.	5,000.00	5,000.00	0.00	4,232.85	767.15
<u>020-00-62910</u>	Investigation Expense	100.00	100.00	0.00	0.00	100.00
<u>020-00-62920</u>	Dues & Memberships	550.00	550.00	0.00	204.15	345.85
<u>020-00-63215</u>	Justice System	6,900.00	6,900.00	0.00	2,859.00	4,041.00
<u>020-00-63216</u>	King's Online	900.00	900.00	0.00	375.00	525.00
<u>020-00-63223</u>	Lexipol	1,750.00	1,750.00	0.00	1,816.00	-66.00
<u>020-00-74020</u>	Police Cruisers	70,000.00	70,000.00	0.00	0.00	70,000.00
<u>020-00-98500</u>	Contingency	34,265.00	34,265.00	0.00	0.00	34,265.00
	<b>Expense Total:</b>	<b>588,555.00</b>	<b>588,555.00</b>	<b>16,003.53</b>	<b>310,078.99</b>	<b>278,476.01</b>
	<b>Fund: 020 - PUBLIC SAFETY Surplus (Deficit):</b>	<b>200.00</b>	<b>200.00</b>	<b>-15,913.53</b>	<b>-304,767.27</b>	



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 030 - WATER ENTERPRISE FUND</b>						
<b>Revenue</b>						
<u>030-00-40100</u>	Prior Year Fund Balance	164,086.00	164,086.00	0.00	0.00	164,086.00
<u>030-00-42010</u>	Interest on Investments	1,000.00	1,000.00	0.00	379.01	620.99
<u>030-00-43440</u>	ARAP Grant	256,000.00	256,000.00	0.00	0.00	256,000.00
<u>030-00-44109</u>	Designated for Reserves	63,266.00	63,266.00	0.00	46,839.82	16,426.18
<u>030-00-44110</u>	Water Usage	416,580.00	416,580.00	0.00	270,275.53	146,304.47
<u>030-00-44111</u>	Door Hanger Fees	2,200.00	2,200.00	0.00	1,200.00	1,000.00
<u>030-00-44112</u>	Past Due Fees	13,000.00	13,000.00	0.00	7,860.00	5,140.00
<u>030-00-44113</u>	Contractor Water Usage	300.00	300.00	50.00	50.00	250.00
<u>030-00-44114</u>	Reconnect Fee	1,000.00	1,000.00	0.00	765.00	235.00
<u>030-00-44210</u>	Water Connection Fees	4,014.00	4,014.00	0.00	5,352.00	-1,338.00
<u>030-00-45010</u>	Irrigation Meters	196.00	196.00	0.00	1,100.00	-904.00
<u>030-00-45500</u>	Restricted Cash-Deposits	2,000.00	2,000.00	50.00	0.00	2,000.00
<u>030-00-46210</u>	Miscellaneous Receipts	500.00	500.00	0.00	54.00	446.00
<u>030-00-46261</u>	Transfer From Water SDC	150,000.00	150,000.00	0.00	0.00	150,000.00
<u>030-00-46880</u>	Reimbursements	1,000.00	1,000.00	0.00	0.00	1,000.00
<u>030-00-46885</u>	Bad Debt Received	0.00	0.00	0.00	38.27	-38.27
	<b>Revenue Total:</b>	<b>1,075,142.00</b>	<b>1,075,142.00</b>	<b>100.00</b>	<b>333,913.63</b>	<b>741,228.37</b>
<b>Expense</b>						
<u>030-00-51100</u>	Overtime	8,000.00	8,000.00	568.89	15,196.69	-7,196.69
<u>030-00-51120</u>	On Call Pay	0.00	0.00	61.50	2,061.00	-2,061.00
<u>030-00-51210</u>	City Administrator	19,550.00	19,550.00	646.80	10,348.80	9,201.20
<u>030-00-51300</u>	Office Clerk	17,870.00	17,870.00	392.84	13,659.56	4,210.44
<u>030-00-51350</u>	Accounting Assistant	6,425.00	6,425.00	160.63	3,090.86	3,334.14
<u>030-00-51400</u>	Accountant	11,058.00	11,058.00	0.00	5,480.82	5,577.18
<u>030-00-51505</u>	PW Superintendent	63,123.00	63,123.00	1,561.14	25,034.03	38,088.97
<u>030-00-51600</u>	WWTP Operator	1,502.00	1,502.00	36.00	440.00	1,062.00
<u>030-00-51800</u>	Maintenance Worker #1	21,801.00	21,801.00	788.04	15,610.03	6,190.97
<u>030-00-51801</u>	Utility Worker #3	34,055.00	34,055.00	1,040.83	23,010.85	11,044.15
<u>030-00-51810</u>	Maintenance Worker #2	14,962.00	14,962.00	521.28	9,809.99	5,152.01
<u>030-00-51900</u>	Utility Worker #2	24,748.00	24,748.00	0.00	0.00	24,748.00
<u>030-00-52010</u>	Social Security	15,329.00	15,329.00	418.83	9,059.53	6,269.47
<u>030-00-52020</u>	PERS Retirement	51,178.00	51,178.00	1,393.96	28,556.17	22,621.83
<u>030-00-52030</u>	Worker's Comp./Disability Ins.	9,262.00	9,262.00	2.12	4,687.73	4,574.27
<u>030-00-52040</u>	Health, Dental, Life Ins.	56,883.00	56,883.00	1,961.38	33,168.66	23,714.34
<u>030-00-52050</u>	Unemployment Insurance	10,000.00	10,000.00	0.00	0.00	10,000.00
<u>030-00-55800</u>	Vacation Expense	0.00	0.00	0.00	-9,096.16	9,096.16
<u>030-00-61210</u>	Office & Operating Supplies	3,000.00	3,000.00	0.00	1,416.93	1,583.07
<u>030-00-61212</u>	Water Purification Supplies	15,000.00	15,000.00	0.00	9,789.92	5,210.08
<u>030-00-61220</u>	Office Equip. Leases	1,129.00	1,129.00	0.00	846.99	282.01
<u>030-00-61230</u>	Software Maintenance	3,189.00	3,189.00	0.00	3,348.07	-159.07
<u>030-00-61260</u>	Uniforms	500.00	500.00	0.00	19.99	480.01
<u>030-00-61340</u>	Fuel (Equip & Vehicles)	4,000.00	4,000.00	0.00	2,014.35	1,985.65
<u>030-00-62100</u>	Bank Charges	3,500.00	3,500.00	0.00	1,184.09	2,315.91
<u>030-00-62110</u>	Auditing & Accounting	7,300.00	7,300.00	0.00	15,517.61	-8,217.61
<u>030-00-62121</u>	Engineering	500.00	500.00	0.00	11,420.25	-10,920.25
<u>030-00-62160</u>	Contract Services	7,800.00	7,800.00	0.00	4,000.00	3,800.00
<u>030-00-62210</u>	Telephone	7,100.00	7,100.00	186.61	4,483.10	2,616.90
<u>030-00-62220</u>	Internet Access	720.00	720.00	0.00	259.96	460.04
<u>030-00-62230</u>	Postage	2,180.00	2,180.00	0.00	1,845.12	334.88
<u>030-00-62343</u>	Travel & Training / Meetings	1,500.00	1,500.00	0.00	0.00	1,500.00
<u>030-00-62610</u>	Insurance & Bonds	8,591.00	8,591.00	0.00	4,910.56	3,680.44
<u>030-00-62740</u>	Electricity	35,000.00	35,000.00	0.00	18,382.14	16,617.86
<u>030-00-62811</u>	Repairs/Maint-WTP	10,000.00	10,000.00	0.00	14,161.36	-4,161.36
<u>030-00-62816</u>	Repairs & Maintenance Pump St	15,000.00	15,000.00	0.00	7,322.03	7,677.97
<u>030-00-62830</u>	Repairs & Maint.-Water Lines	16,000.00	16,000.00	0.00	284.01	15,715.99
<u>030-00-62835</u>	Small Tools & Minor Equipment	5,000.00	5,000.00	0.00	660.06	4,339.94
<u>030-00-62840</u>	Vehicles & Equipment Maint.	10,000.00	10,000.00	0.00	1,616.87	8,383.13





## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>030-00-62844</u>	Meter Repairs	10,000.00	10,000.00	0.00	6,053.63	3,946.37
<u>030-00-62845</u>	Repairs/Maint.(Test Equipment)	0.00	0.00	0.00	2,730.40	-2,730.40
<u>030-00-62912</u>	Dues & OR Statutes	1,000.00	1,000.00	0.00	448.60	551.40
<u>030-00-62925</u>	Permits	3,000.00	3,000.00	0.00	2,789.39	210.61
<u>030-00-62936</u>	Miscellaneous	150.00	150.00	0.00	0.00	150.00
<u>030-00-62943</u>	Reimbursements / Deposits	2,000.00	2,000.00	0.00	0.00	2,000.00
<u>030-00-62980</u>	Lab Equipment & Supplies	2,800.00	2,800.00	0.00	378.13	2,421.87
<u>030-00-62990</u>	Testing	5,000.00	5,000.00	0.00	4,450.42	549.58
<u>030-00-73030</u>	Deady Street North	406,000.00	406,000.00	0.00	0.00	406,000.00
<u>030-00-73035</u>	WTP-Improvements	0.00	0.00	0.00	3,160.56	-3,160.56
<u>030-00-73038</u>	Hubbard Creek Impoundment	0.00	0.00	0.00	4,131.99	-4,131.99
<u>030-00-97031</u>	Transfer to Water Capital Reserves	52,670.00	52,670.00	0.00	0.00	52,670.00
<u>030-00-97045</u>	Transfer to Equip. Replace. Fu	10,000.00	10,000.00	0.00	0.00	10,000.00
<u>030-00-98500</u>	Contingency	39,767.00	39,767.00	0.00	0.00	39,767.00
<u>030-00-99000</u>	Unappropriated Reserves	20,000.00	20,000.00	0.00	0.00	20,000.00
	<b>Expense Total:</b>	<b>1,075,142.00</b>	<b>1,075,142.00</b>	<b>9,740.85</b>	<b>317,745.09</b>	<b>757,396.91</b>
	<b>Fund: 030 - WATER ENTERPRISE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-9,640.85</b>	<b>16,168.54</b>	
<b>Fund: 031 - WATER CAPITAL RESERVES</b>						
<b>Revenue</b>						
<u>031-00-40100</u>	Prior Year Fund Balance	30,338.00	30,338.00	0.00	0.00	30,338.00
<u>031-00-42010</u>	Interest on Investments	400.00	400.00	0.00	90.51	309.49
<u>031-00-46130</u>	Transfer from Water Enterprise	52,670.00	52,670.00	0.00	0.00	52,670.00
	<b>Revenue Total:</b>	<b>83,408.00</b>	<b>83,408.00</b>	<b>0.00</b>	<b>90.51</b>	<b>83,317.49</b>
<b>Expense</b>						
<u>031-00-98999</u>	Reserved for Future Expenditures	83,408.00	83,408.00	0.00	0.00	83,408.00
	<b>Expense Total:</b>	<b>83,408.00</b>	<b>83,408.00</b>	<b>0.00</b>	<b>0.00</b>	<b>83,408.00</b>
	<b>Fund: 031 - WATER CAPITAL RESERVES Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>90.51</b>	
<b>Fund: 035 - SEWER ENTERPRISE FUND</b>						
<b>Revenue</b>						
<u>035-00-40100</u>	Prior Year Fund Balance	389,769.00	389,769.00	0.00	0.00	389,769.00
<u>035-00-42010</u>	Interest on Investments	2,500.00	2,500.00	0.00	811.17	1,688.83
<u>035-00-44115</u>	Designated for Reserves	68,198.00	68,198.00	0.00	52,091.83	16,106.17
<u>035-00-44120</u>	Sewer Usage	567,186.00	567,186.00	0.00	373,574.78	193,611.22
<u>035-00-44213</u>	Sewer Connection Fees	1,400.00	1,400.00	0.00	3,860.00	-2,460.00
<u>035-00-45500</u>	Restricted Cash-Deposits	2,000.00	2,000.00	50.00	0.00	2,000.00
<u>035-00-46210</u>	Miscellaneous Receipts	800.00	800.00	0.00	280.00	520.00
<u>035-00-46236</u>	Transfer from Sewer Capital Reserves	190,000.00	190,000.00	0.00	0.00	190,000.00
<u>035-00-46262</u>	Transfer From Sewer SDC	100,000.00	100,000.00	0.00	0.00	100,000.00
<u>035-00-46885</u>	Bad Debt Received	0.00	0.00	0.00	145.02	-145.02
	<b>Revenue Total:</b>	<b>1,321,853.00</b>	<b>1,321,853.00</b>	<b>50.00</b>	<b>430,762.80</b>	<b>891,090.20</b>
<b>Expense</b>						
<u>035-00-51100</u>	Overtime	3,000.00	3,000.00	0.00	0.00	3,000.00
<u>035-00-51200</u>	City Administrator	21,138.00	21,138.00	700.70	11,211.20	9,926.80
<u>035-00-51300</u>	Office Clerk	17,870.00	17,870.00	392.83	13,659.61	4,210.39
<u>035-00-51350</u>	Accounting Assistant	7,049.00	7,049.00	177.52	3,415.95	3,633.05
<u>035-00-51400</u>	Accountant	11,938.00	11,938.00	0.00	5,937.57	6,000.43
<u>035-00-51505</u>	PW Superintendent	6,394.00	6,394.00	382.92	6,140.41	253.59
<u>035-00-51600</u>	WWTP Operator	48,102.00	48,102.00	1,710.00	20,899.99	27,202.01
<u>035-00-51800</u>	Maintenance Worker #1	3,598.00	3,598.00	114.63	2,270.60	1,327.40
<u>035-00-51801</u>	Utility Worker #3	4,877.00	4,877.00	176.15	3,894.21	982.79
<u>035-00-51810</u>	Maintenance Worker #2	7,731.00	7,731.00	260.64	4,905.00	2,826.00
<u>035-00-52010</u>	Social Security	10,460.00	10,460.00	282.50	5,295.97	5,164.03
<u>035-00-52020</u>	PERS Retirement	34,828.00	34,828.00	472.33	9,539.33	25,288.67
<u>035-00-52030</u>	Worker's Comp./Disability Ins.	4,597.00	4,597.00	1.56	2,423.79	2,173.21
<u>035-00-52040</u>	Health, Dental, Life Ins.	40,003.00	40,003.00	1,222.02	17,257.67	22,745.33
<u>035-00-52050</u>	Unemployment Insurance	5,000.00	5,000.00	0.00	0.00	5,000.00
<u>035-00-55800</u>	Vacation expense	0.00	0.00	0.00	-3,842.31	3,842.31



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>035-00-61210</u>	Office & Operating Supplies	3,000.00	3,000.00	0.00	1,788.58	1,211.42
<u>035-00-61220</u>	Office Equip. Leases	1,129.00	1,129.00	0.00	846.99	282.01
<u>035-00-61230</u>	Software Maintenance	3,188.00	3,188.00	0.00	3,348.08	-160.08
<u>035-00-61260</u>	Uniforms	300.00	300.00	0.00	110.60	189.40
<u>035-00-61340</u>	Fuel (Equip & Vehicles)	3,500.00	3,500.00	0.00	1,851.54	1,648.46
<u>035-00-62100</u>	Bank Charges	3,500.00	3,500.00	0.00	1,434.06	2,065.94
<u>035-00-62110</u>	Auditing & Accounting	4,800.00	4,800.00	0.00	10,254.48	-5,454.48
<u>035-00-62121</u>	Engineering	2,000.00	2,000.00	0.00	0.00	2,000.00
<u>035-00-62160</u>	Contract Services	7,800.00	7,800.00	0.00	9,900.00	-2,100.00
<u>035-00-62210</u>	Telephone	3,700.00	3,700.00	69.99	2,170.01	1,529.99
<u>035-00-62220</u>	Internet Access	1,500.00	1,500.00	152.76	1,028.72	471.28
<u>035-00-62230</u>	Postage	2,600.00	2,600.00	0.00	1,674.10	925.90
<u>035-00-62343</u>	Travel & Training / Meetings	2,500.00	2,500.00	270.00	270.00	2,230.00
<u>035-00-62610</u>	Insurance & Bonds	8,208.00	8,208.00	0.00	4,321.29	3,886.71
<u>035-00-62740</u>	Electricity	33,000.00	33,000.00	0.00	17,432.88	15,567.12
<u>035-00-62816</u>	Repairs & Maint-Pump Station	15,600.00	15,600.00	0.00	11,758.13	3,841.87
<u>035-00-62818</u>	Repairs & Maint. - Sewer Lines	5,000.00	5,000.00	0.00	1,579.97	3,420.03
<u>035-00-62821</u>	Repairs & Maint-STP	20,000.00	20,000.00	0.00	19,385.16	614.84
<u>035-00-62835</u>	Small Tools & Minor Equipment	2,000.00	2,000.00	151.49	397.38	1,602.62
<u>035-00-62840</u>	Vehicles & Equipment Maint.	2,000.00	2,000.00	0.00	1,245.73	754.27
<u>035-00-62845</u>	Repairs/Maint.(Test Equipment)	1,550.00	1,550.00	0.00	206.84	1,343.16
<u>035-00-62912</u>	Dues & OR Statutes	250.00	250.00	0.00	0.00	250.00
<u>035-00-62925</u>	Permits	3,000.00	3,000.00	0.00	3,479.00	-479.00
<u>035-00-62936</u>	Miscellaneous	500.00	500.00	0.00	1,238.12	-738.12
<u>035-00-62943</u>	Reimbursements / Deposits	2,000.00	2,000.00	0.00	0.00	2,000.00
<u>035-00-62980</u>	Lab Equipment & Supplies	3,500.00	3,500.00	0.00	12,556.78	-9,056.78
<u>035-00-62990</u>	Testing	2,000.00	2,000.00	0.00	6.99	1,993.01
<u>035-00-74070</u>	Equipment-Sewer System	440,000.00	440,000.00	0.00	0.00	440,000.00
<u>035-00-81210</u>	Bond Principal	26,432.00	26,432.00	0.00	0.00	26,432.00
<u>035-00-81222</u>	Rev. Bond III Principal	49,081.00	49,081.00	0.00	0.00	49,081.00
<u>035-00-82210</u>	Bond Interest	22,484.00	22,484.00	0.00	0.00	22,484.00
<u>035-00-82222</u>	Rev. Bond III Interest	84,171.00	84,171.00	0.00	0.00	84,171.00
<u>035-00-97036</u>	Transfer to Sewer Capital Reserves	51,763.00	51,763.00	0.00	0.00	51,763.00
<u>035-00-97045</u>	Transfer to Equip Replace Fund	10,000.00	10,000.00	0.00	0.00	10,000.00
<u>035-00-98500</u>	Contingency	68,443.00	68,443.00	0.00	0.00	68,443.00
<u>035-00-98600</u>	Bond Reserve - USDA 1996	48,916.00	48,916.00	0.00	0.00	48,916.00
<u>035-00-98700</u>	Bond Reserve-Revenue Bonds 04	133,252.00	133,252.00	0.00	0.00	133,252.00
<u>035-00-99000</u>	Unappropriated Reserves	22,601.00	22,601.00	0.00	0.00	22,601.00
	<b>Expense Total:</b>	<b>1,321,853.00</b>	<b>1,321,853.00</b>	<b>6,538.04</b>	<b>211,294.42</b>	<b>1,110,558.58</b>
	<b>Fund: 035 - SEWER ENTERPRISE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-6,488.04</b>	<b>219,468.38</b>	
<b>Fund: 036 - SEWER CAPITAL RESERVES</b>						
<b>Revenue</b>						
<u>036-00-40100</u>	Prior Year Fund Balance	201,596.00	201,596.00	0.00	0.00	201,596.00
<u>036-00-42010</u>	Interest on Investments	2,000.00	2,000.00	0.00	597.90	1,402.10
<u>036-00-46135</u>	Transfer from Sewer Enterprise	51,763.00	51,763.00	0.00	0.00	51,763.00
	<b>Revenue Total:</b>	<b>255,359.00</b>	<b>255,359.00</b>	<b>0.00</b>	<b>597.90</b>	<b>254,761.10</b>
<b>Expense</b>						
<u>036-00-91135</u>	Transfer to Sewer Enterprise	190,000.00	190,000.00	0.00	0.00	190,000.00
<u>036-00-98999</u>	Reserved for Future Expenditures	65,359.00	65,359.00	0.00	0.00	65,359.00
	<b>Expense Total:</b>	<b>255,359.00</b>	<b>255,359.00</b>	<b>0.00</b>	<b>0.00</b>	<b>255,359.00</b>
	<b>Fund: 036 - SEWER CAPITAL RESERVES Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>597.90</b>	
<b>Fund: 040 - STREET FUND</b>						
<b>Revenue</b>						
<u>040-00-40100</u>	Prior Year Fund Balance	89,795.00	89,795.00	0.00	0.00	89,795.00
<u>040-00-41230</u>	State Highway Tax	85,238.00	85,238.00	0.00	46,701.09	38,536.91
<u>040-00-42010</u>	Interest on Investments	500.00	500.00	0.00	180.16	319.84
<u>040-00-43418</u>	ODOT Grants	0.00	0.00	0.00	75,047.85	-75,047.85



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>040-00-44360</u>	Street Use Fees/Deposits	2,400.00	2,400.00	0.00	0.00	2,400.00
	<b>Revenue Total:</b>	<b>177,933.00</b>	<b>177,933.00</b>	<b>0.00</b>	<b>121,929.10</b>	<b>56,003.90</b>
	<b>Expense</b>					
<u>040-00-51505</u>	PW Superintendent	1,237.00	1,237.00	589.10	9,446.69	-8,209.69
<u>040-00-51750</u>	Seasonal Maint. Worker	9,451.00	9,451.00	0.00	5,208.14	4,242.86
<u>040-00-51800</u>	Maintenance Worker #1	10,570.00	10,570.00	372.53	7,379.27	3,190.73
<u>040-00-51801</u>	Utility Worker #3	8,767.00	8,767.00	304.23	6,726.22	2,040.78
<u>040-00-51810</u>	Maintenance Worker #2	9,539.00	9,539.00	325.79	6,131.21	3,407.79
<u>040-00-52010</u>	Social Security	3,335.00	3,335.00	116.52	2,575.98	759.02
<u>040-00-52020</u>	PERS Retirement	7,526.00	7,526.00	414.84	7,735.76	-209.76
<u>040-00-52030</u>	Worker's Comp./Disability Ins.	2,676.00	2,676.00	0.55	1,411.62	1,264.38
<u>040-00-52040</u>	Health, Dental, Life Ins.	18,641.00	18,641.00	498.18	8,178.58	10,462.42
<u>040-00-52050</u>	Unemployment Insurance	5,000.00	5,000.00	0.00	0.00	5,000.00
<u>040-00-53040</u>	Charge to Streets	16,470.00	16,470.00	0.00	0.00	16,470.00
<u>040-00-55800</u>	Accrued Sick Leave	0.00	0.00	0.00	-2,539.80	2,539.80
<u>040-00-61210</u>	Office & Operating Supplies	250.00	250.00	0.00	0.00	250.00
<u>040-00-61260</u>	Uniforms	20.00	20.00	0.00	0.00	20.00
<u>040-00-61340</u>	Fuel (Equip & Vehicles)	3,000.00	3,000.00	0.00	1,851.81	1,148.19
<u>040-00-62121</u>	Engineering	1,000.00	1,000.00	0.00	0.00	1,000.00
<u>040-00-62610</u>	Insurance & Bonds	5,649.00	5,649.00	0.00	2,974.40	2,674.60
<u>040-00-62740</u>	Electricity	1,500.00	1,500.00	0.00	707.23	792.77
<u>040-00-62820</u>	Repairs/Maintenance-Shop Yard	1,000.00	1,000.00	0.00	1,708.95	-708.95
<u>040-00-62835</u>	Small Tools & Minor Equipment	500.00	500.00	0.00	2,690.23	-2,190.23
<u>040-00-62840</u>	Vehicles & Equipment Maint.	2,500.00	2,500.00	0.00	1,224.01	1,275.99
<u>040-00-62851</u>	R & M - Streets	5,000.00	5,000.00	0.00	922.95	4,077.05
<u>040-00-62942</u>	Reimbursements / Refunds	2,400.00	2,400.00	0.00	0.00	2,400.00
<u>040-00-73031</u>	Improvements - Streets	20,000.00	20,000.00	0.00	73,871.96	-53,871.96
<u>040-00-98500</u>	Contingency	41,702.00	41,702.00	0.00	0.00	41,702.00
	<b>Expense Total:</b>	<b>177,733.00</b>	<b>177,733.00</b>	<b>2,621.74</b>	<b>138,205.21</b>	<b>39,527.79</b>
	<b>Fund: 040 - STREET FUND Surplus (Deficit):</b>	<b>200.00</b>	<b>200.00</b>	<b>-2,621.74</b>	<b>-16,276.11</b>	
	<b>Fund: 042 - STREETS CAPITAL IMPROVEMENT</b>					
	<b>Revenue</b>					
<u>042-00-40100</u>	Prior Year Fund Balance	4,406.00	4,406.00	0.00	0.00	4,406.00
<u>042-00-42010</u>	Interest on Investments	200.00	200.00	0.00	12.92	187.08
<u>042-00-46110</u>	Transfer from General Fund	27,845.00	27,845.00	0.00	0.00	27,845.00
	<b>Revenue Total:</b>	<b>32,451.00</b>	<b>32,451.00</b>	<b>0.00</b>	<b>12.92</b>	<b>32,438.08</b>
	<b>Expense</b>					
<u>042-00-98999</u>	Reserved for Future Expenditures	32,451.00	32,451.00	0.00	0.00	32,451.00
	<b>Expense Total:</b>	<b>32,451.00</b>	<b>32,451.00</b>	<b>0.00</b>	<b>0.00</b>	<b>32,451.00</b>
	<b>Fund: 042 - STREETS CAPITAL IMPROVEMENT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>12.92</b>	
	<b>Fund: 045 - EQUIPMENT REPLACEMENT FUND</b>					
	<b>Revenue</b>					
<u>045-00-40100</u>	Prior Year Fund Balance	93,084.00	93,084.00	0.00	0.00	93,084.00
<u>045-00-42010</u>	Interest on Investments	800.00	800.00	0.00	276.09	523.91
<u>045-00-46030</u>	Transfer from Water Enterprise	10,000.00	10,000.00	0.00	0.00	10,000.00
<u>045-00-46035</u>	Transfer from Sewer Enterprise	10,000.00	10,000.00	0.00	0.00	10,000.00
	<b>Revenue Total:</b>	<b>113,884.00</b>	<b>113,884.00</b>	<b>0.00</b>	<b>276.09</b>	<b>113,607.91</b>
	<b>Expense</b>					
<u>045-00-74020</u>	Service Vehicle	100,000.00	100,000.00	0.00	0.00	100,000.00
<u>045-00-98999</u>	Reserved for Future Expenditures	13,884.00	13,884.00	0.00	0.00	13,884.00
	<b>Expense Total:</b>	<b>113,884.00</b>	<b>113,884.00</b>	<b>0.00</b>	<b>0.00</b>	<b>113,884.00</b>
	<b>Fund: 045 - EQUIPMENT REPLACEMENT FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>276.09</b>	
	<b>Fund: 061 - WATER SYSTEM DEVELOPMENT</b>					
	<b>Revenue</b>					
<u>061-00-40100</u>	Prior Year Fund Balance	485,806.00	485,806.00	0.00	0.00	485,806.00
<u>061-00-42010</u>	Interest on Investments	4,000.00	4,000.00	0.00	1,500.72	2,499.28



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<u>061-00-44350</u>	System Development Charges	26,757.00	26,757.00	0.00	36,384.00	-9,627.00
	<b>Revenue Total:</b>	<b>516,563.00</b>	<b>516,563.00</b>	<b>0.00</b>	<b>37,884.72</b>	<b>478,678.28</b>
	<b>Expense</b>					
<u>061-00-91130</u>	Transfer to Water Enterprise	150,000.00	150,000.00	0.00	0.00	150,000.00
<u>061-00-98999</u>	Reserved for Future Expenditures	366,563.00	366,563.00	0.00	0.00	366,563.00
	<b>Expense Total:</b>	<b>516,563.00</b>	<b>516,563.00</b>	<b>0.00</b>	<b>0.00</b>	<b>516,563.00</b>
	<b>Fund: 061 - WATER SYSTEM DEVELOPMENT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>37,884.72</b>	
	<b>Fund: 062 - SEWER SYSTEM DEVELOPMENT</b>					
	<b>Revenue</b>					
<u>062-00-40100</u>	Prior Year Fund Balance	322,003.00	322,003.00	0.00	0.00	322,003.00
<u>062-00-42010</u>	Interest on Investments	3,000.00	3,000.00	0.00	998.30	2,001.70
<u>062-00-44351</u>	SDC Reimbursement Fees	13,503.00	13,503.00	0.00	22,950.00	-9,447.00
<u>062-00-44361</u>	SDC Improvement Fees	1,383.00	1,383.00	0.00	2,350.00	-967.00
	<b>Revenue Total:</b>	<b>339,889.00</b>	<b>339,889.00</b>	<b>0.00</b>	<b>26,298.30</b>	<b>313,590.70</b>
	<b>Expense</b>					
<u>062-00-91136</u>	Transfer to Sewer Enterprise	100,000.00	100,000.00	0.00	0.00	100,000.00
<u>062-00-98999</u>	Reserved for Future Expenditures	239,889.00	239,889.00	0.00	0.00	239,889.00
	<b>Expense Total:</b>	<b>339,889.00</b>	<b>339,889.00</b>	<b>0.00</b>	<b>0.00</b>	<b>339,889.00</b>
	<b>Fund: 062 - SEWER SYSTEM DEVELOPMENT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>26,298.30</b>	
	<b>Total Surplus (Deficit):</b>	<b>400.00</b>	<b>400.00</b>	<b>-31,704.33</b>	<b>671,557.90</b>	





## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

## Group Summary

Account Type	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 010 - GENERAL FUND</b>					
Revenue	929,383.00	929,383.00	4,651.00	902,697.88	26,685.12
Expense	929,383.00	929,383.00	2,862.67	279,205.19	650,177.81
<b>Fund: 010 - GENERAL FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>1,788.33</b>	<b>623,492.69</b>	<b>-623,492.69</b>
<b>Fund: 014 - PARKS FUND</b>					
Revenue	260,416.00	260,416.00	2,627.76	125,614.97	134,801.03
Expense	260,416.00	260,416.00	1,456.26	57,303.74	203,112.26
<b>Fund: 014 - PARKS FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>1,171.50</b>	<b>68,311.23</b>	<b>-68,311.23</b>
<b>Fund: 020 - PUBLIC SAFETY</b>					
Revenue	588,755.00	588,755.00	90.00	5,311.72	583,443.28
Expense	588,555.00	588,555.00	16,003.53	310,078.99	278,476.01
<b>Fund: 020 - PUBLIC SAFETY Surplus (Deficit):</b>	<b>200.00</b>	<b>200.00</b>	<b>-15,913.53</b>	<b>-304,767.27</b>	<b>304,967.27</b>
<b>Fund: 030 - WATER ENTERPRISE FUND</b>					
Revenue	1,075,142.00	1,075,142.00	100.00	333,913.63	741,228.37
Expense	1,075,142.00	1,075,142.00	9,740.85	317,745.09	757,396.91
<b>Fund: 030 - WATER ENTERPRISE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-9,640.85</b>	<b>16,168.54</b>	<b>-16,168.54</b>
<b>Fund: 031 - WATER CAPITAL RESERVES</b>					
Revenue	83,408.00	83,408.00	0.00	90.51	83,317.49
Expense	83,408.00	83,408.00	0.00	0.00	83,408.00
<b>Fund: 031 - WATER CAPITAL RESERVES Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>90.51</b>	<b>-90.51</b>
<b>Fund: 035 - SEWER ENTERPRISE FUND</b>					
Revenue	1,321,853.00	1,321,853.00	50.00	430,762.80	891,090.20
Expense	1,321,853.00	1,321,853.00	6,538.04	211,294.42	1,110,558.58
<b>Fund: 035 - SEWER ENTERPRISE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-6,488.04</b>	<b>219,468.38</b>	<b>-219,468.38</b>
<b>Fund: 036 - SEWER CAPITAL RESERVES</b>					
Revenue	255,359.00	255,359.00	0.00	597.90	254,761.10
Expense	255,359.00	255,359.00	0.00	0.00	255,359.00
<b>Fund: 036 - SEWER CAPITAL RESERVES Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>597.90</b>	<b>-597.90</b>
<b>Fund: 040 - STREET FUND</b>					
Revenue	177,933.00	177,933.00	0.00	121,929.10	56,003.90
Expense	177,733.00	177,733.00	2,621.74	138,205.21	39,527.79
<b>Fund: 040 - STREET FUND Surplus (Deficit):</b>	<b>200.00</b>	<b>200.00</b>	<b>-2,621.74</b>	<b>-16,276.11</b>	<b>16,476.11</b>
<b>Fund: 042 - STREETS CAPITAL IMPROVEMENT</b>					
Revenue	32,451.00	32,451.00	0.00	12.92	32,438.08
Expense	32,451.00	32,451.00	0.00	0.00	32,451.00
<b>Fund: 042 - STREETS CAPITAL IMPROVEMENT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>12.92</b>	<b>-12.92</b>
<b>Fund: 045 - EQUIPMENT REPLACEMENT FUND</b>					
Revenue	113,884.00	113,884.00	0.00	276.09	113,607.91
Expense	113,884.00	113,884.00	0.00	0.00	113,884.00
<b>Fund: 045 - EQUIPMENT REPLACEMENT FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>276.09</b>	<b>-276.09</b>
<b>Fund: 061 - WATER SYSTEM DEVELOPMENT</b>					
Revenue	516,563.00	516,563.00	0.00	37,884.72	478,678.28
Expense	516,563.00	516,563.00	0.00	0.00	516,563.00
<b>Fund: 061 - WATER SYSTEM DEVELOPMENT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>37,884.72</b>	<b>-37,884.72</b>
<b>Fund: 062 - SEWER SYSTEM DEVELOPMENT</b>					
Revenue	339,889.00	339,889.00	0.00	26,298.30	313,590.70
Expense	339,889.00	339,889.00	0.00	0.00	339,889.00
<b>Fund: 062 - SEWER SYSTEM DEVELOPMENT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>26,298.30</b>	<b>-26,298.30</b>
<b>Total Surplus (Deficit):</b>	<b>400.00</b>	<b>400.00</b>	<b>-31,704.33</b>	<b>671,557.90</b>	



## Income Statement

For Fiscal: 2021-2022 Period Ending: 03/31/2022

## Fund Summary

Fund	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
010 - GENERAL FUND	0.00	0.00	1,788.33	623,492.69	-623,492.69
014 - PARKS FUND	0.00	0.00	1,171.50	68,311.23	-68,311.23
020 - PUBLIC SAFETY	200.00	200.00	-15,913.53	-304,767.27	304,967.27
030 - WATER ENTERPRISE FU	0.00	0.00	-9,640.85	16,168.54	-16,168.54
031 - WATER CAPITAL RESER	0.00	0.00	0.00	90.51	-90.51
035 - SEWER ENTERPRISE FU	0.00	0.00	-6,488.04	219,468.38	-219,468.38
036 - SEWER CAPITAL RESER	0.00	0.00	0.00	597.90	-597.90
040 - STREET FUND	200.00	200.00	-2,621.74	-16,276.11	16,476.11
042 - STREETS CAPITAL IMPR	0.00	0.00	0.00	12.92	-12.92
045 - EQUIPMENT REPLACE	0.00	0.00	0.00	276.09	-276.09
061 - WATER SYSTEM DEVEL	0.00	0.00	0.00	37,884.72	-37,884.72
062 - SEWER SYSTEM DEVEL	0.00	0.00	0.00	26,298.30	-26,298.30
<b>Total Surplus (Deficit):</b>	<b>400.00</b>	<b>400.00</b>	<b>-31,704.33</b>	<b>671,557.90</b>	



# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Planning

ITEM NO: 6 d.

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On March 1<sup>st</sup> we met and discussed the Vacation Rentals in detail. The planning commission is putting a lot of thought and research into what they would like to do. I have attached the research and a survey that we have put together. It is the 1<sup>st</sup> draft of the Survey so there might be a change by the next planning meeting.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



## **A BRIEF OVERVIEW – AND POSSIBLE APPROACHES TO STR MANAGING IN PORT ORFORD**

IN LOOKING AT VARIOUS WAYS THE COMMUNITIES ON THE OREGON COAST HAVE ADOPTED REGULATIONS (SEE AGENDA PACKET ITEM: VACATION RENTAL LAWS ON THE OREGON COAST) TO MANAGE SHORT TERM RENTALS, THERE ARE OBVIOUS SIMILARITIES AND DIFFERENCES. FOR EXAMPLE, ALL THE TOWNS HAVE ADOPTED A PACKAGE OF RULES TO REGULATE THE PRACTICAL MANAGEMENT, SUCH AS OCCUPANCY LIMITS, PARKING, CONTACT INFORMATION, BUSINESS LICENSES, FEES TO COVER THE COSTS OF ADMINISTRATION AND INSPECTIONS, ETC. THE DETAILS IN EACH TOWN VARY, BUT THEY ALL COVER THE PRACTICAL ASPECTS OF OWNERS AND RENTERS INTERACTING WITH THE TOWN. ADDRESSING THESE ASPECTS SEEMS FAIRLY STRAIGHTFORWARD COMPARED TO THE MAJOR DIFFERENCES THAT EXIST WHEN YOU LOOK AT WHERE IN EACH TOWN STR'S ARE PERMITTED TO BE.

ONE WAY TO COMPARE HOW TOWNS HAVE OR HAVEN'T ACTED TO MANAGE THE LARGER QUESTIONS OF WHERE AND HOW MANY STR'S ARE ALLOWED, IS TO MAKE AN INCREMENTAL LIST. WHAT FOLLOWS IS SUCH A LIST, WITH LESS RESTRICTIVE RULES IN RESIDENTIAL ZONES NEAR THE TOP, AND THE MORE RESTRICTIVE TOWARD THE BOTTOM:

### **A. MINIMAL MANAGEMENT:**

1. **JUST ALLOW** WITHOUT FORMALLY ADDRESSING THEM – WALDPOR
2. **EXEMPT** STR'S FROM THE LAND USE PROCESS – TILLAMOOK
3. **MAKE STR'S AN OUTRIGHT USE IN RESIDENTIAL ZONES**, BUT LIMIT OWNERSHIP INTEREST TO ONE STR. – MANZANITA

### **B. CONDITIONAL USE WITH RESTRICTIONS**

4. **ALLOW BY CONDITIONAL USE** IN R ZONES – GOLD BEACH, REEDSPORT, BROOKINGS

5. **ALLOW BY CONDITIONAL USE IN SOME AREAS OF THE R ZONES – GARIBALDI**
6. **ALLOW BY CONDITIONAL USE IN SOME R ZONES, BUT LIMIT DENSITY, DEPENDING ON LOCATION ON MAP; RENTAL UNIT MUST BE APPLICANT’S PRIMARY RESIDENCE, SECOND HOME, OR OTHER PRIMARY RESIDENTIAL USE. – SEASIDE**

### **C. CAP ON NUMBERS**

7. **OWNER LIMITED TO ONE STR IN R ZONE, ANNUAL LICENSES NOT TRANSFERABLE; STR NUMBERS IN THE PROCESS OF BEING REDUCED TO A CAP; RENTING LESS THAN 30 DAYS PER YEAR IS NOT CLASSIFIED COMMERCIAL AND RULES ARE MORE LENIENT. – LINCOLN CITY**
8. **CAP ON STR’S IN R ZONES, ADMINISTRATIVE REVIEW REQUIRED FOR LICENSE, DISTANCE REQUIREMENT BETWEEN UNITS. – COOS BAY**

### **D. GRANDFATHER IN EXISTING R ZONE STR’S, BUT SOME OR ALL WILL BE PHASED OUT**

9. **GRANDFATHERED STR PERMITS THAT ARE NON-TRANSFERABLE WITH NO NEW PERMITS BEING ISSUED IN MOST R ZONES; R-3 ZONE STILL AVAILABLE FOR NON-TRANSFERABLE PERMITS. – GEARHART**
10. **EXISTING LIFETIME AND 5-YEAR PERMITS ARE VOID ON SALE OR TRANSFER AND NO MORE BEING ISSUED; PERMITS ARE AVAILABLE LIMITING STR RENTAL TO ONCE IN A FOURTEEN-DAY PERIOD, ONLY ONE PERMIT PER OWNER. – CANNON BEACH**
11. **OVERLAY ZONE CREATED TO RESTRICT STR’S TO AREAS NEAR TOURIST DISTRICTS, SPACING STANDARDS BETWEEN UNITS; PRE-EXISTING STR’S ACKNOWLEDGED AS NON-CONFORMING AND ANY EXISTING OUTSIDE OVERLAY ZONE TO BE DISCONTINUED WHEN PROPERTY SOLD OR TRANSFERRED. – NEWPORT**

### **E. STR’S ELIMINATED FROM R ZONES**



12. **STR'S IN R ZONES ELIMINATED;** OWNERS REQUIRED TO AMORTIZE AND GIVE UP LICENSE WITHIN 4 YEARS WITH A HARDSHIP-BASED TIME EXTENSION AVAILABLE – DEPOE BAY
13. **NO STR'S OR BED AND BREAKFASTS** ALLOWED IN RESIDENTIAL ZONES; ONLY ALLOWABLE AS A CONDITIONAL USE IN SPECIAL CONTROLLED DEVELOPMENT ZONES WHERE DENSITY AND DISTANCE RULES APPLY. – BANDON
14. **NO STR'S IN RESIDENTIAL ZONES.** – WARRENTON

**OTHER:**

HOMESTAYS IN OWNER-OCCUPIED HOME ARE ALLOWED IN R ZONES IN MOST TOWNS.

SOME TOWNS WON'T REISSUE BUSINESS LICENSES TO OWNERS WITH A VIOLATION.

LOOKING UP AND DOWN THE COAST AND AT TOWNS AND COUNTIES ALL OVER THE COUNTRY, IT'S EASY TO SEE WE ARE NOT ALONE IN ADDRESSING THESE ISSUES.

--SUBMITTED BY COMMISSIONER THELEN 3/22/2022



## **Vacation Rental Laws on the Oregon Coast**

For the Port Orford Planning Commission March 2022 meeting by Commissioner Thelen.

This is a north to south overview of Vacation Rental laws on the Oregon coast with a focus on how towns or counties are currently addressing the land use issues of VR's in different zones. All areas also have requirements for licensing VR's, such as parking, maximum occupancy, insurance, health and safety, etc.; and all deal with collection of TLT.

### **Warrenton** –population about 5500

<http://www.qcode.us/codes//warrenton/view.php?topic=16&frames=on>

Homestay in owner-occupied home allowed in some Residential zones.

Vacation Rentals allowed outright in C-1 Zone, by conditional use in C-MU and R-C, but not Residential zones.

### **Gearhart** –population about 1600

<https://www.cityofgearhart.com/general/page/vacation-rental-dwellings>

STR rental permits for most Residential Zones existing in 2016 grandfathered in. Permits are not transferable and dissolve with the sale of the property unless the property transfers by inheritance to a natural person as directed in a will or trust. No new permits in these zones.

R-3 zone STR permits are available and are non-transferable.

### **Seaside** –population about 6700

<https://www.cityofseaside.us/planning-department/pages/vacation-rental-application-and-information>

STR's allowed by conditional use in some R zones.

No cap, but density limitations depending on location on Zone map.

The VRD conditional use permit is issued by the Planning Commission or the Planning Director as an accessory use for the property. The primary use should be the applicant's personal residence, second home, or other primary residential uses.

### **Clatsop County** Unincorporated areas –population about 14,300

<https://www.co.clatsop.or.us/landuse/page/short-term-rental-ordinance-revisions>

A moratorium on new STR's has been extended until April 2022, pending public input and Ordinance revision.

STR's currently allowed in R zones.

Only one STR on a property.

### **Cannon Beach** –population about 1500

<https://www.ci.cannon-beach.or.us/planning/page/short-term-rentals>

“Five-year unlimited permit” allows the property owner to rent the property any and all days of the year. This permit expires and cannot be renewed at the end of five years. These permits are being phased out after November, 2019 It is likely that no more will be issued, according to Cannon Beach planning. 40 existing as of Jan. 2021.

“Lifetime unlimited permit” allows the property owner to rent the property any and all days of the year. Upon the sale or transfer the lifetime unlimited permit is void. No more are currently being issued. 48 existing as of Jan. 2021.

“Fourteen-day permit” allows the property owner to rent the property to one tenancy group once in a fourteen-day period of time. Any owner of property in an RVL, RL, R1, R2, R3, MP or RAM zone can apply for a 14-day short-term rental permit, provided that they do not already hold a sort-term rental permit. Short-Term Rentals are not permitted in accessory dwelling units. Owners can have only one 14-day permit and they aren't transferable. 118 existing as of Jan. 2021.

A short term rental task force is monitoring STR's in the area.

### **Manzanita** –population about 400

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjgyYW Wxvj1AhUTJEQIHcmjBecQFnoECAsQAQ&url=https%3A%2F%2Fci.manzanita.or.us%2Fwp-content%2Fuploads%2F2020%2F03%2FOrdinance-10-03-STR-Regulations.pdf&usq=AOvVaw2s486J7aoU\\_5PfOQM5Cgs4](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjgyYW Wxvj1AhUTJEQIHcmjBecQFnoECAsQAQ&url=https%3A%2F%2Fci.manzanita.or.us%2Fwp-content%2Fuploads%2F2020%2F03%2FOrdinance-10-03-STR-Regulations.pdf&usq=AOvVaw2s486J7aoU_5PfOQM5Cgs4)

-STR's are an outright use in Residential zones

No one may have an ownership interest in more than one VR.

### **Rockaway Beach** –population about 1200

[https://corb.us/vertical/sites/%7B087A747C-D4DD-4132-9CE8-8372D0E33390%7D/uploads/TLT\\_Packet\\_for\\_Website.pdf](https://corb.us/vertical/sites/%7B087A747C-D4DD-4132-9CE8-8372D0E33390%7D/uploads/TLT_Packet_for_Website.pdf)

ADU not allowed as STR.

Bed and Breakfast allowed in Residential Zones by Conditional Use Permit.

“Traveler's Lodging” defined in Code, but not apparently regulated in Zones

Short Term Rental License and payment of TRT required.

**Garibaldi** –population about 800

<https://www.ci.garibaldi.or.us/2159/Development-Building>

The R1 zone allows vacation rental dwellings outright, established prior to February 11, 2008, and located south of US 101 or accessed privately from US 101.

As a conditional use, the R1 zone allows short-term rentals only south of US 101, or accessed privately from US 101.

Bed and breakfast establishments are also allowed as a conditional use in the R1 zone, given certain conditions.

**Tillamook** –population about 5200

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwi76bCS hfb1AhVqJ0QIHsckC2YQFnoECC4QAQ&url=https%3A%2F%2Ftillamookor.gov%2Fwp-content%2Fuploads%2F2019%2F09%2F1351-Amending-TRT-Ord-Definition-for-Hotel-and-Processes-May-be-Imposed.pdf&usg=AOvVaw2xIRERMdT8EREUdmA2VMtf>

City codes amended in 2019 to exempt STR's from the land use process, and so are allowed in all zones.

**Tillamook County** Unincorporated areas –population about 16,000

includes Netarts –800, Pacific City –1200, Neskowin –150

No restriction on STR location.

**Lincoln County** Unincorporated areas

[https://www.newportnewstimes.com/news/judge-grants-injunction-against-measure-21-203/article\\_00af976a-5a06-11ec-9e80-a3cd56f0d340.html](https://www.newportnewstimes.com/news/judge-grants-injunction-against-measure-21-203/article_00af976a-5a06-11ec-9e80-a3cd56f0d340.html)

<https://www.avalara.com/mylodgetax/en/blog/2021/12/new-lincoln-county-vacation-rental-rules-on-hold-until-court-decision-on-ballot-measure.html>

[https://www.co.lincoln.or.us/sites/default/files/fileattachments/board\\_of\\_commissioners/page/9251/ordinance\\_523\\_amendment\\_to\\_lcc\\_sect\\_4.405\\_-\\_4.460\\_str.pdf](https://www.co.lincoln.or.us/sites/default/files/fileattachments/board_of_commissioners/page/9251/ordinance_523_amendment_to_lcc_sect_4.405_-_4.460_str.pdf)

Lincoln County updated existing STR rules last fall.

Short-term rental operators cited for operating without a license are disqualified from receiving a license in the future.

Short-term rental operators may not advertise their rentals or make them available without a license.

The number of licenses that can be issued in each area is limited.

The county's original rules, passed in 2016, require short-term rental hosts to obtain a license, display publicly visible signage, and follow rules on parking, garbage, quiet times, sewage systems, occupancy limits, etc.

Voters passed a measure in November to make Lincoln County stop issuing new short-term rental licenses while phasing out vacation rentals in single-family residential areas in unincorporated parts of the county over five years. This measure has been challenged in court and a stay has been put on the implementation that may be resolved in March 2022.

**Lincoln City** –population about 8800

<https://www.codepublishing.com/OR/LincolnCity/html/LincolnCity05/LincolnCity0514.html#5.14.010>

<https://www.codepublishing.com/OR/LincolnCity/html/LincolnCity17/LincolnCity1780.html#17.80.050>

Annually renewed non-transferable VRD license required.

License Fee. The fee for application for a vacation rental dwelling license or license renewal shall be in an amount to recover the city's actual costs of reviewing and issuing the license application or license renewal application, including any required inspections.

VR ownership numbers unlimited in Commercial zones.

Owners may only have ownership in one VR in a Residential zone.

Rentals of less than 30 days per year are "incidental" and have other rules.

VR's in residential zones are being reduced and capped at 10% of the total number of lots in that zone.

**Depoe Bay** –population about 1800

<https://www.cityofdepoebay.org/sites/default/files/fileattachments/planning/page/3237/zoning24codifiednov2011.pdf>

VR's allowed in Limited Land Use Overlay Zone, a Commercial Zone with residences.

Also allowed in all Commercial and Industrial zones.

Owners must register as a Transient Occupancy Business.

When Ordinance passed, VR's in Residential Zones were classified as non-conforming use and required to amortize within 4 years, meaning they had 4 years to get their money back and stop operating in that Zone.

A Hardship provision and procedures for business owners who need more time to recoup investment, subject to approval.

**Newport** –population about 10,600

<https://newportoregon.gov/dept/cdd/documents/SummaryKeyChangesNewportShort-TermRentalRegulations.pdf>

Distinguishes between home shares and VR's—no cap or density requirements for HS.

Created Rental Overlay Zone to restrict VR's to areas proximate to the city's major tourist commercial districts.

Caps VR's at less than 200—there are currently 193 listed online (city council set cap at 180, which is 3.1% of housing units).

Spacing standards to avoid VR concentrations.

Pre-existing STR's acknowledged as non conforming, and outside of overlay zone will be discontinued when property is sold or transferred.

VR's in overlay zone count towards cap, but don't have density requirements.

**Waldport** –population about 2100

<https://www.waldportoregon.gov/planning-zoning/pages/short-term-rentals>

The City of Waldport does not currently have a Cap, Lottery or Restriction on Short Term Rentals/Transient Lodging nor does it have specific areas zoned for rentals less than 30 days.

Waldport recently passed zoning approval for Accessory Dwelling Units. However, building an ADU precludes either it or the primary dwelling being used for Short Term Rentals.

**Florence** –population about 9400

<https://www.ci.florence.or.us/council/city-code>

STR's are not addressed.

Bed and Breakfast rentals are a conditional use allowed in some zones

**Reedsport** –population about 4100

<https://www.cityofreesport.org/vertical/sites/%7B6971DF3C-6EDF-4E48-B355-C823C5A2E331%7D/uploads/MuniCodeSupp28-Website.pdf>

Short Term Rental—by conditional use in R zones. Owner occupied.

Vacation Rental—conditional use in R zones. Need VR operator's license and Business license.

**Coos Bay** –population about 16,200

<https://www.codepublishing.com/OR/CoosBay/>

Passed new VR code January 2022.

Created Homestay category for all zones—owner occupied renting part of home.

Put a cap on VR's in Residential neighborhoods at 75 (1% of housing units in town). There were 38 VR's out of compliance with zoning codes when Ordinance passed.

Regulated distance between VR's – 300 feet.

**Bandon** –population about 3100

[https://www.cityofbandon.org/sites/default/files/fileattachments/general/page/280/title\\_17\\_-\\_zoning\\_06.03.21\\_update.pdf](https://www.cityofbandon.org/sites/default/files/fileattachments/general/page/280/title_17_-_zoning_06.03.21_update.pdf)

VRD's not allowable in Residential, nor are bed and breakfasts.

Vacation Rental Dwellings (VRDs) are conditional uses in the CD-1, CD-2, CD-3 and C-3 Zones. In order to apply for a VRD permit, you must ensure that less than 30% of the single-family detached dwellings within 250 feet of the subject property (and located in a zone where VRDs are allowed) are VRDs. This is referred to as your "saturation rate."

No ADU's as VRD's.

**Port Orford** –population about 1000

<http://qcode.us/codes/portorford/>

Currently Moratorium on new VR business licenses.

VR's are not defined in City codes.

55 VR's now, City estimated 75% are in Residential zones, 2 or 3 might be Homestay type.

Port Orford has 735 total Housing units.  $55 / 735 = 7.5\%$  of Residential houses are VR's.

**GOLD BEACH** –population about 2400



[https://www.currypilot.com/news/gold-beach-cracks-down-on-vacation-rentals/article\\_503811f0-b40b-11eb-b156-b3647ec71056.html](https://www.currypilot.com/news/gold-beach-cracks-down-on-vacation-rentals/article_503811f0-b40b-11eb-b156-b3647ec71056.html)

<https://www.goldbeachoregon.gov/index.asp?SEC=AF292E63-833A-452B-8839-994EC195D768&DE=1C7B3F4E-C8E7-4286-B60D-C4F5CA771356>

Vacation rentals OK in Residential zones by Conditional Use permit, outright in Commercial.

ADU's can't be used as VR's.

Bed and Breakfast's must comply with VR rules.

Gold Beach City Council adopted an ordinance to enforce payment of state and local lodging taxes.

**Brookings** –population about 6400

<https://www.codepublishing.com/OR/Brookings/>

Any existing dwelling in any of the residential zones and in the general commercial (C-3) zone can be used for short-term rental purposes as set forth in that zone and pursuant to certain regulations as follows:

Short-term rental conditional use permits are specific to the owner of the dwelling unit and shall not run with the land.

In August 2021 they had 42 STR's; 22 added in the last 3 years. Housing units 6000+

## **Curry County**

Does not have any requirements for VR's at this time but according to County Planning, will be developing requirements over the next few months, which would apply to the part of Garrison Lake not within the city limits of Port Orford.



## Short Term Vacation Rentals in Residential Zones- Port Orford

This survey has been put together by the Port Orford Planning Commission. We are looking for resident input into regulations for Short Term Vacation Rentals in Residential zones. Please review and submit your answers and they will be discussed at the Planning Commission Meetings. A hard copy can be filled out in City Hall also.

1. What are your top two priorities for a " Good Neighbor" policy for short term vacation rentals?

- 1. Posted quiet hours from 10pm -7am.
- Maximum occupancy of two people per sleeping area plus 2 additional people, not to exceed 12 people.
- One Off-street parking area per every 2 sleeping areas.
- Required garbage pick-up at least 1x per week and all cans must be covered at all times.
- Contact within 30 minutes of the house and must respond if requested 24 hours a day. This information must be given to all property owners of record within 300 feet of premises and City Hall.
- All dogs must be leashed whenever they are in an unenclosed area.
- Other Suggested Good Neighbor Guidelines?

2. Would you support a location limit? Example: Vacation Rentals can not be closer than three hundred (300) feet of an existing vacation rental.

- Yes
- No

3. Currently Business License fees are \$25 or \$100 annually. Managing Short Term Vacation Rentals will be additional time needed by staff in City Hall. Would you support an initial license or permit fee of \$450.00 then annually a fee of \$400.00 for Short Term Vacation Rentals?

- Yes
- No

4. Would you support having a complaint form and process for Short Term Vacation Rentals? If so please provide 2 items you would like to see detailed in the process.



## Port Orford Watershed Council Minutes

March 2, 2022

Meeting conducted by conference call

Present: Linda Tarr, Pat Rhoades, Phyllis Johns, John Leuthe, Lin Smith, Kim Foster, Meg Humphreys had to leave meeting due to cell coverage issue. Absent Mari Lochhaas and our City Council liaison, Carolyn LaRouche  
Erin Minster from Soil and Water Conservation district attended.

Minutes from last meeting already approved by e-mail.

### Old Business

#### .OHA Fire Prevention grant

Erin reported that she will continue to access and use Oregon Dept. Forestry money she has obtained through her grant to do mowing on the Sorenson. There is also ODF money for disease resistant Port Orford Cedars for planting on Sorenson. She expressed frustration about not having the invoice paid for work already done under the Oregon Health Authority fire prevention grant. She would like to use more of that money for hand crew work on gorse, but hesitates to engage a crew with lack of confidence about the City's ability to follow through with Business Oregon to allocate funds from grants. She would also like to move forward on the Fire Prevention Plan, but this problem with accessing \$\$ from grants prevents that.

#### .OHA Forest Management Plan Grant

There is still no progress on using the funding for this grant, which was granted in June of 2021. Communication with City Administrator, and ongoing help from Jacquie Fern from DEQ has not resulted in utilizing this funding. Jacquie Fern suggests a stakeholder's meeting with Tawni Bean from Business Oregon, Jessica Ginsburg, Jacquie Fern and POWC representative. To review, the FMP is one of the necessary steps in procuring Source Water Protection Funding for the City's purchase of the Wilson parcel. The goal set for applying for that funding is April. That does not seem attainable now.

(Note: subsequent communication from Jacquie Fern's supervisor and Business Oregon is that BO is waiting for a go ahead from Port Orford. Jacquie Fern recommends stakeholder meeting to clear up whatever the bottle neck is.)

Update on Miranda Grey's outreach on funding for Septic System inspection/repair for low-income waterfront owners.

Miranda sent out 100 cards to landowners in Garrison Lake watershed. She received 10 back. This is enough response to move forward with work toward grant. If grant is received, there can be more outreach to be able to fund more landowners. Miranda will move forward with this project.

#### Brochures for conservation

Kim Foster submitted files to members with first broad design ideas for info to be placed at motels and vacation rentals, encouraging guests to conserve water. Also, a design for stickers for local businesses and for availability at tabling.

Discussion of various wording, designs, and costs. Discussion of anonymous contributions of \$ for printing costs. Set the goal of having this product available for distribution by May. Discussion of ways to broaden information to residents about conservation.

### New Business

Phyllis Johns brought ideas from her work with Main Street. Julie Hawthorne has suggested planting trees along Highway 101, starting with the school. Phyllis obtained permission from Superintendent of 2CJ to plant trees after the renovation work at Driftwood is completed. Shore Pines are recommended. Discussion about whether to apply for grant from Wild Rivers

Coast Alliance to pay for large trees and professional landscapers. There is the possibility of just digging up small trees on roadsides and volunteers' property, saving the work of grants and funding. Discussion of how to include students in this project.  
The timing of the planting would be next winter after rains have started.

Members concerns:  
None

Meeting adjourned.

# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Abatement of Nuisance and Dangerous Housing

ITEM NO: 7 a.

Attached is a copy of the Current Ordinance for the dealing with Abatement of Nuisance and Dangerous Housing. This was adopted in 1984 and it adopted the 1982 version. Since then the 1982 version has been updated using the Uniform Code for the Abatement of Dangerous Buildings, Uniform Building Code 1997.

The Uniform Building Code was replaced with the International Building Code in 1998 to current.

In the International Building Code there is a book for Existing Buildings. I have a PDF version of the whole book it is 321 pages. I did not print it but I have an article attached understanding the compliance methods and the Existing Building code from the 2014 Oregon Structural specialty Code that was not adopted by the state but can be adopted by municipalities.

At the meeting in February City Council voted to table the discussion and or voting on the updated Ordinance for 1 month. Council Members had asked for the whole book to be sent via PDF to them and that was sent on February 25, 2022.

This item is open for discussion or vote.

### Suggested Motions:

#### ***Motion to have Ordinance passed in 1 night with 2 readings.***

I make a motion that the city council adopt the International Existing Building Code Ordinance 2022-05 in one meeting with both reading this evening.

(If the vote is unanimous to adopt in one meeting, then please see one meeting adoption motion)

(If the vote is **NOT** unanimous, please proceed to the TWO meeting adoption motion below)

#### ***Motion to have Ordinance adopted in 1 meeting.***

I make the motion that the City Council adopt the International Existing Building Code Ordinance 2022-05 and approve the first and second readings by title only to take effect 30 days from March 17, 2022 which is April 16, 2022.

#### ***Motion to have Ordinance adopted in 2 meetings.***

I make a motion that the City Council adopt the International Existing Building Code Ordinance 2022-05 and approve the first reading by title only.

***Motion to table discussion and or Adoption of Ordinance***

I make a motion that the City Council table the discussion and adoption of the International Existing Building Code Ordinance 2022-05 for an additional month.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



ORDINANCE NUMBER 2022-05

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD

The Common Council of the City of Port Orford hereby ordains that the following Ordinance 2022-05 be adopted for the edition of the International Existing Building Code.

Section 15.04.010 of Title 15 Chapter 15.04 Abatement of Nuisance and Dangerous Housing of the Port Orford Municipal code is hereby amended and corrected to read as follows:

15.04.010: Adoption by Reference:

The approved editions of the following nationally recognized code, are adopted as the official building code of the City of Port Orford.

- A. International Existing Building Code: The International Existing Building Code is designed to apply to all types of buildings and structures. The notices, orders and appeals procedures specified have been found to be workable and are referenced by the Uniform Building Code. The provisions of this code will provide the building official with the proper legal steps in abating, dilapidated, defective buildings which endanger life, health, property and public safety within concepts of fair play and justice.

Section 2. That Ordinance No. 321-84 is hereby repealed

DATED :

Passed or Failed by the following Roll Call Vote

Yes: \_\_\_\_\_

No: \_\_\_\_\_

Passed \_\_\_\_\_ Failed \_\_\_\_\_

\_\_\_\_\_  
Mayor Pat Cox

ATTEST:

\_\_\_\_\_  
Jessica Ginsburg, City Recorder



ORDINANCE NO. 321-84

An ORDINANCE DEALING WITH ABATEMENT OF NUISANCE AND DANGEROUS HOUSING.

BE IT ORDAINED by the Common Council of the City of Port Orford as follows:

Section 1. That the Uniform Code for the Abatement of Dangerous Buildings, Uniform Building Code, 1982 Edition published by the International Conference of Building Officials for The Abatement of Dangerous Buildings, a copy of which is on file in the City Administrators Office, City of Port Orford, Oregon is adopted in its entirety by the City of Port Orford.

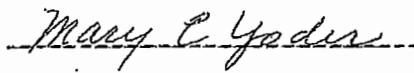
Section 2. That Ordinance No. 305 is hereby repealed.

Read three (3) times in full this 14th day of May, 1984 upon final passage adopted by more than 2/3 of all the members of the Common Council of the City of Port Orford, taken by ayes and nays.

ATTEST:

  
City Recorder

The foregoing Ordinance is hereby approved by me this 14<sup>th</sup> day of May, 1984.

  
Mayor

CITY OF PORT ORFORD

ORDINANCE NO. 321-84

U N I F O R M C O D E

F O R T H E

A B A T E M E N T O F

D A N G E R O U S B U I L D I N G S

Chapter 1  
TITLE AND SCOPE

TITLE

Sec. 101. This Code shall be known as the "Uniform Code for the Abatement of Dangerous Buildings," may be cited as such, and will be referred to herein as "this Code."

PURPOSE AND SCOPE

Sec. 102. (a) Purpose. It is the purpose of the provisions of this Code to provide a just, equitable, and practicable method, to be cumulative with and in addition to, any other remedy provided by the Uniform Building Code, 1982 Edition, or Uniform Housing Code, 1982 Edition, or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated or demolished.

(b) Scope. The provisions of this Code shall apply to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in this City.

ALTERATIONS, ADDITIONS AND REPAIRS

Sec. 103. All buildings or structures which are required to be repaired under the provisions of this Code shall be subject to the provisions of subsections (a), (b), (c), (d), (e) and (i) of Section 104 of the Uniform Building Code.

Chapter 2  
ENFORCEMENT

GENERAL

Sec. 201.(a) Administration. The Building Official is hereby authorized to enforce the provisions of this Code.

(b) Inspections. The City Health Officer, the Fire Marshal and the Building Official are hereby authorized to make such inspections and take such action as may be required to enforce the provisions of this Code.

(c) Right of Entry. 1. Wherever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises dangerous as defined in Section 302 of this Code, the Building Official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the Building Official by this Code; provided that (i) if such building or premises be occupied, he shall first present proper credentials and demand entry; and (ii) if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

2. "Authorized representative" shall include the officers named in Section 201 (b) and their authorized inspection personnel.

3. No owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper demand is made as herein provided, to promptly permit entry therein by the Building Official or his authorized representative for the purpose of inspection and examination pursuant to this Code. Any person violating this subsection shall be guilty of a misdemeanor.

ABATEMENT OF DANGEROUS BUILDINGS

Sec. 202. All buildings or portions thereof which are determined after inspection by the Building Official to be dangerous as defined in this Code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in Section 401 of this Code.

VIOLATIONS

Sec. 203. No person, firm, or corporation, whether as owner, lessee, sublessee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code or any order issued by the Building Official hereunder. Any person violating the provisions of this Section shall be guilty of a misdemeanor for each day such violation continues.

## INSPECTION OF WORK

Sec. 204. All buildings or structures within the scope of this Code and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by this Code and Sections 304 and 305 of the Uniform Building Code.

## BOARD OF APPEALS

Sec. 205. In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals consisting of five members who are not employees of the city. The Building Official shall be an ex officio member of and shall act a Secretary to said Board. The Board shall be appointed by the Governing Body and shall hold office at its pleasure. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Building Official. Appeals to the Board shall be processed in accordance with the provisions contained in Section 501 of this Code. Copies of all rules or regulations adopted by the Board shall be delivered to the Building Official who shall make them freely accessible to the public.

Chapter 3  
DEFINITIONS

GENERAL

Sec. 301. For the purpose of this Code, certain words, phrases, and terms, and their derivatives shall be construed as specified in this Chapter. Words, phrases, and terms used in this Code, but not specifically defined herein, shall have the meanings stated therefor in the Uniform Building Code, or Uniform Housing Code. Where not defined in this Code or in the Uniform Building Code, or Uniform Housing Code, such words, phrases, and terms shall have the meanings stated therefor in Webster's New International Dictionary of the English Language, Unabridged, Third Edition.

DANGEROUS BUILDING

Sec. 302. For the purpose of this Code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants are endangered:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the Uniform Building Code for new buildings of similar structure, purpose or location.
3. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Uniform Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
5. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the Uniform Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Uniform Building Code for such buildings.
6. Whenever any portion thereof has cracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
7. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration, or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.



8. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

9. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

10. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

11. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or (iii) as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

12. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this city, as specified in the Uniform Building Code, or Uniform Housing Code, or of any law or ordinance of this state or city relating to the condition, location, or structure of buildings.

13. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion, less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

14. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Health Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

15. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard.

16. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

17. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

## Chapter 4

## NOTICES AND ORDERS OF BUILDING OFFICIAL

## GENERAL

Sec. 401. (a) Commencement of Proceedings. Whenever the Building Official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, he shall commence proceedings to cause the repair, vacation, or demolition of the building.

(b) Notice and Order. The Building Official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain:

1. The street address and a legal description sufficient for identification of the premises upon which the building is located.

2. A statement that the Building Official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of Section 302 of this Code.

3. A statement of the action required to be taken as determined by the Building Official.

(i) If the Building Official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the Building Official shall determine is reasonable under all of the circumstances.

(ii) If the Building Official has determined that the building or structure shall be vacated within a time certain from the date of the order as determined by the Building Official to be reasonable.

(iii) If the Building Official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the Building Official shall determine is reasonable (not to exceed 60 days from the date of the order); that all required permits be secured therefor within 60 days from the date of the order, and that the demolition be completed within such time as the Building Official shall determine is reasonable.

4. Statements advising that if any required repair or demolition within the time specified, the Building Official (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its owner.

5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the Building Official to the Board of Appeals,

provided the appeal is made in writing as provided in this Code, and filed with the Building Official within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

(c) Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner, and posted on the property; and one copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly or relieve any such person from any duty or obligation imposed on him by the provisions of this Section.

(d) Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at his address as it appears on the last equalized assessment roll of the county or as known to the Building Official. If no address of any such person so appears or is known to the Building Official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to received such notice shall not affect the validity of any proceedings taken under this Section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

(c) Proof of Service. Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail shall be affixed to the copy of the notice and order retained by the Building Official.

#### RECORDATION OF NOTICE AND ORDER

Sec. 402. If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Building Official shall file in the office of the County Recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a dangerous building on the property described in the certificate, the Building Official shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is not longer dangerous, whichever is appropriate.

## REPAIR, VACATION AND DEMOLITION

Sec. 403. (a) Standards to be Followed. The following standards shall be followed by the Building Official (and by the Board of Appeals if an appeal is taken) in ordering the repair, vacation or demolition of any dangerous building or structure:

1. Any building declared a dangerous building under this ordinance shall either be repaired in accordance with the current building code or shall be demolished at the option of the building owner.

2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

## NOTICE TO VACATE

Sec. 404. (a) Posting. Every notice to vacate shall, in addition to being served as provided in Section 401(c), be posted at or upon each exit of the building, and shall be substantially the following form:

"DO NOT ENTER  
UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building,  
or remove or deface this notice.

Building Official  
City of \_\_\_\_\_"

(b) Compliance. Whenever such notice is posted, the Building Official shall include a notification thereof in the notice and order issued by him under subsection(b) of Section 401, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Uniform Building Code. Any person violating this subsection shall be guilty of a misdemeanor.

## CHAPTER 5

## APPEAL

## GENERAL

Sec. 501. (a) Form of Appeal. Any person entitled to service under Section 401(c) may appeal from any notice and order or any action of the Building Official under this Code by filing at the office of the Building Official a written appeal containing:

1. A heading in the words: "Before the Board of Appeals of the City of \_\_\_\_\_"

2. A caption reading: "Appeal of \_\_\_\_\_," giving the names

of all appellants participating in the appeal.

3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.

4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.

5. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside.

6. The signatures of all parties named as appellants, and their official mailing address.

7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within 30 days from the date of the service of such order or action of the Building Official; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 404, such appeal shall be filed within 10 days from the date of the service of the notice and order of the Building Official.

(b) Processing of Appeal. Upon receipt of any appeal filed pursuant to this Section, the Building Official shall present it at the next regular or special meeting of the Board of Appeals.

(c) Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the written appeal the Board of Appeals shall fix a date, time, and place for the hearing of the appeal by the Board. Such date shall be not less than 10 days from the date the appeal was filed with the Building Official. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Secretary of the Board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

#### EFFECT OF FAILURE TO APPEAL

Sec.502. Failure of any person to file an appeal in accordance with the provisions of Section 501 shall constitute a waiver of his right to an administrative hearing and adjudication of the notice and order, or any portion thereof.

#### SCOPE OF HEARING ON APPEAL

Sec.503. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

## STAYING OF ORDER UNDER APPEAL

Sec.504. Except for vacation orders made pursuant to Section 403, enforcement of any notice and order of the Building Official issued under this Code shall be stayed during the pendency of an appeal therefrom which is property land timely filed.

## CHAPTER 6

PROCEDURE FOR CONDUCT  
OF HEARING APPEALS

## GENERAL

Sec.601. (a)Hearing Examiners. The Board may appoint one or more hearing examiners or designate one or more of its members to service as hearing examiners to conduct the hearings. The examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted by him to the Board for decision.

(b)Record. A record of the entire proceedings shall be made by tape recording, or by any other means of permanent recording determined to be appropriate by the Board.

(c)Reporting. The proceedings at the hearing shall also be reported by a phonographic reporter if requested by any party thereto. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established by the Board, but shall in no event be greater than the cost involved.

(d)Continuances. The Board may grant continuances for good cause shown; however, when a hearing examiner has been assigned to such hearing, no continuances may be granted except by him for good cause shown so long as the matter remains before him.

(e) Oaths-Certification. In any proceedings under this Chapter, the Board, any board member, or the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.

(f)Reasonable Dispatch. The Board and its representatives shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

## FORM OF NOTICE OF HEARING

Sec.602. The notice to appellant shall be substantially in the following form, but may include other information:

"You are hereby notified that a hearing will be held before (the Board or name of hearing examiner) at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour \_\_\_\_\_, upon the notice and order served upon you. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit

therefor with (Board or name of hearing examiner)."

#### SUBPOENAS

Sec. 603(a) Filing of Affidavit. The Board or examiner may obtain the issuance and service of a subpoena for the attendance of witnesses or the production of other evidence at a hearing upon the request of a member of the Board or upon the written demand of any party. The issuance and service of such subpoena shall be obtained upon the filing of an affidavit therefor which states the name and address of the proposed witness; specifies the exact things sought to be produced and the materiality thereof in detail to the issues involved; and states that the witness has the desired things in his possession or under his control. A subpoena need not be issued when the affidavit is defective in any particular.

(b) Cases Referred to Examiner. In cases where a hearing is referred to an examiner, all subpoenas shall be obtained through the examiner.

(c) Penalties. Any person who refuses without lawful excuse to attend any hearing, or to produce material evidence in his possession or under his control as required by any subpoena served upon such person as provided for herein shall be guilty of a misdemeanor.

#### CONDUCT OF HEARING

Sec. 604. (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

(b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.

(c) Hearsay Evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state.

(d) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.

(e) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

(f) Rights of Parties. Each party shall have these rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

4. To impeach any witness regardless of which party first called him to testify;
5. To rebut the evidence against him;
6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

(g) Official Notice. 1. What may be noticed. In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official records of the Board or Departments and ordinances of the city or rules and regulations of the Board.

2. Parties to be notified. Parties present at the hearing shall be informed of the matters to be noticed, and these matters shall be noted in the record, referred to therein, or appended thereto.

3. Opportunity to refute. Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the Board or hearing examiner.

4. Inspection of the premises. The Board or the hearing examiner may inspect any building or premises involved in the appeal during the course of the hearing, provided that (i) notice of such inspection shall be given to the parties before the inspection is made, (ii) the parties are given an opportunity to be present during the inspection, and (iii) the Board or the hearing examiner shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn therefrom. Each party then shall have a right to rebut or explain the matters so stated by the Board or hearing examiner.

#### METHOD AND FORM OF DECISION

Sec. 605. (a) Hearing Before Board Itself. Where a contested case is heard before the Board itself, no member thereof who did not hear the evidence or has not read the entire record of the proceedings shall vote on or take part in the decision.

(b) Hearing Before Examiner. If a contested case is heard by a hearing examiner alone, he shall within a reasonable time (not to exceed 90 days from the date the hearing is closed) submit a written report to the Board. Such report shall contain a brief summary of the evidence considered and state the examiner's findings, conclusions and recommendations. The report also shall contain a proposed decision in such form that it may be adopted by the Board as its decision in the case. All examiner's reports filed with the Board shall be matters of public record. A copy of each such report and proposed decision shall be mailed to each party on the date they are filed with the Board.

(c) Consideration of Report by Board--Notice. The Board shall fix a time, date, and place to consider the examiner's report and proposed decision. Notice thereof shall be mailed to each interested party not less than five days prior to the date fixed, unless it is otherwise stipulated by all of the parties.



(d) Exceptions to Report. Not later than two days before the date set to consider the report, any party may file written exceptions to any part or all of the examiner's report and may attach thereto a proposed decision together with written argument in support of such decision. By leave of the Board, any party may present oral argument to the Board.

(e) Disposition by the Board. The Board may adopt or reject the proposed decision in its entirety, or may modify the proposed decision.

(f) Proposed Decision Not Adopted. If the proposed decision is not adopted as provided in subsection (e), the Board may decide the case upon the entire record before it, with or without taking additional evidence; or may refer the case to the same or another hearing examiner to take additional evidence. If the case is reassigned to a hearing examiner, he shall prepare a report and proposed decision as provided in subsection (b) hereof after any additional evidence is submitted. Consideration of such proposed decision by the Board shall comply with the provisions of this Section.

(g) Form of Decision. The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered to the appellant personally or sent to him by certified mail, postage prepaid, return receipt requested.

(h) Effective Date of Decision. The effective date of the decision shall be as stated herein.

## CHAPTER 7

### ENFORCEMENT OF THE ORDER

#### OF THE BUILDING OFFICIAL

#### OR THE BOARD OF APPEALS

### COMPLIANCE

Sec. 701. (a) General. After any order of the Building Official or the Board of Appeals made pursuant to this Code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor.

(b) Failure to Obey Order. If, after any order of the Building Official or Board of Appeals made pursuant to this Code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Building Official may (i) cause such person to be prosecuted under subsection (a) of this Section or (ii) institute any appropriate action to abate such building as a public nuisance.

(c) Failure to Commence Work. Whenever the required repair or demolition is not commenced within 30 days after any final notice and order issued under this Code becomes effective:

1. The Building Official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

"DANGEROUS BUILDING

DO NOT OCCUPY

It is a misdemeanor to occupy this building or to remove or deface this notice.

Building Official  
City of \_\_\_\_\_"

2. No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition, or removal ordered by the Building Official have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Uniform Building Code.

3. The Building Official, may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or, if the notice and order required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this Code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

#### EXTENSION OF TIME TO PERFORM WORK

Sec. 702. Upon receipt of an application from the person required to conform to the order and an agreement by such person that he will comply with the order if allowed additional time, the Building Official may, in his discretion, grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation, or demolition, if the Building Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Building Official's authority to extend time is limited to the physical repair, rehabilitation, or demolition of the premises and will not in any way affect the time to appeal his notice and order.

#### INTERFERENCE WITH REPAIR OR DEMOLITION WORK PROHIBITED

Sec. 703. No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city, or with any person who owns or holds any estate or interest in any building which has been ordered repaired, vacated or demolished under the provisions of this Code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this Code, whenever such officer, employee, contractor or authorized

representative of the city, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this Code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this Code.

## CHAPTER 8

### PERFORMANCE OF WORK

#### OF REPAIR OR DEMOLITION

##### GENERAL

Sec.801. (a) Procedure. When any work of repair or demolition is to be done pursuant to Section 701(c)3 of this Code, the Building Official shall issue his order therefor to the Director of Public Works and the work shall be accomplished by city personnel or by private contract under the direction of said Director. Plans and specifications therefor may be prepared by said Director, or he may employ such architectural and engineering assistance on a contract basis as he may deem reasonably necessary. If any part of the work is to be accomplished by private contract, Standard Public Works contractual procedures shall be followed.

(b) Costs. The cost of such work shall be paid from the Repair and Demolition Fund, and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner, whichever the City Council shall determine is appropriate.

##### REPAIR AND DEMOLITION FUND

Sec.802. (a) General. The City Council shall establish a special revolving fund to be designated as the Repair and Demolition Fund. Payments shall be made out of said fund upon the demand of the Director of Public Works to defray the costs and expenses which may be incurred by the city in doing or causing to be done the necessary work of repair or demolition of dangerous buildings.

(b) Maintenance of Fund. The Council may at any time transfer to the Repair and Demolition Fund, out of any money in the General Fund of the city, such sums as it may deem necessary in order to expedite the performance of the work of repair or demolition, and any sum so transferred shall be deemed a loan to the Repair and Demolition Fund and shall be repaid out of the proceeds of the collections hereinafter provided for. All funds collected under the proceedings hereinafter provided for, shall be paid to the City Treasurer who shall credit the same to the Repair and Demolition Fund.

## CHAPTER 9

RECOVERY OF COST OF  
REPAIR OR DEMOLITION

## ACCOUNT OF EXPENSE, FILING OF REPORT: CONTENTS

Sec.901. The Director of Public Works shall keep an itemized account of the expense incurred by the city in the repair or demolition of any building done pursuant to the provisions of Section 701(c)3 of this Code. Upon the completion of the work of repair or demolition, said Director shall prepare and file with City Clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to subsection (c) of Section 401.

## REPORT TRANSMITTED TO COUNCIL---SET FOR HEARING

Sec.902. Upon receipt of said report, the City Clerk shall present it to the City Council for consideration. The City Council shall fix a time, date and place for hearing said report, and any protests or objections thereto. The City Clerk shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in the city, and served by certified mail, postage prepaid, addressed to the owner of the property as his name and address appear on the last equalized assessment roll of the county, if such so appear, or as known to the Clerk. Such notice shall be given at least 10 days prior to the date set for hearing and shall specify the day, hour, and place when the Council will hear and pass upon the Director's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

## PROTESTS AND OBJECTIONS---HOW MADE

Sec.903. Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the report of the Director. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by him. He shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

## HEARING OF PROTESTS

Sec.904. Upon the day and hour fixed for the hearing the City Council shall hear and pass upon the report of the Director together with any such objections or protests. The Council may make such revision, correction or modification in the report or the charge as it may deem just; and when the Council is satisfied with the

correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the City Council on the report and the charge, and on all protests or objections, shall be final and conclusive.

#### PERSONAL OBLIGATION OR SPECIAL ASSESSMENT

Sec.905(a)General. The City Council may thereupon order that said charge shall be made a personal obligation of the property owner or assess said charge against the property involved.

(b) Personal Obligation. If the City Council orders that the charge shall be a personal obligation of the property owner, it shall direct the City Attorney to collect the same on behalf of the city by use of all appropriate legal remedies.

(c) Special Assessment. If the City Council orders that the charge shall be assessed against the property it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien upon the property.

#### CONTEST

Sec.906. The validity of any assessment made under the provisions of this Chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is placed upon the assessment roll as provided herein. Any appeal from a final judgment in such action or proceeding must be perfected within 30 days after the entry of such judgment.

#### LIEN OF ASSESSMENT

Sec.908.(a)Priority. Immediately upon its being placed on the assessment roll the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property, and shall be paramount to all other liens except for state, county and municipal taxes with which it shall be upon a parity. The lien shall continue until the assessment and all interest due and payable thereon are paid.

(b)Interest. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the rate of 7 percent per annum from and after said date.

#### REPORT TO ASSESSOR AND TAX COLLECTOR: ADDITION OF ASSESSMENT TO TAX BILL

Sec. 909. After confirmation of the report, certified copies of the assessment shall be given to the City Assessor and the City Tax Collector, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

## FILING COPY OF REPORT WITH COUNTY AUDITOR

Sec. 910. If the County Assessor and the County Tax Collector assess property and collect taxes for the city, a certified copy of the assessment shall be filed with the County Auditor on or before August 10th. The descriptions of the parcels reported shall be those used for the same parcels on the County Assessor's map books for the current year.

## COLLECTION OF ASSESSMENT: PENALTIES FOR FORECLOSURE

Sec. 911. The amount of the assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected; and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary municipal taxes shall be applicable to such assessment.

If the City Council has determined that the assessment shall be paid in installments, each installment and any interest thereon shall be collected in the same manner as ordinary municipal taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedure for sale as provided for ordinary municipal taxes.

## REPAYMENT OF REPAIR AND DEMOLITION FUND

Sec. 912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the City Treasurer who shall credit the same to the Repair and Demolition Fund.

The foregoing Ordinance was adopted by the Common Council of the City of Port Orford, Oregon on the 14 th day of May, 1984.

Roberta Badger  
City Recorder

ATTEST

Mary Gadsen  
Mayor



## Permit Center

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# International Existing Building Code Understanding the Compliance Methods

The 2018 edition of the International Building Code (IBC) requires the use of the International Existing Building Code (IEBC) when a project intends to modify an existing building. This includes repairs, alterations, relocation of buildings, additions and change of occupancy.

The IEBC is beneficial to the building owner and the project design team because it allows "flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements" that may be otherwise impractical with full enforcement of the IBC. The intent of the IEBC is still to maintain minimum levels of safety regarding "fire prevention, structural and life safety features of the rehabilitated building."

In order to use the IEBC, the design professional and/or applicant must select one of three compliance methods that they feel best suits their scope of work. The three potential compliance methods offer different strategies for dealing with the application of code requirements to the existing building.

### **Option 1: Prescriptive Compliance Method (Chapter 5)**

Generally when using the Prescriptive method, the proposal must comply with the provisions of the International Building Code (IBC). This method has some specific requirements for structural upgrades depending on project scope, and offers some minor exceptions to full compliance with the IBC in certain scenarios.

### **Option 2: Work Area Compliance Method (Chapter 6 through 12)**

This method categorizes alterations into three levels, based on the scope of work. Each level has specific code provisions and exceptions that may apply to the area of work, the affected building story, or the entire building depending on the scope of the alteration. Projects in levels 2 and 3 must comply with the previous levels' requirements.

**Level 1** – Minor alterations that include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose.

**Level 2** – Alterations that include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment. The majority of tenant improvements fall into this level. Depending on the scope of work, upgrades to sprinkler systems, open floor penetrations, and/or means of egress may be required.

**Level 3** – Alterations, including those mentioned in other levels, where the work area exceeds 50% of the building area. In certain situations, this level may require improving safety of certain building features beyond the work area.

### **Option 3: Performance Compliance Method (Chapter 13)**

The Performance method may be the most flexible, but also requires the most thorough evaluation of the existing building. Using a numerical scoring system involving 19 safety parameters and the degree of code compliance for each, this method allows the project design team to show that alterations, while not meeting new construction requirements, improve the current situation.





## CHAPTER 34

# EXISTING BUILDINGS AND STRUCTURES

### SECTION 3401 GENERAL

**3401.1 Scope.** The provisions of this chapter shall control the *alteration, repair, addition* and change of occupancy of existing buildings and structures.

**Exception:** Alterations to existing *bleachers*, grandstands and folding and telescopic seating shall comply with ICC 300. Sections 501.2, 502, 503 and 504 of ICC 300 are not adopted by the State of Oregon.

**3401.2 Maintenance.**

**Not adopted by the State of Oregon but may be adopted by local municipalities.**

Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the *building official* shall have the authority to require a building or structure to be reinspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

**3401.3 Compliance.** *Alterations, repairs, additions* and changes of occupancy to existing structures shall comply with the provisions for *alterations, repairs, additions* and changes of occupancy in the *Energy Code, Fire Code, Fuel Gas Code, Mechanical Code, Plumbing Code, Residential Code* and NFPA 70.

**3401.4 Building materials and systems.** Building materials and systems shall comply with the requirements of this section.

**3401.4.1 Existing materials.** Materials already in use in a building in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the *building official* to be unsafe per Section 116.

**3401.4.2 New and replacement materials.** Except as otherwise required or permitted by this code, materials permitted by the applicable code for new construction shall be used. Except for structural repairs and alterations, like materials shall be permitted for repairs and alterations, provided no hazard to life, health or property is created. Hazardous materials shall not be used where the code for new construction would not *permit* their use in buildings of similar occupancy, purpose and location.

**3401.4.3 Existing seismic force-resisting systems.** Where the existing seismic force-resisting system is a type that can be designated ordinary and is a type that is allowed in the *Seismic Design Category*, values of  $R$ ,  $\Omega_0$ ,

and  $C_d$  for the existing seismic force-resisting system shall be those specified by this code for an ordinary system unless it is demonstrated that the existing system will provide performance equivalent to that of a detailed, intermediate or special system.

**3401.5 Dangerous conditions.** The *building official* shall have the authority to require the elimination of conditions deemed *dangerous*.

**3401.6 Alternative compliance.** Work performed in accordance with the latest revision of Oregon Statewide Alternate Method 08-05 shall be deemed to comply with the provisions of this chapter. See [www.bcd.oregon.gov](http://www.bcd.oregon.gov).

### SECTION 3402 DEFINITIONS

**3402.1 Definitions.** The following terms are defined in Chapter 2:

**DANGEROUS.**

**EXISTING STRUCTURE.**

**PRIMARY FUNCTION.** See Chapter 11, Accessibility.

**SUBSTANTIAL STRUCTURAL DAMAGE.**

**TECHNICALLY INFEASIBLE.** See Chapter 11, Accessibility.

### SECTION 3403 ADDITIONS

**3403.1 General.** *Additions* to any building or structure shall comply with the requirements of this code for new construction. *Alterations* to the existing building or structure shall be made to ensure that the existing building or structure together with the *addition* are no less conforming with the provisions of this code than the existing building or structure was prior to the *addition*. An existing building together with its *additions* shall comply with the height and area provisions of Chapter 5.

**3403.2 Flood hazard areas.** For buildings and structures in *flood hazard areas* established by the Flood Plain Administrator, any *addition* that constitutes substantial improvement of the existing structure, as defined in Section 1612.2, shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in *flood hazard areas* established by the Flood Plain Administrator, any additions that do not constitute substantial improvement of the existing structure, as defined in Section 1612.2, are not required to comply with the flood design requirements for new construction.

## EXISTING BUILDINGS AND STRUCTURES

**OAR 918-008-0000** is not part of this code but is provided here for the reader's convenience:

**918-008-0000 Purpose and Scope.**

(1) The Department of Consumer and Business Services, Building Codes Division, adopts model building codes, standards and other publications by reference, as necessary, through administrative rule to create the state building code. When a matter is included in a specialty code or referenced publication that is in conflict with Oregon Revised Statutes or Oregon Administrative Rules, the statute or rule applies and the code or standard provision does not. All remaining parts or application of the code or standard remain in effect.

(2) Unless required by law, matters generally not authorized for inclusion in a specialty code or referenced standard include, but are not limited to: licensing or certification requirements, or other qualifications and standards for businesses or workers; structures or equipment maintenance requirements; matters covered by federal or state law; and matters that conflict with other specialty codes or publications adopted by the department.

(3) OAR 918-008-0000 to OAR 918-008-0070 provides the process for adopting and amending the state building code that is consistent across all program areas.

(4) The state building code is derived from the most appropriate version of base model codes, which are updated periodically.

(5) The Oregon specialty code amendment process begins approximately midway into a code cycle.

(6) An appropriate advisory board approves or forwards the adoption of the Oregon specialty code and amendments to the Department for adoption.

(7) Notwithstanding sections (3) through (6) of this rule, the division may adopt supplemental code amendments as authorized by OAR 918-008-0028.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020, 455.030 & 479.730

Stats. Implemented: ORS 447.020, 455.030 & 479.730

Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 1-2014, f. 1-22-14, cert. ef. 4-1-14

**3403.3 Existing structural elements carrying gravity load.**

Any existing gravity load-carrying structural element for which an *addition* and its related alterations cause an increase in design gravity load of more than 5 percent shall be strengthened, supplemented, replaced or otherwise altered as needed to carry the increased gravity load required by this code for new structures. Any existing gravity load-carrying structural element whose gravity load-carrying capacity is decreased shall be considered an altered element subject to the requirements of Section 3404.3. Any existing element that will form part of the lateral load path for any part of the *addition* shall be considered an existing lateral load-carrying structural element subject to the requirements of Section 3403.4.

**3403.3.1 Design live load.** Where the *addition* does not result in increased design live load, existing gravity load-carrying structural elements shall be permitted to be evaluated and designed for live loads *approved* prior to the

*addition*. If the *approved* live load is less than that required by Section 1607, the area designed for the non-conforming live load shall be posted with placards of *approved* design indicating the *approved* live load. Where the *addition* does result in increased design live load, the live load required by Section 1607 shall be used.

**3403.4 Existing structural elements carrying lateral load.**

Where the *addition* is structurally independent of the *existing structure*, existing lateral load-carrying structural elements shall be permitted to remain unaltered. Where the *addition* is not structurally independent of the *existing structure*, the *existing structure* and its *addition* acting together as a single structure shall be shown to meet the requirements of Sections 1609 and 1613.

**Exception:** Any existing lateral load-carrying structural element whose demand-capacity ratio with the *addition* considered is no more than 10 percent greater than its demand-capacity ratio with the *addition* ignored shall be permitted to remain unaltered. For purposes of calculating demand-capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces in accordance with Sections 1609 and 1613. For purposes of this exception, comparisons of demand-capacity ratios and calculation of design lateral loads, forces and capacities shall account for the cumulative effects of *additions* and *alterations* since original construction.

**3403.5 Smoke alarms in existing portions of a building.**

Where an *addition* is made to a building or structure of a Group R or I-1 occupancy, the existing building shall be provided with *smoke alarms* in accordance with Section 1103.8 of the *Fire Code*.

**SECTION 3404  
ALTERATIONS**

**3404.1 General.** Except as provided by Section 3401.4 or this section, *alterations* to any building or structure shall comply with the requirements of the code for new construction. *Alterations* shall be such that the existing building or structure is no less complying with the provisions of this code than the existing building or structure was prior to the *alteration*.

**Exceptions:**

1. An existing *stairway* shall not be required to comply with the requirements of Section 1009 where the existing space and construction does not allow a reduction in pitch or slope.
2. *Handrails* otherwise required to comply with Section 1009.15 shall not be required to comply with the requirements of Section 1012.6 regarding full extension of the *handrails* where such extensions would be hazardous due to plan configuration.

**3404.2 Flood hazard areas.** For buildings and structures in flood hazard areas established by the Flood Plain Administrator, any alteration that constitutes substantial improvement of the existing structure, as defined in Section 1612.2, shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in flood hazard areas established by the Flood Plain Administrator, any alterations that do not constitute substantial improvement of the existing structure, as defined in Section 1612.2, are not required to comply with the flood design requirements for new construction.

#### 3404.3 Existing structural elements carrying gravity load.

Any existing gravity load-carrying structural element for which an *alteration* causes an increase in design gravity load of more than 5 percent shall be strengthened, supplemented, replaced or otherwise altered as needed to carry the increased gravity load required by this code for new structures. Any existing gravity load-carrying structural element whose gravity load-carrying capacity is decreased as part of the *alteration* shall be shown to have the capacity to resist the applicable design gravity loads required by this code for new structures.

**3404.3.1 Design live load.** Where the *alteration* does not result in increased design live load, existing gravity load-carrying structural elements shall be permitted to be evaluated and designed for live loads *approved* prior to the *alteration*. If the *approved* live load is less than that required by Section 1607, the area designed for the non-conforming live load shall be posted with placards of *approved* design indicating the *approved* live load. Where the *alteration* does result in increased design live load, the live load required by Section 1607 shall be used.

#### 3404.4 Existing structural elements carrying lateral load.

Except as permitted by Section 3404.5, where the *alteration* increases design lateral loads in accordance with Section 1609 or 1613, or where the *alteration* results in a structural irregularity as defined in ASCE 7, or where the *alteration* decreases the capacity of any existing lateral load-carrying structural element, the structure of the altered building or structure shall be shown to meet the requirements of Sections 1609 and 1613.

**Exception:** Any existing lateral load-carrying structural element whose demand-capacity ratio with the *alteration* considered is no more than 10 percent greater than its demand-capacity ratio with the *alteration* ignored shall be permitted to remain unaltered. For purposes of calculating demand-capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces per Sections 1609 and 1613. For purposes of this exception, comparisons of demand-capacity ratios and calculation of design lateral loads, forces, and capacities shall account for the cumulative effects of *additions* and *alterations* since original construction.

**3404.5 Voluntary seismic improvements.** *Alterations* to existing structural elements or additions of new structural elements that are not otherwise required by this chapter and are initiated for the purpose of improving the performance of the seismic force-resisting system of an *existing structure* or the performance of seismic bracing or anchorage of existing nonstructural elements shall be permitted, provided that an engineering analysis is submitted demonstrating the following:

1. The altered structure and the altered nonstructural elements are no less conforming with the provisions of this code with respect to earthquake design than they were prior to the alteration.
2. New structural elements are detailed as required for new construction.

3. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required for new construction.
4. The alterations do not create a structural irregularity as defined in ASCE 7 or make an existing structural irregularity more severe.

**3404.6 Smoke alarms.** Individual *sleeping units* and individual *dwelling units* in Group R and I-1 occupancies shall be provided with *smoke alarms* in accordance with Section 1103.8 of the *Fire Code*.

## SECTION 3405 REPAIRS

**3405.1 General.** Buildings and structures, and parts thereof, shall be repaired in compliance with Section 3405.

Devices or safeguards which are required by this code shall be repaired in conformance with the code edition under which installed. To determine compliance with this subsection, the *building official* shall have the authority to require a building or structure to be reinspected.

Work on nondamaged components that is necessary for the required *repair* of damaged components shall be considered part of the *repair* and shall not be subject to the requirements for *alterations* in this chapter. Routine maintenance required by Section 3401.2, ordinary repairs exempt from *permit* in accordance with Section 105.2, and abatement of wear due to normal service conditions shall not be subject to the requirements for *repairs* in this section.

**3405.2 Substantial structural damage to vertical elements of the lateral force-resisting system.** A building that has sustained *substantial structural damage* to the vertical elements of its lateral force-resisting system shall be evaluated and repaired in accordance with the applicable provisions of Sections 3405.2.1 through 3405.2.3.

#### Exceptions:

1. Buildings assigned to *Seismic Design Category A, B, or C* whose *substantial structural damage* was not caused by earthquake need not be evaluated or rehabilitated for load combinations that include earthquake effects.
2. One- and two-family dwellings need not be evaluated or rehabilitated for load combinations that include earthquake effects.

**3405.2.1 Evaluation.** The building shall be evaluated by a *registered design professional*, and the evaluation findings shall be submitted to the *building official*. The evaluation shall establish whether the damaged building, if repaired to its pre-damage state, would comply with the provisions of this code for wind and earthquake loads.

Wind loads for this evaluation shall be those prescribed in Section 1609. Earthquake loads for this evaluation, if required, shall be permitted to be 75 percent of those prescribed in Section 1613.

**3405.2.2 Extent of repair for compliant buildings.** If the evaluation establishes compliance of the pre-damage building in accordance with Section 3405.2.1, then repairs

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shall be in accordance with the *Building Code* for new construction.

**3405.2.3 Extent of repair for noncompliant buildings.** If the evaluation does not establish compliance of the pre-damage building in accordance with Section 3404.2.1, then the building shall be rehabilitated to comply with applicable provisions of this code for load combinations that include wind or seismic loads. The wind loads for the repair shall be as required by the building code in effect at the time of original construction, unless the damage was caused by wind, in which case the wind loads shall be as required by this code. Earthquake loads for this rehabilitation design shall be those required for the design of the pre-damage building, but not less than 75 percent of those prescribed in Section 1613. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.

**3405.3 Substantial structural damage to gravity load-carrying components.** Gravity load-carrying components that have sustained *substantial structural damage* shall be rehabilitated to comply with the applicable provisions of this code for gravity loads. Nondamaged gravity load-carrying components that receive dead, live or snow loads from rehabilitated components shall also be rehabilitated or shown to have the capacity to carry the design loads of the rehabilitation design. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.

**3405.3.1 Lateral force-resisting elements.** Regardless of the level of damage to vertical elements of the lateral force-resisting system, if *substantial structural damage* to gravity load-carrying components was caused primarily by wind or earthquake effects, then the building shall be evaluated in accordance with Section 3405.2.1 and, if noncompliant, rehabilitated in accordance with Section 3405.2.3.

### Exceptions:

1. One- and two-family dwellings need not be evaluated or rehabilitated for load combinations that include earthquake effects.
2. Buildings assigned to *Seismic Design Category A, B, or C* whose *substantial structural damage* was not caused by earthquake need not be evaluated or rehabilitated for load combinations that include earthquake effects.

**3405.4 Less than substantial structural damage.** For damage less than *substantial structural damage*, *repairs* shall be in accordance with the *Building Code*. New structural members and connections used for this repair shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.

**3405.5 Flood hazard areas.** For buildings and structures in *flood hazard areas* established by the Flood Plain Administrator, any *repair* that constitutes substantial improvement of the existing structure, as defined in Section 1612.2, shall comply with the flood design requirements for new construction, and all aspects

of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in *flood hazard areas* established by the Flood Plain Administrator, any *repairs* that do not constitute substantial improvement or repair of substantial damage of the existing structure, as defined in Section 1612.2, are not required to comply with the flood design requirements for new construction.

## SECTION 3406 FIRE ESCAPES

**3406.1 Where permitted.** Fire escapes shall be permitted only as provided for in Sections 3406.1.1 through 3406.1.4.

**3406.1.1 New buildings.** Fire escapes shall not constitute any part of the required *means of egress* in new buildings.

**3406.1.2 Existing fire escapes.** Existing fire escapes shall be continued to be accepted as a component in the *means of egress* in existing buildings only.

**3406.1.3 New fire escapes.** New fire escapes for existing buildings shall be permitted only where exterior *stairs* cannot be utilized due to lot lines limiting *stair* size or due to the sidewalks, alleys or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.

**3406.1.4 Limitations.** Fire escapes shall comply with this section and shall not constitute more than 50 percent of the required number of *exits* nor more than 50 percent of the required *exit* capacity.

**3406.2 Location.** Where located on the front of the building and where projecting beyond the building line, the lowest landing shall not be less than 7 feet (2134 mm) or more than 12 feet (3658 mm) above grade, and shall be equipped with a counter-balanced stairway to the street. In alleyways and thoroughfares less than 30 feet (9144 mm) wide, the clearance under the lowest landing shall not be less than 12 feet (3658 mm).

**3406.3 Construction.** The fire escape shall be designed to support a live load of 100 pounds per square foot (4788 Pa) and shall be constructed of steel or other *approved* noncombustible materials. Fire escapes constructed of wood not less than nominal 2 inches (51 mm) thick are permitted on buildings of Type V construction. Walkways and railings located over or supported by combustible roofs in buildings of Type III and IV construction are permitted to be of wood not less than nominal 2 inches (51 mm) thick.

**3406.4 Dimensions.** *Stairs* shall be at least 22 inches (559 mm) wide with risers not more than, and treads not less than, 8 inches (203 mm) and landings at the foot of stairs not less than 40 inches (1016 mm) wide by 36 inches (914 mm) long, located not more than 8 inches (203 mm) below the door.

**3406.5 Opening protectives.** Doors and windows along the fire escape shall be protected with  $\frac{3}{4}$ -hour opening protectives.

## SECTION 3407 GLASS REPLACEMENT

**3407.1 Conformance.** The installation or replacement of glass shall be as required for new installations.

### SECTION 3408 CHANGE OF OCCUPANCY

**3408.1 Conformance.** No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies. Subject to the approval of the *building official*, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Unless additions or alterations are made to the building or facility, change in use or occupancy alone shall not require compliance with the provisions of Chapter 11, Accessibility. Additionally, changes in occupancy resulting in multifamily dwellings need not comply with Division III, Covered multifamily dwellings (see Section 1102).

**3408.2 Certificate of occupancy.** A certificate of occupancy shall be issued where it has been determined that the requirements for the new occupancy classification have been met.

**3408.3 Stairways.** An existing *stairway* shall not be required to comply with the requirements of Section 1009 where the existing space and construction does not allow a reduction in pitch or slope.

**3408.4 Seismic.** When a change of occupancy results in a structure being reclassified to a higher risk category, the structure shall conform to the seismic requirements for a new structure of the higher risk category.

#### Exceptions:

1. Specific seismic detailing requirements of Section 1613 for a new structure shall not be required to be met where the seismic performance is shown to be equivalent to that of a new structure. A demonstration of equivalence shall consider the regularity, overstrength, redundancy and ductility of the structure.
2. When a change of use results in a structure being reclassified from Risk Category I or II to Risk Category III and the structure is located where the seismic coefficient,  $S_{DS}$ , is less than 0.33, compliance with the seismic requirements of Section 1613 are not required.

### SECTION 3409 HISTORIC BUILDINGS

**3409.1 Historic buildings.** Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the *building official*, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Any unsafe conditions, as described in this code, are corrected.

3. The restored building or structure will be no more hazardous based on life safety, fire safety and sanitation than the existing building.
4. The *building official* seeks the advice of the State of Oregon historic preservation officer. In case of appeals related to historic buildings, the local appeals board or the appropriate state appeals board shall seek the advice of the State of Oregon historic preservation officer.

Historic Preservation Officer, Oregon Parks and Recreation Department, 725 Summer Street NE, Suite C, Salem, OR 97301. Telephone (503) 986-0707.

### SECTION 3410 MOVED STRUCTURES

**3410.1 Conformance.** Buildings or structures moved into or within the jurisdiction shall comply with ORS 455.410.

**ORS 455.410** is not part of this code but is reproduced here for the reader's convenience:

#### **455.410 Relocated buildings, substantial compliance required; permits.**

(1) Existing buildings or structures which are removed from their foundation and relocated to another site within this state shall be in substantial compliance as defined in subsections (2) and (3) of this section.

(2) "Substantial compliance" means compliance with local construction codes in effect as of the original permit date of the building or structure, or where there was no permitting required at the time of original construction, with basic health and safety standards, as described in the closest dated Uniform Housing Code, as published by the International Conference of Building Officials as of the date of construction. Only the insulation, overhead and underneath the structure, shall be upgraded to the current insulation requirements of the state building code, or to the maximum extent possible subject to the design of the structure. Nothing in this statute shall be construed to mean that all heating, plumbing and electrical systems shall be replaced with systems meeting current standards for new construction, except that any life-threatening deficiencies in those systems shall be repaired, notwithstanding that the cost of rehabilitation may exceed 50 percent of the value of the structure before rehabilitation.

(3) All foundation and basement construction on the structure and any remodeling at the new location shall be constructed subject to all applicable local current building and safety codes, or where none exist, with the applicable standards as described in the Uniform Housing Code described in subsection (2) of this section.

(4) All moved houses shall be provided with either battery-operated or hard-wired smoke detection devices located in accordance with the provisions of the state building code.

(5) Nothing in this section is intended to permit any person to move a structure unless the person first consults the appropriate building inspection authority and obtains all required permits. [Formerly 456.756; 1989 c.1068 §1]

## EXISTING BUILDINGS AND STRUCTURES

### SECTION 3411 ACCESSIBILITY FOR EXISTING BUILDINGS

**3411.1 Scope.** The provisions of Sections 3411.1 through 3411.9 apply to maintenance, change of occupancy, *additions* and *alterations* to existing buildings, including those identified as *historic buildings*.

**Exception:** Type B *dwelling* or sleeping units required by Section 1107 of this code are not required to be provided in existing buildings and facilities being altered or undergoing a change of occupancy.

**3411.2 Maintenance of facilities.** A *facility* that is constructed or altered to be *accessible* shall be maintained *accessible* during occupancy.

**3411.3 Extent of application.** An *alteration* of an existing *facility* shall not impose a requirement for greater accessibility than that which would be required for new construction. *Alterations* shall not reduce or have the effect of reducing accessibility of a *facility* or portion of a *facility*.

**3411.4 Change in occupancy.** Where a building or a portion thereof is changed to a new occupancy classification, any alterations shall comply with Sections 3411.6, 3411.7 and 3411.8.

**3411.5 Additions.** Provisions for new construction shall apply to *additions*. An *addition* that affects the accessibility to, or contains an area of, a *primary function* shall comply with the requirements in Section 3411.7.

**3411.6 Alterations.** A *facility* that is altered shall comply with the applicable provisions in Chapter 11 of this code, unless *technically infeasible*. Where compliance with this section is *technically infeasible*, the *alteration* shall provide access to the maximum extent technically feasible.

#### Exceptions:

1. The altered element or space is not required to be on an *accessible route*, unless required by Section 3411.7.
2. *Accessible means of egress* required by Chapter 10 are not required to be provided in existing facilities.
3. The *alteration* to *Type A* individually owned *dwelling units* within a Group R-2 occupancy shall be permitted to meet the provision for a *Type B dwelling unit* and shall comply with the applicable provisions in Chapter 11 and ICC A117.1.

ORS 447.241 is not a part of this code but is reproduced here for the reader's convenience:

#### 447.241 Standards for renovation, alteration or modification of certain buildings; barrier removal improvement plan.

(1) Every project for renovation, alteration or modification to affected buildings and related facilities that affects or could affect the usability of or access to an area containing a primary function shall be made to insure that, to the maximum extent feasible, the paths of travel to the altered area and the rest rooms, telephones and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities, unless such alterations are disproportionate to the overall alterations in terms of cost and scope.

(2) Alterations made to the path of travel to an altered area may be deemed disproportionate to the overall alteration when the cost exceeds 25 percent of the alteration to the primary function area.

(3) If the cost of alterations to make the paths of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the paths of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs.

(4) In choosing which accessible elements to provide under this section, priority shall be given to those elements that will provide the greatest access. Elements shall be provided in the following order:

- (a) Parking;
- (b) An accessible entrance;
- (c) An accessible route to the altered area;
- (d) At least one accessible restroom for each sex or a single unisex restroom;
- (e) Accessible telephones;
- (f) Accessible drinking fountains; and
- (g) When possible, additional accessible elements such as storage and alarms.

(5) A series of small alterations to an area served by a single path of travel does not satisfy the obligation to provide an accessible path of travel created under subsection (1) of this section.

(6) If an area containing a primary function has been altered without providing an accessible path of travel to the area and subsequent alterations affecting the same path of travel are undertaken within three years of the original alteration, the total cost of the alterations to the primary function area on the path of travel during the preceding three-year period shall be considered in determining whether the cost of making the path of travel accessible is disproportionate.

(7)(a) A barrier removal improvement plan may satisfy the requirements of subsection (1) of this section. The plan shall require an equivalent or greater level of barrier removal than required by subsection (1) of this section.

(b) The barrier removal improvement plan shall include:

- (A) A letter of participation from the building owner;
- (B) A building survey that identifies existing architectural barriers;
- (C) An improvement plan and time schedule for removal of architectural barriers; and
- (D) An implementation agreement.

(c) The barrier removal improvement plan may be reviewed and accepted through the waiver process under ORS 447.250. The plan shall be reviewed upon completion or every three years for compliance with the requirements of this section.

8) For purposes of this section, "primary function" is a major activity for which the facility is intended. [1993 c.503 §7]

**3411.7 Alterations affecting an area containing a primary function.** Where an *alteration* affects the accessibility to, or contains an area of *primary function*, the route to the *primary function* area shall be *accessible*. The *accessible route* to the *primary function* area shall include toilet facilities or drinking fountains serving the area of *primary function*.

#### Exceptions:

1. The costs of providing the *accessible route* are not required to exceed 20 percent of the costs of the

*alterations* affecting the area of *primary function*. (See ORS 447.241).

2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to *alterations* limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems and abatement of hazardous materials.
4. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of an existing building, *facility* or element.
5. This provision does not apply to altered areas limited to *Type B dwelling* and *sleeping units*.

**3411.8 Scoping for alterations.** The provisions of Sections 3411.8.1 through 3411.8.14 shall apply to *alterations* to existing buildings and facilities.

**3411.8.1 Entrances.** *Accessible* entrances shall be provided in accordance with Section 1105.

**Exception:** Where an *alteration* includes *alterations* to an entrance, and the *facility* has an *accessible* entrance, the altered entrance is not required to be *accessible*, unless required by Section 3411.7. Signs complying with Section 1110 shall be provided.

**3411.8.2 Elevators.** Altered elements of existing elevators shall comply with the *Elevator Code* and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

**3411.8.3 Platform lifts.** Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with the *Elevator Code* shall be permitted as a component of an *accessible route*.

**Exception:** For existing churches and fraternal organizations, Limited Use/Limited Access (LULA) elevators may be used in lieu of a standard elevator when approved by the *building official* and the Oregon Building Codes Division Elevator Safety Section.

**3411.8.4 Stairs and escalators in existing buildings.** In *alterations*, change of occupancy or *additions* where an escalator or *stair* is added where none existed previously and major structural modifications are necessary for installation, an *accessible* route shall be provided between the levels served by the escalator or *stairs* in accordance with Sections 1104.4 and 1104.5.

**3411.8.5 Ramps.** Where slopes steeper than allowed by Section 1010.2 are necessitated by space limitations, the slope of ramps in or providing access to existing *facilities* shall comply with Table 3411.8.5.

TABLE 3411.8.5  
RAMPS

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

**3411.8.6 Reserved.**

**3411.8.7 Accessible dwelling or sleeping units.** Where Group I-1, I-2, I-3, R-1, R-2 or R-4 *dwelling* or *sleeping units* are being altered or added, the requirements of Section 1107 for *Accessible units* apply only to the quantity of spaces being altered or added.

Where Group R-2 *dwelling* or *sleeping units* are being added, the requirements of Section 1107 for *Accessible units* apply only to the quantity of units being added.

**3411.8.8 Type A dwelling or sleeping units.** Where more than 20 Group R-2 *dwelling* or *sleeping units* are being altered or added, the requirements of Section 1107 for *Type A units* apply only to the quantity of the spaces being altered or added. Where Group I-1, Condition 2 assisted living facilities and residential care facilities, and Group R-4, Condition 2 assisted living facilities and residential care facilities are being altered or added, the requirements of Section 1107 for Type A units apply only to the quantity of spaces being altered or added. Where Group I-1, Condition 2 assisted living facilities and residential care facilities and Group R-4, Condition 2 assisted living facilities and residential care facilities are being converted by a change of use or undergo a change of occupancy, the requirements of Section 1107 for Accessible units and Type A units shall apply.

**Exception:** Where existing bathing facilities are being altered in both Group I-1, Condition 2 residential care facilities without memory care endorsement and Group R-4, Condition 2 residential care facilities without memory care endorsement, one in ten existing bathing facilities shall be required to meet the roll-in type shower compartment requirements of Section 1107 if a common bathing facility is provided outside the dwelling or sleeping unit.

**3411.8.9 Type B dwelling or sleeping units.** Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 *dwelling* or *sleeping units* are being added, the requirements of Section 1107 for *Type B units* apply only to the quantity of the spaces being added.

**3411.8.10 Jury boxes and witness stands.** In *alterations*, *accessible* wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and shall be permitted to be located outside these spaces where the ramp or lift access restricts or projects into the *means of egress*.

**3411.8.11 Toilet rooms.** Where it is *technically infeasible* to alter existing toilet and bathing rooms to be *accessible*, an *accessible* family or assisted-use toilet or bathing room constructed in accordance with Section 1109.2.1 is permitted. The family or assisted-use toilet or bathing room shall be located on the same floor and in the same area as the existing toilet or bathing rooms.

**3411.8.12 Dressing, fitting and locker rooms.** Where it is *technically infeasible* to provide *accessible* dressing, fitting or locker rooms at the same location as similar types of rooms, one *accessible* room on the same level shall be provided. Where separate-sex facilities are provided,

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*accessible* rooms for each sex shall be provided. Separate-sex facilities are not required where only unisex rooms are provided.

**3411.8.13 Reserved.**

**3411.8.14 Thresholds.** The maximum height of thresholds at doorways shall be  $\frac{3}{4}$  inch (19.1 mm). Such thresholds shall have beveled edges on each side.

**3411.9 Historic buildings.** These provisions shall apply to facilities designated as historic structures that undergo *alterations* or a change of occupancy, unless *technically infeasible*. Where compliance with the requirements for *accessible routes*, entrances or toilet rooms would threaten or destroy the historic significance of the facility, as determined by the *building official* after consultation with the appropriate historic preservation officer, the alternative requirements of Sections 3411.9.1 through 3411.9.4 for that element shall be permitted.

**Exception:** *Type B dwelling* or *sleeping units* required by Section 1107 are not required to be provided in historical buildings.

**3411.9.1 Site arrival points.** At least one *accessible* route from a site arrival point to an *accessible* entrance shall be provided.

**3411.9.2 Multilevel buildings and facilities.** An *accessible route* from an *accessible* entrance to public spaces on the level of the *accessible* entrance shall be provided. Where an accessible route is technically infeasible to all levels, displays, written information and documents shall be located where they can be seen by a seated person.

**3411.9.3 Entrances.** At least one main entrance shall be *accessible*.

**Exceptions:**

1. If a main entrance cannot be made *accessible*, an *accessible* nonpublic entrance that is unlocked while the building is occupied shall be provided; or
2. If a main entrance cannot be made *accessible*, a locked *accessible* entrance with a notification system or remote monitoring shall be provided.

The route of travel for the accessible entry shall not pass through hazardous areas, storage rooms, closets, kitchens or spaces used for similar purposes.

Signs complying with Section 1110 shall be provided at the primary entrance and the *accessible* entrance.

**3411.9.4 Toilet and bathing facilities.** Where toilet rooms are provided and the alteration of the same would adversely affect the historical significance of the building, at least one *accessible* family or assisted-use toilet room complying with Section 1109.2.1 shall be provided.

## SECTION 3412 COMPLIANCE ALTERNATIVES

**3412.1 Compliance.** The provisions of this section are intended to maintain or increase the current degree of public safety, health and general welfare in existing buildings while permitting repair, *alteration*, *addition* and change of occu-

pancy without requiring full compliance with Chapters 2 through 33, or Sections 3401.3, and 3403 through 3409, except where compliance with other provisions of this code is specifically required in this section.

**3412.2 Applicability.** Structures existing prior to July 1, 2014, in which there is work involving *additions*, *alterations* or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

**3412.2.1 Change in occupancy.** Where an existing building is changed to a new occupancy classification and this section is applicable, the provisions of this section for the new occupancy shall be used to determine compliance with this code.

**3412.2.2 Partial change in occupancy.** Where a portion of the building is changed to a new occupancy classification, and that portion is separated from the remainder of the building with *fire barriers* or *horizontal assemblies* having a *fire-resistance rating* as required by Table 508.4 for the separate occupancies, or with *approved* compliance alternatives, the portion changed shall be made to comply with the provisions of this section.

Where a portion of the building is changed to a new occupancy classification, and that portion is not separated from the remainder of the building with *fire barriers* or *horizontal assemblies* having a *fire-resistance rating* as required by Table 508.4 for the separate occupancies, or with *approved* compliance alternatives, the provisions of this section which apply to each occupancy shall apply to the entire building. Where there are conflicting provisions, those requirements which secure the greater public safety shall apply to the entire building or structure.

**3412.2.3 Additions.** *Additions* to existing buildings shall comply with the requirements of this code for new construction. The combined height and area of the existing building and the new *addition* shall not exceed the height and area allowed by Chapter 5. Where a *fire wall* that complies with Section 706 is provided between the *addition* and the existing building, the *addition* shall be considered a separate building.

**3412.2.4 Alterations and repairs.** An existing building or portion thereof, which does not comply with the requirements of this code for new construction, shall not be altered or repaired in such a manner that results in the building being less safe or sanitary than such building is currently. If, in the *alteration* or repair, the current level of safety or sanitation is to be reduced, the portion altered or repaired shall conform to the requirements of Chapters 2 through 12 and Chapters 14 through 33.

**3412.2.4.1 Flood hazard areas.** For existing buildings located in *flood hazard areas* established by the Flood Plain Administrator, if the alterations and repairs constitute substantial improvement of the existing building, the existing building shall be brought into



compliance with the requirements for new construction for flood design.

**ORS 447.241** is not a part of this code but is reproduced here for the reader's convenience:

**447.241 Standards for renovating, altering or modifying of certain buildings; barrier removal improvement plan.**

(1) Every project for renovation, alteration or modification to affected buildings and related facilities that affects or could affect the usability of or access to an area containing a primary function shall be made to insure that, to the maximum extent feasible, the paths of travel to the altered area and the rest rooms, telephones and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities, unless such alterations are disproportionate to the overall alterations in terms of cost and scope.

(2) Alterations made to the path of travel to an altered area may be deemed disproportionate to the overall alteration when the cost exceeds 25 percent of the alteration to the primary function area.

(3) If the cost of alterations to make the paths of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the paths of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs.

(4) In choosing which accessible elements to provide under this section, priority shall be given to those elements that will provide the greatest access. Elements shall be provided in the following order:

- (a) Parking;
- (b) An accessible entrance;
- (c) An accessible route to the altered area;
- (d) At least one accessible restroom for each sex or a single unisex restroom;
- (e) Accessible telephones;
- (f) Accessible drinking fountains; and
- (g) When possible, additional accessible elements such as storage and alarms.

(5) A series of small alterations to an area served by a single path of travel does not satisfy the obligation to provide an accessible path of travel created under subsection (1) of this section.

(6) If an area containing a primary function has been altered without providing an accessible path of travel to the area and subsequent alterations affecting the same path of travel are undertaken within three years of the original alteration, the total cost of the alterations to the primary function area on the path of travel during the preceding three-year period shall be considered in determining whether the cost of making the path of travel accessible is disproportionate.

(7)(a) A barrier removal improvement plan may satisfy the requirements of subsection (1) of this section. The plan shall require an equivalent or greater level of barrier removal than required by subsection (1) of this section.

- (b) The barrier removal improvement plan shall include:
  - (A) A letter of participation from the building owner;
  - (B) A building survey that identifies existing architectural barriers;
  - (C) An improvement plan and time schedule for removal of architectural barriers; and
  - (D) An implementation agreement.

(c) The barrier removal improvement plan may be reviewed and accepted through the waiver process under ORS 447.250. The plan shall be reviewed upon completion or every three years for compliance with the requirements of this section.

8) For purposes of this section, "primary function" is a major activity for which the facility is intended. [1993 c.503 §7]

**3412.3 Acceptance.** For *repairs, alterations, additions* and changes of occupancy to existing buildings that are evaluated in accordance with this section, compliance with this section shall be accepted by the *building official*.

**3412.3.1 Hazards.** Where the *building official* determines that an unsafe condition exists, as provided for in Section 116, such unsafe condition shall be abated in accordance with Section 116.

**3412.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the *Fire Code*.

**3412.4 Investigation and evaluation.** For proposed work covered by this section, the building owner shall cause the existing building to be investigated and evaluated in accordance with the provisions of this section.

**3412.4.1 Structural analysis.** The owner shall have a structural analysis of the existing building made to determine adequacy of structural systems for the proposed *alteration, addition* or change of occupancy. The analysis shall demonstrate that the building with the work completed is capable of resisting the loads specified in Chapter 16.

**3412.4.2 Submittal.** The results of the investigation and evaluation as required in Section 3412.4, along with proposed compliance alternatives, shall be submitted to the *building official*.

**3412.4.3 Determination of compliance.** The *building official* shall determine whether the existing building, with the proposed *addition, alteration* or change of occupancy, complies with the provisions of this section in accordance with the evaluation process in Sections 3412.5 through 3412.9.

**3412.5 Evaluation.** The evaluation shall be comprised of three categories: fire safety, means of egress and general safety, as defined in Sections 3412.5.1 through 3412.5.3.

**3412.5.1 Fire safety.** Included within the fire safety category are the structural fire resistance, automatic fire detection, fire alarm, automatic sprinkler system and fire suppression system features of the facility.

**3412.5.2 Means of egress.** Included within the means of egress category are the configuration, characteristics and support features for *means of egress* in the facility.

**3412.5.3 General safety.** Included within the general safety category are the fire safety parameters and the means of egress parameters.

**3412.6 Evaluation process.** The evaluation process specified herein shall be followed in its entirety to evaluate existing buildings. Table 3412.7 shall be utilized for tabulating the results of the evaluation. References to other sections of this code indicate that compliance with those sections is required in order to gain credit in the evaluation herein outlined. In

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applying this section to a building with mixed occupancies, where the separation between the mixed occupancies does not qualify for any category indicated in Section 3412.6.16, the score for each occupancy shall be determined and the lower score determined for each section of the evaluation process shall apply to the entire building.

Where the separation between mixed occupancies qualifies for any category indicated in Section 3412.6.16, the score for each occupancy shall apply to each portion of the building based on the occupancy of the space.

**3412.6.1 Building height.** The value for building height shall be the lesser value determined by the formula in Section 3412.6.1.1. Chapter 5 shall be used to determine the allowable height of the building, including allowable increases due to automatic sprinklers as provided for in Section 504.2. Subtract the actual *building height* in feet from the allowable and divide by 12 1/2 feet. Enter the height value and its sign (positive or negative) in Table 3412.7 under Safety Parameter 3412.6.1, Building Height, for fire safety, means of egress and general safety. The maximum score for a building shall be 10.

**3412.6.1.1 Height formula.** The following formulas shall be used in computing the *building height* value.

$$\text{Height value, feet} = \frac{(AH) - (EBH)}{12.5} \times CF \quad \text{(Equation 34-1)}$$

$$\text{Height value, feet} = (AS - EBS) \times CF \quad \text{(Equation 34-2)}$$

where:

- AH = Allowable height in feet from Table 503.
- EBH = Existing *building height* in feet.
- AS = Allowable height in stories from Table 503.
- EBS = Existing *building height* in stories.
- CF = 1 if (AH) - (EBH) is positive.
- CF = Construction-type factor shown in Table 3412.6.6(2) if (AH) - (EBH) is negative.

**Note:** Where mixed occupancies are separated and individually evaluated as indicated in Section 3412.6, the values AH, AS, EBH and EBS shall be based on the height of the occupancy being evaluated.

**3412.6.2 Building area.** The value for building area shall be determined by the formula in Section 3412.6.2.2. Sec-

tion 503 and the formula in Section 3412.6.2.1 shall be used to determine the allowable area of the building. This shall include any allowable increases due to frontage and automatic sprinklers as provided for in Section 506. Subtract the actual *building area* in square feet from the allowable area and divide by 1,200 square feet. Enter the area value and its sign (positive or negative) in Table 3412.7 under Safety Parameter 3412.6.2, Building Area, for fire safety, means of egress and general safety. In determining the area value, the maximum permitted positive value for area is 50 percent of the fire safety score as listed in Table 3412.8, Mandatory Safety Scores.

**3412.6.2.1 Allowable area formula.** The following formula shall be used in computing allowable area:

$$A_a = [A_t + (A_t \times I_f) + (A_t \times I_s)] \quad \text{(Equation 34-3)}$$

where:

- A<sub>a</sub> = Allowable *building area* per story (square feet).
- A<sub>t</sub> = Tabular *building area* per story in accordance with Table 503 (square feet).
- I<sub>s</sub> = Area increase factor due to sprinkler protection as calculated in accordance with Section 506.3.
- I<sub>f</sub> = Area increase factor due to for frontage as calculated in accordance with Section 506.2.

**3412.6.2.2 Area formula.** The following formula shall be used in computing the area value. Determine the area value for each occupancy floor area on a floor-by-floor basis. For each occupancy, choose the minimum area value of the set of values obtained for the particular occupancy

$$\text{Area value } i = \frac{\text{Allowable area } i}{1,200 \text{ square feet}} \left[ 1 - \left( \frac{\text{Actual area } i}{\text{Allowable area } i} + \dots + \frac{\text{Actual area } n}{\text{Allowable area } n} \right) \right] \quad \text{(Equation 34-4)}$$

where:

- i = Value for an individual separated occupancy on a floor.
- n = Number of separated occupancies on a floor.

**3412.6.3 Compartmentation.** Evaluate the compartments created by *fire barriers* or *horizontal assemblies* which comply with Sections 3412.6.3.1 and 3412.6.3.2 and which are exclusive of the wall elements considered under

**TABLE 3412.6.3  
COMPARTMENTATION VALUES**

OCCUPANCY	CATEGORIES <sup>a</sup>				
	a Compartment size equal to or greater than 15,000 square feet	b Compartment size of 10,000 square feet	c Compartment size of 7,500 square feet	d Compartment size of 5,000 square feet	e Compartment size of 2,500 square feet or less
A-1, A-3	0	6	10	14	18
A-2	0	4	10	14	18
A-4, B, E, S-2	0	5	10	15	20
F, M, R, S-1	0	4	10	16	22

For SI: 1 square foot = 0.093 m<sup>2</sup>.

a. For areas between categories, the compartmentation value shall be obtained by linear interpolation.

Sections 3412.6.4 and 3412.6.5. Conforming compartments shall be figured as the net area and do not include shafts, chases, stairways, walls or columns. Using Table 3412.6.3, determine the appropriate compartmentation value (CV) and enter that value into Table 3412.7 under Safety Parameter 3412.6.3, Compartmentation, for fire safety, means of egress and general safety.

**3412.6.3.1 Wall construction.** A wall used to create separate compartments shall be a *fire barrier* conforming to Section 707 with a *fire-resistance rating* of not less than 2 hours. Where the building is not divided into more than one compartment, the compartment size shall be taken as the total floor area on all floors. Where there is more than one compartment within a *story*, each compartmented area on such *story* shall be provided with a *horizontal exit* conforming to Section 1025. The *fire door* serving as the *horizontal exit* between compartments shall be so installed, fitted and gasketed that such *fire door* will provide a substantial barrier to the passage of smoke.

**3412.6.3.2 Floor/ceiling construction.** A floor/ceiling assembly used to create compartments shall conform to Section 711 and shall have a *fire-resistance rating* of not less than 2 hours.

**3412.6.4 Tenant and dwelling unit separations.** Evaluate the *fire-resistance rating* of floors and walls separating tenants, including *dwelling units*, and not evaluated under Sections 3412.6.3 and 3412.6.5. Under the categories and occupancies in Table 3412.6.4, determine the appropriate value and enter that value in Table 3412.7 under Safety Parameter 3412.6.4, Tenant and Dwelling Unit Separations, for fire safety, means of egress and general safety.

**TABLE 3412.6.4  
SEPARATION VALUES**

OCCUPANCY	CATEGORIES				
	a	b	c	d	e
A-1	0	0	0	0	1
A-2	-5	-3	0	1	3
A-3, A-4, B, E, F, M, S-1	-4	-3	0	2	4
R	-4	-2	0	2	4
S-2	-5	-2	0	2	4

**3412.6.4.1 Categories.** The categories for tenant and dwelling unit separations are:

1. Category a—No *fire partitions*; incomplete *fire partitions*; no doors; doors not self-closing or automatic-closing.
2. Category b—*Fire partitions* or floor assemblies with less than a 1-hour *fire-resistance rating* or not constructed in accordance with Sections 708 or 711.
3. Category c—*Fire partitions* with a 1-hour or greater *fire-resistance rating* constructed in accordance with Section 708 and floor assemblies with a 1-hour but less than 2-hour *fire-resistance rating* constructed in accordance with

Section 711, or with only one tenant within the floor area.

4. Category d—*Fire barriers* with a 1-hour but less than 2-hour *fire-resistance rating* constructed in accordance with Section 707 and floor assemblies with a 2-hour or greater *fire-resistance rating* constructed in accordance with Section 711.
5. Category e—*Fire barriers* and floor assemblies with a 2-hour or greater *fire-resistance rating* and constructed in accordance with Sections 707 and 711, respectively.

**3412.6.5 Corridor walls.** Evaluate the *fire-resistance rating* and degree of completeness of walls which create *corridors* serving the floor, and constructed in accordance with Section 1018. This evaluation shall not include the wall elements considered under Sections 3412.6.3 and 3412.6.4. Under the categories and groups in Table 3412.6.5, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.5, Corridor Walls, for fire safety, means of egress and general safety.

**TABLE 3412.6.5  
CORRIDOR WALL VALUES**

OCCUPANCY	CATEGORIES			
	a	b	c <sup>a</sup>	d <sup>a</sup>
A-1	-10	-4	0	2
A-2	-30	-12	0	2
A-3, F, M, R, S-1	-7	-3	0	2
A-4, B, E, S-2	-5	-2	0	5

a. Corridors not providing at least one-half the travel distance for all occupants on a floor shall be category b.

**3412.6.5.1 Categories.** The categories for Corridor Walls are:

1. Category a—No *fire partitions*; incomplete *fire partitions*; no doors; or doors not self-closing.
2. Category b—Less than 1-hour *fire-resistance rating* or not constructed in accordance with Section 708.4.
3. Category c—1-hour to less than 2-hour *fire-resistance rating*, with doors conforming to Section 716 or without *corridors* as permitted by Section 1018.
4. Category d—2-hour or greater *fire-resistance rating*, with doors conforming to Section 716.

**3412.6.6 Vertical openings.** Evaluate the *fire-resistance rating* of *exit* enclosures, hoistways, escalator openings and other shaft enclosures within the building, and openings between two or more floors. Table 3412.6.6(1) contains the appropriate protection values. Multiply that value by the construction type factor found in Table 3412.6.6(2). Enter the vertical opening value and its sign (positive or negative) in Table 3412.7 under Safety Parameter 3412.6.6, Vertical Openings, for fire safety, means of egress, and general safety. If the structure is a one-story building or if all the unenclosed vertical openings within the building conform to the requirements of Section 708,

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enter a value of 2. The maximum positive value for this requirement shall be 2.

**TABLE 3412.6.6(1)  
VERTICAL OPENING PROTECTION VALUE**

PROTECTION	VALUE
None (unprotected opening)	-2 times number floors connected
Less than 1 hour	-1 times number floors connected
1 to less than 2 hours	1
2 hours or more	2

**TABLE 3412.6.6(2)  
CONSTRUCTION-TYPE FACTOR**

FACTOR	TYPE OF CONSTRUCTION								
	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
	1.2	1.5	2.2	3.5	2.5	3.5	2.3	3.3	7

**3412.6.6.1 Vertical opening formula.** The following formula shall be used in computing vertical opening value.

$$VO = PV \times CF \quad \text{(Equation 34-5)}$$

where:

VO = Vertical opening value.

PV = Protection value [Table 3412.6.6(1)].

CF = Construction type factor [Table 3412.6.6(2)].

**3412.6.7 HVAC systems.** Evaluate the ability of the HVAC system to resist the movement of smoke and fire beyond the point of origin. Under the categories in Section 3412.6.7.1, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.7, HVAC Systems, for fire safety, means of egress and general safety.

**3412.6.7.1 Categories.** The categories for HVAC systems are:

1. Category a—Plenums not in accordance with Section 602 of the *Mechanical Code*. -10 points.
2. Category b—Air movement in egress elements not in accordance with Section 1018.5. -5 points.
3. Category c—Both categories a and b are applicable. -15 points.
4. Category d—Compliance of the HVAC system with Section 1018.5 and Section 602 of the *Mechanical Code*. 0 points.
5. Category e—Systems serving one story; or a central boiler/chiller system without ductwork connecting two or more stories. 5 points.

**3412.6.8 Automatic fire detection.** Evaluate the smoke detection capability based on the location and operation of *automatic fire detectors* in accordance with Section 907 and the *Mechanical Code*. Under the categories and occupancies in Table 3412.6.8, determine the appropriate value and enter that value into Table 3412.7 under Safety

Parameter 3412.6.8, Automatic Fire Detection, for fire safety, means of egress and general safety.

**TABLE 3412.6.8  
SMOKE CONTROL VALUES**

OCCUPANCY	CATEGORIES				
	a	b	c	d	e
A-1, A-3, F, M, R, S-1	-10	-5	0	2	6
A-2	-25	-5	0	5	9
A-4, B, E, S-2	-4	-2	0	4	8

**3412.6.8.1 Categories.** The categories for automatic fire detection are:

1. Category a—None.
2. Category b—Existing *smoke detectors* in HVAC systems and maintained in accordance with the *Fire Code*.
3. Category c—*Smoke detectors* in HVAC systems. The detectors are installed in accordance with the requirements for new buildings in the *Mechanical Code*.
4. Category d—*Smoke detectors* throughout all floor areas other than individual *sleeping units*, tenant spaces and *dwelling units*.
5. Category e—*Smoke detectors* installed throughout the floor area.

**3412.6.9 Fire alarm systems.** Evaluate the capability of the *fire alarm system* in accordance with Section 907. Under the categories and occupancies in Table 3412.6.9, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.9, Fire Alarm Systems, for fire safety, means of egress and general safety.

**TABLE 3412.6.9  
FIRE ALARM SYSTEM VALUES**

OCCUPANCY	CATEGORIES			
	a	b <sup>a</sup>	c	d
A-1, A-2, A-3, A-4, B, E, R	-10	-5	0	5
F, M, S	0	5	10	15

a. For buildings equipped throughout with an *automatic sprinkler system*, add 2 points for activation by a sprinkler waterflow device.

**3412.6.9.1 Categories.** The categories for *fire alarm systems* are:

1. Category a—None.
2. Category b—*Fire alarm system* with *manual fire alarm boxes* in accordance with Section 907.4 and alarm notification appliances in accordance with Section 907.5.2.
3. Category c—*Fire alarm system* in accordance with Section 907.
4. Category d—Category c plus a required *emergency voice/alarm communications* system and a *fire command center* that conforms to Section 403.4.6 and contains the *emergency voice/alarm communications* system controls, fire depart-

ment communication system controls and any other controls specified in Section 911 where those systems are provided.

**3412.6.10 Smoke control.** Evaluate the ability of a natural or mechanical venting, exhaust or pressurization system to control the movement of smoke from a fire. Under the categories and occupancies in Table 3412.6.10, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.10, Smoke Control, for means of egress and general safety.

**TABLE 3412.6.10  
SMOKE CONTROL VALUES**

OCCUPANCY	CATEGORIES					
	a	b	c	d	e	f
A-1, A-2, A-3	0	1	2	3	6	6
A-4, E	0	0	0	1	3	5
B, M, R	0	2 <sup>a</sup>	3 <sup>a</sup>	3 <sup>a</sup>	3 <sup>a</sup>	4 <sup>a</sup>
F, S	0	2 <sup>a</sup>	2 <sup>a</sup>	3 <sup>a</sup>	3 <sup>a</sup>	3 <sup>a</sup>

a. This value shall be 0 if compliance with Category d or e in Section 3412.6.8.1 has not been obtained.

**3412.6.10.1 Categories.** The categories for smoke control are:

1. Category a—None.
2. Category b—The building is equipped throughout with an *automatic sprinkler system*. Openings are provided in exterior walls at the rate of 20 square feet (1.86 m<sup>2</sup>) per 50 linear feet (15 240 mm) of *exterior wall* in each *story* and distributed around the building perimeter at intervals not exceeding 50 feet (15 240 mm). Such openings shall be readily openable from the inside without a key or separate tool and shall be provided with ready access thereto. In lieu of operable openings, clearly and permanently marked tempered glass panels shall be used.
3. Category c—One enclosed *exit stairway*, with ready access thereto, from each occupied floor of the building. The *stairway* has operable exterior windows and the building has openings in accordance with Category b.
4. Category d—One *smokeproof enclosure* and the building has openings in accordance with Category b.
5. Category e—The building is equipped throughout with an *automatic sprinkler system*. Each floor area is provided with a mechanical air-handling system designed to accomplish smoke containment. Return and exhaust air shall be moved directly to the outside without recirculation to other floor areas of the building under fire conditions. The system shall exhaust not less than six air changes per hour from the floor area. Supply air by mechanical means to the floor area is not required. Containment of smoke shall be considered as confining smoke to the floor area involved without migration to other floor areas. Any other

tested and *approved* design which will adequately accomplish smoke containment is permitted.

6. Category f—Each *stairway* shall be one of the following: a *smokeproof enclosure* in accordance with Section 1022.10; pressurized in accordance with Section 909.20.5 or shall have operable exterior windows.

**3412.6.11 Means of egress capacity and number.** Evaluate the *means of egress* capacity and the number of exits available to the building occupants. In applying this section, the *means of egress* are required to conform to the following sections of this code: 1003.7, 1004, 1005, 1014.2, 1014.3, 1015.2, 1021, 1024.1, 1027.2, 1027.5, 1028.2, 1028.3, 1028.4 and 1029. The number of exits credited is the number that is available to each occupant of the area being evaluated. Existing fire escapes shall be accepted as a component in the *means of egress* when conforming to Section 3406.

Under the categories and occupancies in Table 3412.6.11, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.11, Means of Egress Capacity, for means of egress and general safety.

**TABLE 3412.6.11  
MEANS OF EGRESS VALUES**

OCCUPANCY	CATEGORIES				
	a	b	c	d	e
A-1, A-2, A-3, A-4, E	-10	0	2	8	10
M	-3	0	1	2	4
B, F, S	-1	0	0	0	0
R	-3	0	0	0	0

a. The values indicated are for buildings six stories or less in height. For buildings over six stories above grade plane, add an additional -10 points.

**3412.6.11.1 Categories.** The categories for Means of Egress Capacity and number of *exits* are:

1. Category a—Compliance with the minimum required *means of egress* capacity or number of *exits* is achieved through the use of a fire escape in accordance with Section 3406.
2. Category b—Capacity of the *means of egress* complies with Section 1004 and the number of *exits* complies with the minimum number required by Section 1021.
3. Category c—Capacity of the *means of egress* is equal to or exceeds 125 percent of the required *means of egress* capacity, the *means of egress* complies with the minimum required width dimensions specified in the code and the number of *exits* complies with the minimum number required by Section 1021.
4. Category d—The number of *exits* provided exceeds the number of *exits* required by Section 1021. *Exits* shall be located a distance apart from each other equal to not less than that specified in Section 1015.2.
5. Category e—The area being evaluated meets both Categories c and d.

EXISTING BUILDINGS AND STRUCTURES

TABLE 3412.6.14  
ELEVATOR CONTROL VALUES

ELEVATOR TRAVEL	CATEGORIES			
	a	b	c	d
Less than 25 feet of travel above or below the primary level of elevator access for emergency fire-fighting or rescue personnel	-2	0	0	+2
Travel of 25 feet or more above or below the primary level of elevator access for emergency fire-fighting or rescue personnel	-4	NP	0	+4

For SI: 1 foot = 304.8 mm.  
NP = Not permitted.

**3412.6.12 Dead ends.** In spaces required to be served by more than one *means of egress*, evaluate the length of the *exit* access travel path in which the building occupants are confined to a single path of travel. Under the categories and occupancies in Table 3412.6.12, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.12, Dead Ends, for means of egress and general safety.

TABLE 3412.6.12  
DEAD-END VALUES

OCCUPANCY	CATEGORIES <sup>a</sup>		
	a	b	c
A-1, A-3, A-4, B, E, F, M, R, S	-2	0	2
A-2, E	-2	0	2

a. For dead-end distances between categories, the dead-end value shall be obtained by linear interpolation.

**3412.6.12.1 Categories.** The categories for dead ends are:

1. Category a—Dead end of 35 feet (10 670 mm) in nonsprinklered buildings or 70 feet (21 340 mm) in sprinklered buildings.
2. Category b—Dead end of 20 feet (6096 mm); or 50 feet (15 240 mm) in Group B in accordance with Section 1018.4, exception 2.
3. Category c—No dead ends; or ratio of length to width (l/w) is less than 2.5:1.

**3412.6.13 Maximum exit access travel distance.** Evaluate the length of *exit access* travel to an *approved exit*. Determine the appropriate points in accordance with the following equation and enter that value into Table 3412.7 under Safety Parameter 3412.6.13, Maximum Exit Access Travel Distance, for means of egress and general safety. The maximum allowable *exit access* travel distance shall be determined in accordance with Section 1016.1.

$$\text{Points} = 20 \times \frac{\text{Maximum allowable travel distance} - \text{Maximum actual travel distance}}{\text{Max. allowable travel distance}}$$

(Equation 34-6)

**3412.6.14 Elevator control.** Evaluate the passenger elevator equipment and controls that are available to the fire department to reach all occupied floors. Emergency recall and in-car operation of elevator recall controls shall be provided in accordance with the *Fire Code*. Under the categories and occupancies in Table 3412.6.14, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter

3412.6.14, Elevator Control, for fire safety, means of egress and general safety. The values shall be zero for a single-story building.

**3412.6.14.1 Categories.** The categories for elevator controls are:

1. Category a — No elevator.
2. Category b—Any elevator without Phase I emergency recall operation and Phase II emergency in-car operation.
3. Category c — All elevators with Phase I emergency recall operation and Phase II emergency in-car operation as required by the *Fire Code*.
4. Category d—All meet Category c; or Category b where permitted to be without Phase I emergency recall operation and Phase II emergency in-car operation; and at least one elevator that complies with new construction requirements serves all occupied floors.

**3412.6.15 Means of egress emergency lighting.** Evaluate the presence of and reliability of *means of egress* emergency lighting. Under the categories and occupancies in Table 3412.6.15, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.15, Means of Egress Emergency Lighting, for means of egress and general safety.

TABLE 3412.6.15  
MEANS OF EGRESS EMERGENCY LIGHTING VALUES

NUMBER OF EXITS REQUIRED BY SECTION 1015	CATEGORIES		
	a	b	c
Two or more exits	NP	0	4
Minimum of one exit	0	1	1

**3412.6.15.1 Categories.** The categories for means of egress emergency lighting are:

1. Category a—*Means of egress* lighting and *exit* signs not provided with emergency power in accordance with Chapter 27.
2. Category b—*Means of egress* lighting and *exit* signs provided with emergency power in accordance with Chapter 27.
3. Category c—Emergency power provided to *means of egress* lighting and *exit* signs which provides protection in the event of power failure to the site or building.

**3412.6.16 Mixed occupancies.** Where a building has two or more occupancies that are not in the same occupancy classification, the separation between the mixed occupancies shall be evaluated in accordance with this section. Where there is no separation between the mixed occupancies or the separation between mixed occupancies does not qualify for any of the categories indicated in Section 3412.6.16.1, the building shall be evaluated as indicated in Section 3412.6 and the value for mixed occupancies shall be zero. Under the categories and occupancies in Table 3412.6.16, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.16, Mixed Occupancies, for fire safety and general safety. For buildings without mixed occupancies, the value shall be zero.

**TABLE 3412.6.16  
MIXED OCCUPANCY VALUES<sup>a</sup>**

OCCUPANCY	CATEGORIES		
	a	b	c
A-1, A-2, R	-10	0	10
A-3, A-4, B, E, F, M, S	-5	0	5

a. For fire-resistance ratings between categories, the value shall be obtained by linear interpolation.

**3412.6.16.1 Categories.** The categories for mixed occupancies are:

1. Category a—Occupancies separated by minimum 1-hour *fire barriers* or minimum 1-hour *horizontal assemblies*, or both.
2. Category b—Separations between occupancies in accordance with Section 508.4.
3. Category c—Separations between occupancies having a *fire-resistance rating* of not less than twice that required by Section 508.4.4.

**3412.6.17 Automatic sprinklers.** Evaluate the ability to suppress a fire based on the installation of an *automatic sprinkler system* in accordance with Section 903.3.1.1. "Required sprinklers" shall be based on the requirements of this code. Under the categories and occupancies in Table 3412.6.17, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter

3412.6.17, Automatic Sprinklers, for fire safety, means of egress divided by 2 and general safety.

**TABLE 3412.6.17  
SPRINKLER SYSTEM VALUES**

OCCUPANCY	CATEGORIES					
	a	b	c	d	e	f
A-1, A-3, F, M, R, S-1	-6	-3	0	2	4	6
A-2	-4	-2	0	1	2	4
A-4, B, E, S-2	-12	-6	0	3	6	12

**3412.6.17.1 Categories.** The categories for *automatic sprinkler system* protection are:

1. Category a—Sprinklers are required throughout; sprinkler protection is not provided or the sprinkler system design is not adequate for the hazard protected in accordance with Section 903.
2. Category b—Sprinklers are required in a portion of the building; sprinkler protection is not provided or the sprinkler system design is not adequate for the hazard protected in accordance with Section 903.
3. Category c—Sprinklers are not required; none are provided.
4. Category d—Sprinklers are required in a portion of the building; sprinklers are provided in such portion; the system is one which complied with the code at the time of installation and is maintained and supervised in accordance with Section 903.
5. Category e—Sprinklers are required throughout; sprinklers are provided throughout in accordance with Chapter 9.
6. Category f—Sprinklers are not required throughout; sprinklers are provided throughout in accordance with Chapter 9.

**3412.6.18 Standpipes.** Evaluate the ability to initiate attack on a fire by making a supply of water available readily through the installation of standpipes in accor-

**TABLE 3412.6.19  
INCIDENTAL USE AREA VALUES**

PROTECTION REQUIRED BY TABLE 509	PROTECTION PROVIDED						
	None	1 Hour	AS	AS with SP	1 Hour and AS	2 Hours	2 Hours and AS
2 Hours and AS	-4	-3	-2	-2	-1	-2	0
2 Hours, or 1 Hour and AS	-3	-2	-1	-1	0	0	0
1 Hour and AS	-3	-2	-1	-1	0	-1	0
1 Hour	-1	0	-1	0	0	0	0
1 Hour, or AS with SP	-1	0	-1	0	0	0	0
AS with SP	-1	-1	-1	0	0	-1	0
1 Hour or AS	-1	0	0	0	0	0	0

AS = Automatic sprinkler system; SP = Smoke partitions (see Section 508.2.5).

Note: For Table 3412.7, see next page.

## EXISTING BUILDINGS AND STRUCTURES

dance with Section 905. Required standpipes shall be based on the requirements of this code. Under the categories and occupancies in Table 3412.6.18, determine the appropriate value and enter that value into Table 3412.7 under Safety Parameter 3412.6.18, Standpipes, for fire safety, means of egress and general safety.

**TABLE 3412.6.18  
STANDPIPE SYSTEM VALUES**

OCCUPANCY	CATEGORIES			
	a <sup>a</sup>	b	c	d
A-1, A-3, F, M, R, S-1	-6	0	4	6
A-2	-4	0	2	4
A-4, B, E, S-2	-12	0	6	12

a. This option cannot be taken if Category a or b in Section 3412.6.17 is used.

**3412.6.18.1 Standpipe.** The categories for standpipe systems are:

1. Category a—Standpipes are required; standpipe is not provided or the standpipe system design is not in compliance with Section 905.3.
2. Category b—Standpipes are not required; none are provided.
3. Category c—Standpipes are required; standpipes are provided in accordance with Section 905.
4. Category d—Standpipes are not required; standpipes are provided in accordance with Section 905.

**3412.6.19 Incidental uses.** Evaluate the protection of incidental uses in accordance with Section 509.4.2. Do not include those where this code requires automatic sprinkler systems throughout the buildings, including *covered or open mall buildings, high-rise buildings*, public garages and unlimited area buildings. Assign the lowest score from Table 3412.6.19 for the building or floor area being evaluated and enter that value into Table 3412.7 under safety Parameter 3412.6.19, Incidental Use Area, for fire safety, means of egress and general safety. If there are no specific occupancy areas in the building or floor area being evaluated, the value shall be zero.

**3412.7 Building score.** After determining the appropriate data from Section 3412.6, enter those data in Table 3412.7 and total the building score.

**3412.8 Safety scores.** The values in Table 3412.8 are the required mandatory safety scores for the evaluation process listed in Section 3412.6.

**3412.9 Evaluation of building safety.** The mandatory safety score in Table 3412.8 shall be subtracted from the building score in Table 3412.7 for each category. Where the final score for any category equals zero or more, the building is in compliance with the requirements of this section for that category. Where the final score for any category is less than zero, the building is not in compliance with the requirements of this section.

**3412.9.1 Mixed occupancies.** For mixed occupancies, the following provisions shall apply:

1. Where the separation between mixed occupancies does not qualify for any category indicated in Section 3412.6.16, the mandatory safety scores for the occupancy with the lowest general safety score in Table 3412.8 shall be utilized (see Section 3412.6).
2. Where the separation between mixed occupancies qualifies for any category indicated in Section 3412.6.16, the mandatory safety scores for each occupancy shall be placed against the evaluation scores for the appropriate occupancy.



**TABLE 3412.7  
SUMMARY SHEET—BUILDING CODE**

Existing occupancy: _____		Proposed occupancy: _____	
Year building was constructed: _____		Number of stories: _____ Height in feet: _____	
Type of construction: _____		Area per floor: _____	
Percentage of open perimeter increase: _____ %			
Completely suppressed:	Yes ___ No ___	Corridor wall rating: _____	
Compartmentation:	Yes ___ No ___	Required door closers: Yes ___ No ___	
Fire-resistance rating of vertical opening enclosures: _____			
Type of HVAC system: _____, serving number of floors: _____			
Automatic fire detection:	Yes ___ No ___	Type and location: _____	
Fire alarm system:	Yes ___ No ___	Type: _____	
Smoke control:	Yes ___ No ___	Type: _____	
Adequate exit routes:	Yes ___ No ___	Dead ends: _____	Yes ___ No ___
Maximum exit access travel distance: _____		Elevator controls:	Yes ___ No ___
Means of egress emergency lighting: Yes ___ No ___		Mixed occupancies:	Yes ___ No ___

SAFETY PARAMETERS	FIRE SAFETY (FS)	MEANS OF EGRESS (ME)	GENERAL SAFETY (GS)
3412.6.1 Building Height 3412.6.2 Building Area 3412.6.3 Compartmentation			
3412.6.4 Tenant and Dwelling Unit Separations 3412.6.5 Corridor Walls 3412.6.6 Vertical Openings			
3412.6.7 HVAC Systems 3412.6.8 Automatic Fire Detection 3412.6.9 Fire Alarm Systems			
3412.6.10 Smoke Control 3412.6.11 Means of Egress Capacity 3412.6.12 Dead Ends	* * * *		
3412.6.13 Maximum Exit Access Travel Distance 3412.6.14 Elevator Control 3412.6.15 Means of Egress Emergency Lighting	* * * *		
3412.6.16 Mixed Occupancies 3412.6.17 Automatic Sprinklers 3412.6.18 Standpipes 3412.6.19 Incidental Use		* * * * ÷ 2 =	
<b>Building score — total value</b>			

\* \* \* \*No applicable value to be inserted.

## EXISTING BUILDINGS AND STRUCTURES

**TABLE 3412.8  
MANDATORY SAFETY SCORES<sup>a</sup>**

OCCUPANCY	FIRE SAFETY (MFS)	MEANS OF EGRESS (MME)	GENERAL SAFETY (MGS)
A-1	20	31	31
A-2	21	32	32
A-3	22	33	33
A-4, E	29	40	40
B	30	40	40
F	24	34	34
M	23	40	40
R	21	38	38
S-1	19	29	29
S-2	29	39	39

- a. MFS = Mandatory Fire Safety;  
MME = Mandatory Means of Egress;  
MGS = Mandatory General Safety.

**TABLE 3412.9  
EVALUATION FORMULAS<sup>a</sup>**

FORMULA	T.3410.7			T.3410.8	SCORE	PASS	FAIL
$FS - MFS \geq 0$	_____	(FS)	—	_____ (MFS) =	_____	_____	_____
$ME - MME \geq 0$	_____	(ME)	—	_____ (MME) =	_____	_____	_____
$GS - MGS \geq 0$	_____	(GS)	—	_____ (MGS) =	_____	_____	_____

- a. FS = Fire Safety  
ME = Means of Egress  
GS = General Safety  
MFS = Mandatory Fire Safety  
MME = Mandatory Means of Egress  
MGS = Mandatory General Safety

# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Water Conservation Rates

ITEM NO: 7 b

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Last month we tabled the Water Conservation rate conversation due to timing. I have attached the forllowing information for the City Council to Review and discuss:

- 1) Water Master Plan Water Conservation Rates
- 2) Current Port Orford Water Rates
- 3) Water Rates Survey Report from League of Oregon Cities
- 4) Sample Rates from Garibaldi and Depoe Bay Oregon

Please discuss and let me know how you would like to proceed.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



**Quantification & Description of System Losses (OAR 690-086-140(9))**

Water sold is typically less than the amount of water produced at the plant due to system leaks, unmetered use at the WTP (backwash water, turbidimeter water, washdown, etc.), unmetered use within the distribution system, inaccuracies in customer meters, and other unmetered use such as fire flows and system flushing. A comparison of the amount of water treated (sum of water pumped to the City and backwash), and the amount of water consumed is given in Table 10.2.6.

**TABLE 10.2.6.  
COMPARISON OF WATER PRODUCED, BACKWASH, PUMPED & CONSUMED**

Time Period	Water Produced	Backwash	Water Pumped	Water Consumed
2011	54,670,000	1,850,000	50,491,000	29,846,340
2012	55,023,000	1,481,000	50,299,000	28,289,937
Average	54,846,500	1,665,500	50,395,000	29,068,139

Over the last five years, the average amount of nonaccount water pumped to the City is approximately 47 percent. Previously, the percent of nonaccount water within the City has been reported as 30 percent in 1999-2001, and 42 percent in 2001 (SHN 2005). Potential sources of lost treated water include the following:

- Leakage within the City's water distribution system.
- Inaccurate water meters.
- Unauthorized use or connections without meters.
- Unmetered water for firefighting and operations such as street cleaning, water main flushing and testing.
- Losses due to main line breaks or leaking lines.
- Other approved, but non-metered, water uses.

**10.3 Water Conservation Element (OAR 690-086-150)**

Municipal water providers are in the service of providing potable drinking water to their patrons. The sale of that water allows the utility to pay expenses, retire debts for system development loans, and plan for future water production facilities. Some providers may view conservation as an activity that may jeopardize the financial survival of their water system. However, practically every water system is capable of making changes in their operation that will result in reducing "lost water" and lowering production costs. Conservation often results in an increase of operating revenues and a decrease in unnecessary and wasteful expenses. Responsible water management also includes educating the public about wasteful water usage practices. This section addresses current and proposed water conservation measures for the City to implement.

**Water Conservation Progress Report (OAR 690-86-150 (1))**

As the City does not have a previously approved plan, a progress report for previously implemented conservation measures is not required. However, existing conservation measures are described later in this section.

**Water Use Measurement and Reporting Program (OAR 690-86-150(2))**

As part of the proposed improvements to the WTP, flowmeters with flow totalizers will be installed on



the influent line to the WTP. The City's water diversion will be measured with this device. This flow measurement system complies with the measurement standards in OAR 690-085.

### **Current Conservation Practices (OAR 690-86-150(3))**

The current conservation practices employed by the City of Port Orford are metering and rate structure. The vast majority of the existing water system is metered, enabling the City to charge its users according to consumption. The meters are read on fixed intervals and can be used for audits and accounting practices.

The City current rate method assesses a fee for basic service (which includes the first 2,000 gallons). The customer is billed the base rate regardless of whether or not the water is used. Thereafter, the customer is billed on a sliding scale for additional 2001 to 5000 gallons used, 5001 to 10,000 gallons used, 10,000 to 20,000 gallons used, and over 20,000 gallons. This rate structure is in conformance with the requirements of OAR 690-086-150(4d). This water rate structure provides excellent revenue stability, is a good conservation tool, provides good equity, and is simple to administer and explain.

### **Planned Conservation Program Activities (OAR 690-86-150(4,6))**

This section describes the City of Port Orford's planned water conservation program activities for the Years 2015 to 2020. A table of conservation benchmarks, as required in the Division 36 rules, is at the end of each section. These conservation benchmarks are specific commitments that the City will implement according to the schedule in each table. The Year 2015 to 2020 time period is the focus of the conservation benchmarks, as the proposed submission of a revised Water Management and Conservation Plan for the City is the Year 2020.

### **Annual Water Audit (OAR 690-086-150(4a))**

The purpose for a water audit is to track the efficiency of the system, monitor water consumption levels, determine effectiveness of conservation measures, and gather system performance data. The OAR requires determination of the level of water loss as communities seek to reach efficiency goals of 90 percent or greater.

The City will compile an annual water audit of its system, since it currently does not perform one. Installation of water meters is recommended for those services not currently metered. A spreadsheet and method for incorporating this data into the spreadsheet will need to be developed to incorporate the various water measurement data and perform the necessary calculations in a reasonable time frame.

The City will also develop estimates of known uses and losses on a monthly basis and maintain records of this water use. Known uses and losses will include estimating quantities of water used for flushing mains, loss due to major leaks or water main replacement, and water utilized through hydrant meters. In addition, the City will need to implement a system to track water used for fire suppression and training through its hydrants. This auditing will be implemented as soon as possible even though all of the components may not be in place.

In addition to annual audits, the City will implement a monthly water audit within its raw and treated water systems. This monthly audit will prove to be helpful in detecting irregular water use patterns that may be attributable to leaks, malfunctions, and other system problems. Performance of monthly audits will provide the City with relatively "fast" feedback on the performance of its system and the response of





specific repairs or improvements that have been developed. Conservation benchmarks for annual water audits are listed in Table 10.3.1.

**TABLE 10.3.1**  
**ANNUAL WATER AUDIT BENCHMARKS – YEAR 2015-2020**

Benchmark	Start Date	Frequency or Completion
Install new meters & read existing water meters as described under Metering Benchmarks (Table 9.3.2)	2018	Dec. 2019
Develop electronic spreadsheets & procedure for implementing audits	2018	Dec. 2019
Collect & record monthly meter readings, complete monthly audits	2018	Monthly
Perform annual water audit	2018	Annual

### Metering (OAR 690-086-150(4b))

City facilities are mostly metered and usage is being tracked for some uses.

### Metering Testing and Maintenance Program (OAR 690-086-150(4c))

Water meters are a water provider's cash register used to equitably charge for provided water. Yet many providers rely on old, poorly maintained meters that can be inaccurate by as much as 10 to more than 50 percent of the actual water flowing through the meters. Inaccurate water meters usually are providing flow readings in favor of the customer. The water that is able to "slip" through the meter undetected becomes not only lost revenue, but also lost water.

The City has replaced some-of the ¾-inch and 1-inch meters throughout the years; however, most of the meters are old and may be inaccurate. Typically the meter testing schedule for these size meters ranges from 5 years (for 2-inch) to 8 years (for ¾-inch). Thus, the 2-inch meters were tested in Year 2010 and the ¾-inch meters beginning in the Year 2011. However due to the number of meters to be tested, it is recommended that meter testing be done on one-quarter of the system meters every year for four years.

The large meters (2-inch and larger) will be calibrated annually and a program will be implemented.

The City will verify the WTP source meters at least every two years, or as needed, by using the drawdown or fill up method. With this method, a known or calculated amount of water flows through the meter and then a comparison is done between the calculated and metered amounts. The source meter can be verified by calculating the amount of water that is filling up the flocculation basin and two sediment basins (with no outputs). For both methods, at least two to three drawdowns or fillups will be conducted and the results averaged to verify the source meter accuracy.

Meter testing and maintenance program conservation benchmarks are shown in Table 10.3.2.

**TABLE 10.3.2**  
**METER TESTING & MAINTENANCE PROGRAM BENCHMARKS – YEAR 2010-2015**

Benchmark	Start Date	Frequency or Completion
Verify 2-inch Meters within system	2015	Every 5 years
Verify ¾-inch Meters	2015	¼ of total meters, Annually from 2010-2012
Verify Large Meters (>2-inch)	Ongoing	Annually
Source Meters	2015	Every 2 years or as needed



**Rate Structure (OAR 690-086-150(4d))**

The City of Port Orford currently charges customers for their water based upon a standard base rate plus a sliding scale consumption rate. The customer is billed the base rate regardless of whether or not the water is used. The City current rate method assesses a fee for basic service (which includes the first 2,000 gallons). The customer is billed the base rate regardless of whether or not the water is used. Thereafter, the customer is billed on a sliding scale for an additional 2001 to 5000 gallons used, 5001 to 10,000 gallons used, 10,000 to 20,000 gallons used, and over 20,000 gallons. This rate structure is in conformance with the requirements of OAR 690-086-150(4d).

**Leak Detection Program (OAR 690-086-150(4e))**

No annual water audits have been carried out to determine the amount of leakage in the City's system due to the number of unmetered services. Consequently, the City is not able to determine at this time if system leakage exceeds 10 percent. However, the City's percent of non-account water losses discussed in Section 9.2 is at a level that suggests implementation of a leak detection program would be prudent. A leak detection program makes use of planned strategy and various techniques and technologies to efficiently and effectively locate leaks in the system and identify pipelines requiring repair or replacement.

Leak Detection Measures

Leak detection measures may include regular on-site testing using computer-assisted leak detection equipment, sonic leak detection surveys, or another acceptable method for detecting leaks along water distribution mains, valves, services, and meters. The inspections can also include the internal inspection of water tanks and reservoirs. The City staff or an outside consultant can perform leak detection of the City's water system.

A number of different methods are available for locating leaks in a water system. The simplest method of leak detection is to search for and locate wet spots or green areas that might indicate the presence of a leak. This technique would be especially suited for water mains that are not under buildings or paved surfaces.

The next level of leak detection is to use listening devices that amplify vibrations caused by a leak. The simplest device is a steel bar held against a pipe or valve. To detect leaks, listening devices (such as geophones) will be placed on fire hydrants, valves, meters, mains and services. If a leak sound is detected, a detailed investigation will be initiated by listening to each meter in the area of the leak sound. Listening on the meter allows one to check the meter coupling and curb stop for leakage and may indicate whether the leak is on the service or main.

For more sophisticated detection techniques, the City may wish to bring in leak-detection consultants to scan the water system for leakage. These detection techniques include the use of electronic leak detectors and leak noise correlators. A typical leak detection survey costs anywhere from \$100 to \$400 per mile of main surveyed, depending on the size of the system, the material of mains to be surveyed, and the distance traveled (Fenney 1999). Leaks from PVC and PE pipes and appurtenances are difficult to detect because sound does not travel very far through these materials. Special listening equipment may be needed for these pipes. General surveying equipment costs from \$2,000 to \$5,000, while leak noise correlators can cost from \$35,000 to \$60,000 (Ibid 1999).

Another method that the City may employ to detect leaks is the isolation method. This method includes the isolation of short piping sections utilizing existing and newly installed mainline valves. The mainline



is isolated under “line” pressure and all services are turned off at the meters with prior notice to customers. A pressure gauge is attached to one service and the pressure is monitored over a period of time. If the pressure falls off relatively quickly, it is likely that a major leak is located within that section of piping. Pressurizing the isolated main to a higher pressure than normal can increase the sensitivity of this method. Once a pipe segment has been identified to be leaking, listening or electronic devices can be used to pinpoint the location of the leak.

### Leak Detection Strategy

The recommended strategy for leak detection within the City of Port Orford is to focus on the portions of the water system that are the most likely, or have been observed, to leak. This strategy will rely primarily on the age and material of water mains within the system. For example, older piping made of asbestos concrete, steel and cast iron is anticipated to be more susceptible to leak problems than newer PVC pipe. With respect to service lines, galvanized pipe is considered more prone to leakage than poly or copper pipe. Consequently, leak detection efforts will concentrate on the most susceptible portions of the City’s water system.

A list of the City’s distribution piping and associated location for leak detection within the City is presented in Table 10.3.3.

**TABLE 10.3.3  
PRIORITY AREAS FOR LEAK DETECTION**

Pipe Size & Material	Length (LF) <sup>(1)</sup>	Location
2-inch AC	1,550	Lakeshore Drive to Hamlet Place
4-inch AC	2,500	Hamlet Place
6-inch AC	530	Wyoming
6-inch AC	1,960	Jackson Street
6-inch AC	2,250	9 <sup>th</sup> Street
6-inch AC	1,020	7 <sup>th</sup> Street / Sweep Way
6-inch AC	820	Pinehurst Drive

<sup>(1)</sup> – Approximate lengths, pipe material as per City staff

The City will develop a map that will allow them to graphically document and track their progress and findings. Items recommended on this map include: 1) areas monitored or tested for leaks; 2) location of service lines that are of older materials or AC; and 3) areas where water mains and/or service lines have been repaired or replaced.

The recommended schedule for a leak detection program for initiation and completion of the systematic leak detection is dependent upon the results of the comprehensive Annual Water Audit to be completed in 2016. If the system leakage is greater than 10 percent based on this Annual Water Audit, then the leak detection program of Priority No. 1 areas will be initiated. Once Priority No. 1 areas have been completed, then leak detection will be initiated on Priority No. 2 areas, and thence to Priority No. 3 areas once Priority No. 2 is completed. This time frame for implementation of the leak detection program is considered both feasible and appropriate since the City will be seeking to simultaneously implement this leak detection program and other water conservation measures, make necessary pipe repairs, and proceed with recommended measures and capital improvements presented in this Master Plan. If a substantial number of the Priority 1 mains are replaced, then the City will move to suspect leak detection of Priority 2 and 3 mains unless system leakage still remains above 10 percent.

A summary of leak detection program benchmarks is presented in Table 10.3.4.



**TABLE 10.3.4  
LEAK DETECTION PROGRAM BENCHMARKS – YEAR 2011-2016**

Benchmark	Start Date	Frequency or Completion
If System Leakage is shown to be >10%, perform leak detection of areas	2015	January 2016
Leak Occurrence Map of City's Water Distribution System	2015	Ongoing

### **Public Education Program (OAR 690-086-150(4f))**

The goal of a public information program on water use efficiency is to develop a conservation ethic among water users. A public information and education program on water conservation is recommended as a means of influencing water consumption practices and patterns within the system. An informed public will also be more likely to support changes in the rate structure and management practices if they feel they are part of the conservation effort. Public education may take the form of mailers, workshops, school programs, and individual conservation reviews.

Public information programs can educate consumers on a wide variety of conservation issues including the following.

- Toilet flushing and fixture efficiency,
- Detecting and fixing leaks,
- Efficient use of water when washing cars or other outdoor use,
- Landscape efficiency and irrigation practices,
- Low water use landscaping (Xeriscape™),
- Rebates and other incentives promoting conservation practices,
- Potential curtailment activities,
- General conservation awareness.

A significant amount of education materials have been developed at little or no cost to the water provider by such organizations as AWWA and OSU Extension Service. Pamphlets, videos, CD-ROM computer programs, and other materials are available to assist the water provider in their public education efforts. Information is available on a variety of topics, and materials can be obtained for practically any age group, demographic, or purpose.

The effectiveness of public education programs, in terms of conservation, is difficult to predict. During periods of drought, public awareness is high and public education may result in significant water consumption reductions. During other periods, the effectiveness will depend greatly on the program itself. Studies have suggested that a four to five percent reduction in water consumption could be expected from a comprehensive public education program.

The City will implement an ongoing public education program on water conservation. During the fall and winter months, it is recommended that the educational efforts target indoor water use. The educational focus in the spring and summer months will shift and emphasize conservation of outdoor uses. Of the focus areas, the City will focus most of its efforts on outdoor water use, as it is the highest and most critical time period. Increase in water consumption during the summer months is attributed to outdoor recreation, gardening, and landscaping water use brought on by mild or warm summer weather. Outdoor water usage drives maximum-day demand, which in turn drives system capacity requirements for water system components. Reduction of landscape water demand can play a positive role in a water conservation program by reducing the overall water demand in the dry season months.





Specific tasks recommended include the following:

- Creation of a water conservation web page on the City's web site. This page will contain information about how to conserve water, any technical and financial assistance available to customers, and a link to American Water Works Association's (AWWA) Waterwiser® site. <http://esa21.kennesaw.edu/activities/water-use/awwa-drip-calculator.htm>
- Publish water conservation articles in the City's quarterly newsletter. The topics of these articles will include tips on reducing seasonal peak usage (outdoor measures), suggestions to reduce base demand (indoor measures), introduction of water conservation information on the City's web page, any technical and financial assistance available to customers, and any other pertinent conservation information.
- Provide water conservation brochures at City Hall and the Library. Copies of or ideas for brochures can be obtained from AWWA or other municipalities with an existing water conservation program (e.g. Cities of Ashland and Bend. In keeping with the recommended focus of reducing outdoor water usage, recommended brochure topics include lawn-watering guide, low water landscaping (i.e. Xeriscaping™), and drip irrigation.

**TABLE 10.3.5**  
**PUBLIC EDUCATION PROGRAM BENCHMARKS – YEAR 2005-2010**

Benchmark	Start Date	Frequency or Completion
Creation of a water conservation web page on City's web site	2015	December 2016
Provide water conservation brochures at City Hall & Library	2015	Ongoing

### Leak Repair or Line Replacement Program (OAR 690-086-150(6a))

The intent of a leak detection and repair program is to reduce the amount of water that leaves mains, tanks, or other system components through cracks, openings, and defects. The goal of this program will be to reduce leakage to 15 percent of the total diverted water. If the reduction to 15 percent is found to be feasible and appropriate, additional measures will be implemented to reduce leakage to 10 percent or less.

The impact of water leakage can be measured in terms of water volumes as well as the associated costs required to treat, store, and distribute water to the consumers—"lost" water produces no revenue for the utility. Repairing leaks can result in significant savings and additional revenues for the water system.

The City currently makes repairs to its water system when leaks have been found or reported. However, there is not a formal program to systematically detect and repair leaks. A leak detection program has been proposed and is discussed above. Results from this leak detection will assist the City in determining which pipe segments will be replaced. Pipe segments with leaks will be repaired as soon as practical. Mains that are determined to be impractical to repair will be temporarily patched and slated for replacement.

Much of the distribution system consists of cast iron and AC piping. The Capital Improvement Plan presented in Section 7 includes several improvements that will replace a number of existing mains with larger diameter pipe. With the replacement of these water mains, the services off these mains will also be replaced from the water main to the meter. For additional details on these improvements, please refer to Section 7.



## CITY OF PORT ORFORD

Schedule of Utilities Rates

As of May 11, 2021

### Water Enterprise Fund

Water Rates

	Current Rate		Proposed Increase		New Proposed Rate
<b>Base Rate</b>	\$ 30.69	+	\$ -	=	\$ -
<b>Consumption</b>					
(cost per 1,000 gallons used)					
0 - 2,000	Included in the base rate				
2,001 - 5,000	\$ 8.69	+	\$ -	=	\$ -
5,001 - 10,000	\$ 10.75	+	\$ -	=	\$ -
10,001 - 20,000	\$ 11.79	+	\$ -	=	\$ -
> 20,000	\$ 12.79	+	\$ -	=	\$ -

### Water Capital Reserve Fund

Water Reserve Rates

	Current Rate		Proposed Increase		New Proposed Rate	RCAC Recommended Goal
<b>Base Rate</b>	\$ 3.50	+	\$ 0.50	=	\$ 4.00	\$ 10.00
<b>Consumption</b>						
(cost per 1,000 gallons used)						
0 - 2,000	Included in the base rate					
2,001 - 5,000	\$ 1.50	+	\$ 0.50	=	\$ 2.00	\$ 2.00
5,001 - 10,000	\$ 1.50	+	\$ 0.50	=	\$ 2.00	\$ 4.00
10,001 - 20,000	\$ 1.50	+	\$ 0.50	=	\$ 2.00	\$ 4.00
> 20,000	\$ 1.50	+	\$ 0.50	=	\$ 2.00	\$ 4.00

### Sewer Enterprise Fund

Sewer Rates

	Current Rate		Proposed Increase		New Proposed Rate
<b>Base Rate</b>	\$ 43.37	+	0	=	\$ -
<b>Consumption</b>					
(cost per 1,000 gallons used)					
	\$ 7.55	+	\$ -	=	\$ -

### Sewer Capital Reserves Fund

Sewer Reserve Rates

	Current Rate		Proposed Increase		New Proposed Rate	RCAC Recommended Goal
<b>Base Rate</b>	\$ 3.00	+	0.5	=	\$ 3.50	\$ 8.00
<b>Consumption</b>						
(cost per 1,000 gallons used)						
	\$ 1.00	+	\$ 0.50	=	\$ 1.50	\$ 2.00





# Water Rates Survey Report

FEBRUARY 2020

# 2020 Water Rates Survey Report

*February 2020*

*Paul Aljets, Research Coordinator*

A study of city water systems by League of Oregon Cities provided insight and additional data on the state of city drinking water, wastewater and stormwater. The study provided valuable information concerning water rates, as well as billing frequency and methods. The survey also asked questions to better clarify some the extent and condition of infrastructure associated with the provisions of drinking water and wastewater treatment and distribution. The results show clear differences based on region and city population. Note that drinking water, wastewater and stormwater rates differ significantly as a result of a multitude of factors and cost drivers. For example, water quality standards associated with wastewater permits (i.e. National Pollutant Discharge Elimination System Permits) vary based on specific waterbodies, and as a result, the costs associated with wastewater treatment can vary significantly. In utilizing this data, cities should be cognizant that there are often a multitude of factors that may contribute to costs beyond city size and region.

Data from this survey can also be viewed and exported on the LOC's online data portal, [data.orcities.org](https://data.orcities.org).

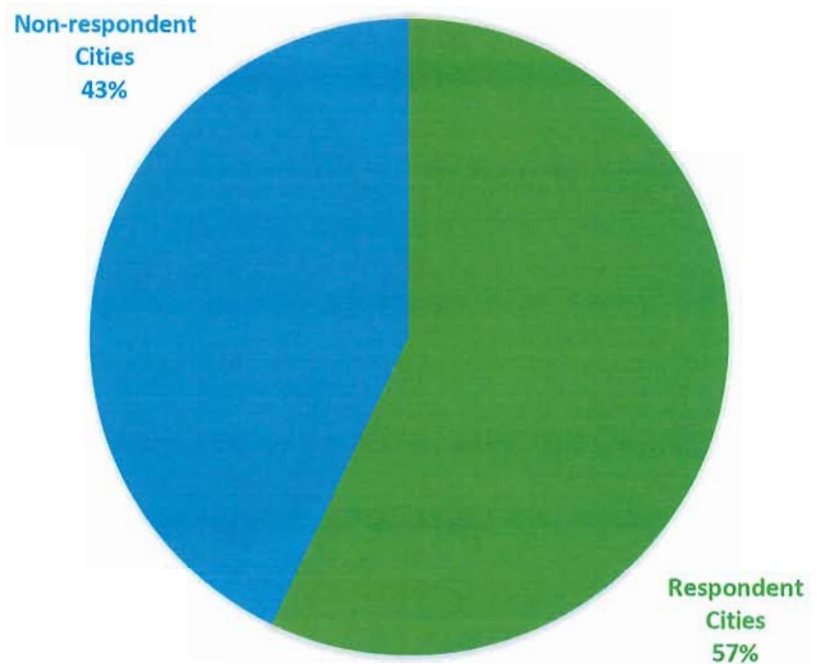
## Introduction

For the last 20 years, the LOC has gathered information to better understand city drinking water and wastewater city rates. The ability to gather this information has proven to be a useful tool that allows cities to better understand trends in drinking water, wastewater and stormwater rates, and to understand how water rates might be impacted based on region, population or economic demographics. In the past, this survey was conducted in partnership with the University of Oregon as well as Oregon State University before that. However, the last two iterations of this survey have been accomplished solely by LOC.

## Survey Methods

This survey was conducted from September 30 to October 25, 2019, and responses were received from 105 of Oregon's 241 cities. These responding cities represent 1,643,720 residents, or 57% of the population residing in cities. The LOC created the survey with Qualtrics and distributed it to city managers, city recorders, and other individuals with positions equal to a city's chief executive officer. These individuals often relied on support from relevant city staff or forwarded the survey to be completed by city staff.

Population		
	#	%
<b>Quintile</b>		
1st Quintile	17	16.2%
2nd Quintile	19	18.1%
3rd Quintile	25	23.8%
4th Quintile	23	21.9%
5th Quintile	21	20.0%
<b>TOTAL</b>	<b>105</b>	
<b>Region</b>		
N. Coast	7	6.7%
Metro	12	11.4%
N. Willamette	22	21.0%
S. Willamette	7	6.7%
C. Coast	5	4.8%
S. Coast	3	2.9%
S. Oregon	12	11.4%
Gorge	5	4.8%
C. Oregon	3	2.9%
SC Oregon	4	3.8%
NE Oregon	16	15.2%
E. Oregon	9	8.6%
<b>TOTAL</b>	<b>105</b>	



Cities are divided into population quintiles or groups of cities representing roughly one-fifth of the 241 total cities. This is done to provide more accurate comparison of differences among city populations. If LOC randomly selected cities from each quintile, we would expect 20% to come from each of the five quintiles. Among respondent cities, there was overrepresentation in the South-Central and Northeastern Oregon regions. Further, the survey had an underrepresentation of cities in several regions, particularly Coast regions, Gorge and Central Oregon. Cities in the 3<sup>rd</sup> population quintile (between 1,250-3,000) were overrepresented, and cities with a population less than 450 were underrepresented in amongst respondents. In the above table, cells marked with green indicate an overrepresentation and those in red denote underrepresentation.

Please see Appendix C for a map of LOC's Small Cities Regions.

## General Results

### *Billing, Late Fees, Penalties, and Collections*

On a monthly basis, 93% of the cities in Oregon issue water bills to their residents and customers. This is relatively consistent across regions and populations. Further, exactly one-half of the city respondents allow for paperless billing. This is more common in cities with a population greater than 3,000 as well as in the Metro and Valley regions.

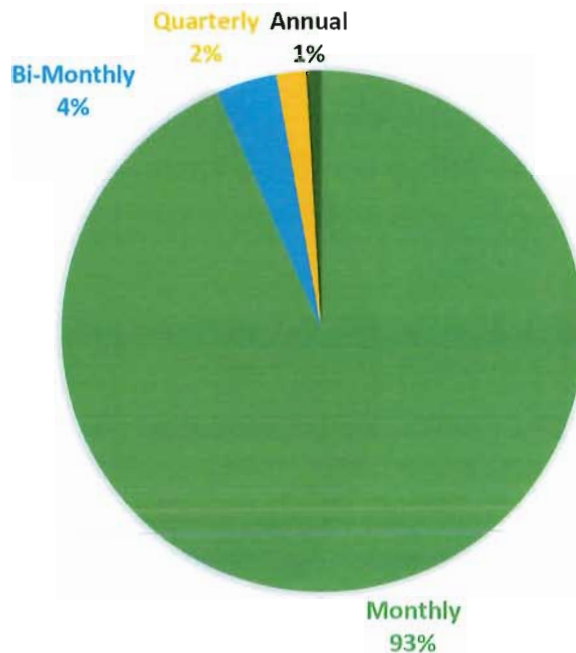


Figure 1: How often are water bills issued?

Late fees and interest rates vary. However, these average 10.2% of total bill (for late fees) and 2.9% for interest. Southern Oregon has the highest average late fee rate (15.9%) and the Gorge has the highest interest rate (9.0%). On average, late fees are assessed 19.8 days after due date. Interestingly, late fee assessment does not follow any patterns by region or size of city. Some population quintiles are on average more forgiving than others, and this is also true of regions. In short, there is no consistent trend in how late fees are charged and when these fees are issued.

Consistently across populations, water shut-off occurs after a little more than a month. The average days after due date before water service shut-off is 40 days. Most population quintiles provide between 30-40 days until shutoff for cities with a population less than 450, allowing for slightly more leeway (55.4 days).



How many days after due date before you disconnect water service?	
Quintile	
1st Quintile	55.4
2nd Quintile	33.9
3rd Quintile	35.6
4th Quintile	39.8
5th Quintile	38.5
<b>TOTAL</b>	<b>40.2</b>
Region	
N. Coast	39.3
Metro	43.5
N. Willamette	29.5
S. Willamette	43.3
C. Coast	48.7
S. Coast	18.7
S. Oregon	24.9
Gorge	37.0
C. Oregon	45.0
SC Oregon	60.0
NE Oregon	46.9
E. Oregon	60.7
<b>TOTAL</b>	<b>40.2</b>

Table 1: Disconnection Limit

What dollar amount or number of days late triggers collections? - Dollar Amount	
Quintile	
1st Quintile	\$ 500.00
2nd Quintile	\$ 92.50
3rd Quintile	\$ 91.83
4th Quintile	\$ 30.33
5th Quintile	\$ 26.67
<b>TOTAL</b>	<b>\$ 107.93</b>
Region	
N. Coast	\$ 50.00
Metro	\$ 28.33
N. Willamette	\$ 100.26
S. Willamette	\$ 22.50
C. Coast	NA
S. Coast	\$ 21.00
S. Oregon	NA
Gorge	\$ 50.00
C. Oregon	\$ 25.00
SC Oregon	NA
NE Oregon	\$ 71.25
E. Oregon	\$ 500.00
<b>TOTAL</b>	<b>\$ 107.93</b>

Table 2: Collection Limit (Dollars)

What dollar amount or number of days late triggers collections? - Days	
Quintile	
1st Quintile	97.5
2nd Quintile	71.7
3rd Quintile	62.9
4th Quintile	79.3
5th Quintile	75.4
<b>TOTAL</b>	<b>74.0</b>
Region	
N. Coast	60.0
Metro	62.5
N. Willamette	57.1
S. Willamette	90.0
C. Coast	180.0
S. Coast	75.0
S. Oregon	71.0
Gorge	37.5
C. Oregon	60.0
SC Oregon	60.0
NE Oregon	84.4
E. Oregon	110.0
<b>TOTAL</b>	<b>74.0</b>

Table 3: Collection Limit (Days)

Tables 1-3 show the breakdown of not only when water services are disconnected but also what triggers bills being sent to collection. Again, here we see much more leeway from cities with less than 450 residents. Cities average about \$120 in back payments, or 74 days before bills are sent to collections. Interestingly, cities with a population greater than 3,000 are quite strict on what dollar amount triggers collections. Only one city indicated that it will send any amount delinquent to collections. In contrast, several small cities do not send bills to collections until they exceed \$500.

### *Waivers, Discounts and Adjustments*

Thirty-nine percent of cities provide waivers, discounts or reductions to certain segments or their customer base. This is most commonly based on low-income status of residents. Such accommodations are most likely to occur in cities over 1,250 population and in the North Coast, Metro, and South Willamette regions.

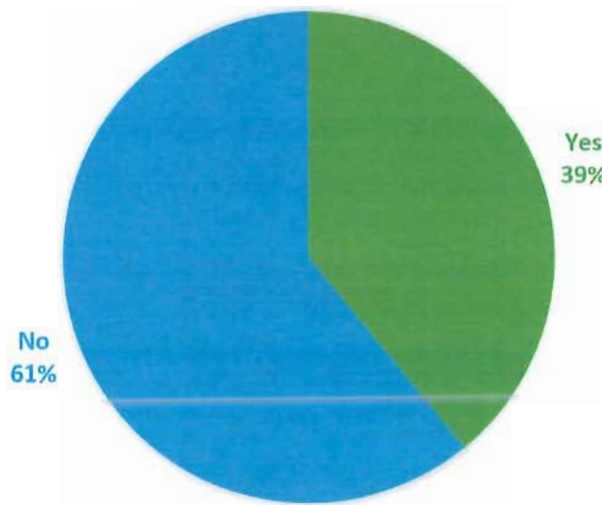


Figure 2: Does the city provide waivers, discounts or reductions to certain utility customers?

Accommodations are often made for detected leaks that could significantly increase water bills. On average, cities will go as far back as 82 days to provide a billing adjustment. As most cities charge monthly, this average implies that cities will adjust as far back as three billing cycles. Data collected on this shows a clear pattern based on population. Table 4 shows that while smaller cities are more lenient on delinquent payments, there is far less accommodation for miscalculation of bills due to detected leaks. Cities with a population less than 450 average 30 days readjustment, whereas cities with a population greater than 10,000 average 129 days or about four billing cycles.

If a leak is detected, how far back does the city make adjustments to the water bill? - Days	
Quintile	
1st Quintile	30.0
2nd Quintile	77.9
3rd Quintile	61.1
4th Quintile	84.0
5th Quintile	129.3
<b>TOTAL</b>	<b>81.7</b>
Region	
N. Coast	60.0
Metro	147.1
N. Willamette	101.4
S. Willamette	101.9
C. Coast	37.5
S. Coast	70.0
S. Oregon	63.8
Gorge	45.0
C. Oregon	15.0
SC Oregon	30.0
NE Oregon	36.4
E. Oregon	136.3
<b>TOTAL</b>	<b>81.7</b>

Table 2: Bill Adjustments for Water leaks - Days

Many of the cities that allow for adjustment due to leaks note that written requests must be made by the customer before the adjustment will be implemented.

### *Asset Management Systems*

Cities were asked if they maintain asset management systems for drinking water, wastewater, and stormwater services, respectively. According to the Environmental Protection Agency, asset management is “a process water and wastewater utilities can use to make sure that planned maintenance can be conducted and capital assets (pumps, motors, pipes, etc.) can be repaired, replaced, or upgraded on time and that there is enough money to pay for it.” Figure 3 shows that 38 cities (or 36% of respondents) utilize asset management for drinking water, 35 cities (33% of respondents) for wastewater, and 22 cities (21% of respondents) for stormwater. These systems are consistently more likely to be utilized by cities with a population greater than 3,000 and in Metro and Valley regions. This suggests that larger systems, with greater revenue and staffing capacity, are able to engage in asset management. Though, asset management for drinking water and wastewater is also more frequently utilized in the South Coast and Northeastern Oregon regions as well.

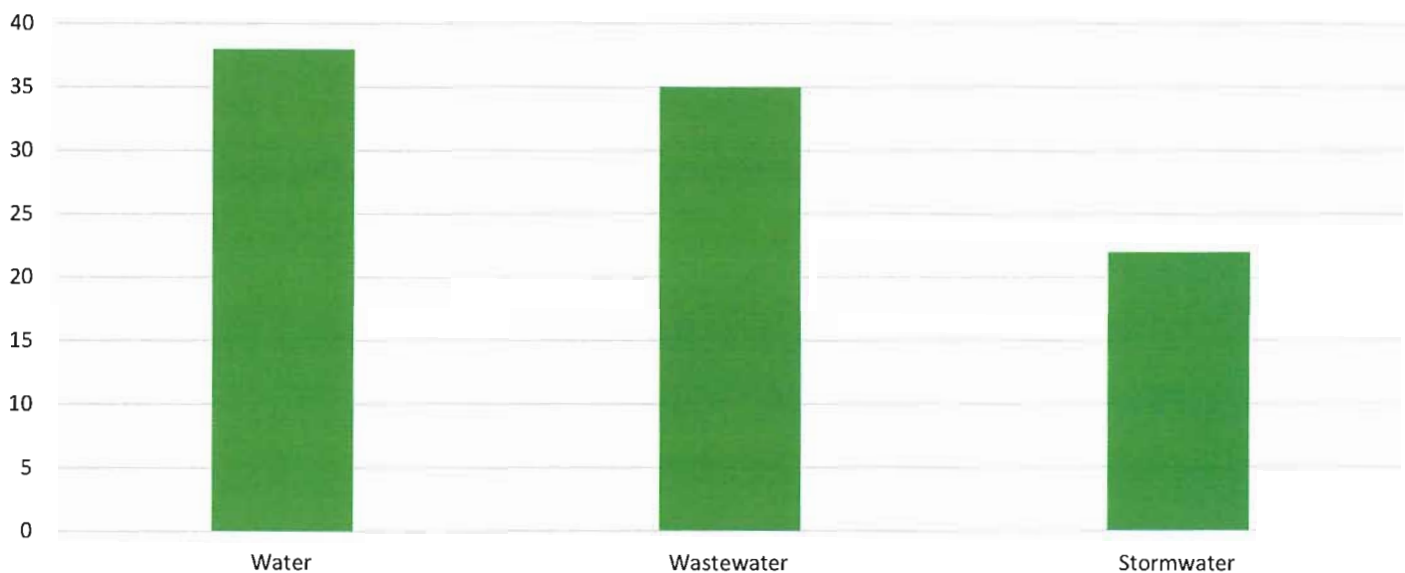


Figure 3: Asset Management Systems by Water Service Type

### *Rate Studies and Methodology*

Cities were asked to indicate the last time they updated their rate and calculation methodology through a rate study. Rate studies are often conducted to help municipalities develop financial plans and rates that will generate sufficient revenue to fund operating and capital needs, and to help ensure that the rates charged to adequately fund the system are assessed equitably among ratepayers. The survey showed the mean last year for rate studies was 2014 (for water) and 2013 (wastewater and stormwater). Methodology updates were only slightly older; averaging 2013 (for water), 2012 (for wastewater), and 2011 (stormwater). Several cities had not conducted studies on these services for more than 20 years.

### *Other Billing and Rate Details*

Eighty percent of cities do not require water utilities to be registered in a property owner’s name. Most cities handle billing for vacant properties by closing the account with no additional charge. However, 12 cities do charge a vacancy rate. Others will bill a base rate or flat fee to the property owner. The survey also solicited data on any additional fees that may be added to utility bills. Additional fees indicated include backflow testing (11%), new account fees (38%), shutoff

fees (54%), and fees for tampering with water or wastewater lines (24%). Other additional fees are more unique to the cities. As indicated below, some cities utilize drinking water and wastewater bills to assess non-related fees for services such as public safety or ambulance fees. While the fee revenue is not generated for the purpose of supporting drinking water, wastewater or stormwater services, the practice of including other fees on water-related bills can serve as a more efficient means for billing and collecting other revenues. Responses included:

- Ambulance Fee
- Capital Improvements
- Debt Service
- Dirt Fill/Blocked Access
- Door Hanger Fee
- Excess Water Usage
- Fire Flow Charges
- Franchise Fees
- Garbage/Sanitation
- Streets and Infrastructure
- Streetlights
- Irrigation
- Late Fees
- Public Safety Fees
- Reconnection Fees
- System Development Charges

Most cities do not charge for stormwater services on their utility bill. Those cities that do are most likely to have a population greater than 3,000 and be located in the Metro and Willamette regions. This reflects federal requirements for certain municipalities (based on population) to obtain a Municipal Separate Storm Sewer System (MS4) permit. Phase I permits are required by the Environmental Protection Agency for designated areas with populations greater than 100,000 and Phase II permits are required for populations under 100,000 but that are located within a Census Bureau designated “urbanized area.”

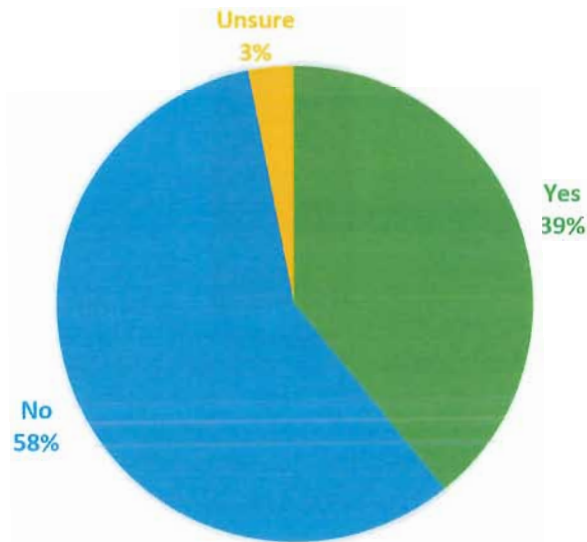


Figure 4: Is Stormwater Included in the Utility Bill?

### Drinking Water Rates and Methods

Sixty-one percent of cities charge for drinking water services. This is also most common in cities with a population greater than 3,000 and for the Metro and Willamette regions. 2018 was the last year that water rates were changed. This indicates that rate changes occur often. Nearly all regions and populations had made such adjustments either in 2018 or this year. Only the 3<sup>rd</sup> quintile (1,250-3,000 population), and the North Coast region, differed with the last average adjustment in 2017. Among the 54 cities that responded to this question, 100% of those cities noted that the water rate adjustment was an increase. The amount of increase varied dramatically. On average, the increase was 7.7%.

While many cities noted increases of less than 3%, many reported much higher increases. Eight cities noted double digit increases. The LOC asked cities to describe the reason for these increases. The majority of increases under 3% are most commonly due to CPI and inflation adjustments. Double digit increases are most commonly due to increased treatment and labor costs. Five cities (Hermiston, Portland, Albany, Sandy, and Sherwood) listed state and federal mandates as reasons for rate increases.

<b>The Rate % Increase for Water Services</b>	
<b>Quintile</b>	
1st Quintile	9.3%
2nd Quintile	3.4%
3rd Quintile	12.6%
4th Quintile	5.3%
5th Quintile	6.8%
<b>TOTAL</b>	<b>7.7%</b>
<b>Region</b>	
N. Coast	3.2%
Metro	3.3%
N. Willamette	11.4%
S. Willamette	7.7%
C. Coast	1.3%
S. Coast	NA
S. Oregon	11.3%
Gorge	3.1%
C. Oregon	1.0%
SC Oregon	2.3%
NE Oregon	10.6%
E. Oregon	3.0%
<b>TOTAL</b>	<b>7.7%</b>

Table 3: Rate Service Increases by Population and Region

Among the cities that responded, most utilize a drinking water rate structure that includes a base or flat rate (based on a certain quantity threshold of water use), with an additional rate based on additional water use beyond that threshold amount. This rate structure is commonly referred to as an inclining block rate structure. The LOC provided a hypothetical water service scenario in which a residential customer was billed for 5,000 gallons (6.684 CCFs) with a ¾" meter size. Cities were asked to provide calculated amount that would be charged based on their methods and rate. As water rates can vary based on quantity of water consumed and the meter size, this exercise was intended to provide for a more consistent mechanism to compare water rates. Table 6 shows the average across all cities at \$41.23.

<b>For water services, what dollar amount would you bill them?</b>		
<b>Quintile</b>		
1st Quintile	\$	43.57
2nd Quintile	\$	57.96
3rd Quintile	\$	37.94
4th Quintile	\$	44.39
5th Quintile	\$	34.14
<b>TOTAL</b>	<b>\$</b>	<b>41.23</b>
<b>Region</b>		
N. Coast	\$	40.21
Metro	\$	41.57

N. Willamette	\$	45.17
S. Willamette	\$	44.99
C. Coast	\$	49.17
S. Coast	NA	
S. Oregon	\$	45.75
Gorge	\$	40.25
C. Oregon	\$	27.72
SC Oregon	\$	20.34
NE Oregon	\$	32.67
E. Oregon	\$	39.25
<b>TOTAL</b>	<b>\$</b>	<b>41.23</b>

Table 4: For water services, what dollar amount would you bill them, including the base rate?

### Wastewater Rates and Methods

Seventy-nine percent of cities charge for wastewater services. This is more common in cities with a population greater than 1,25,0 as well as those in the South Willamette, South-Central Oregon and Northeastern Oregon Regions. It can be assumed that populations residing within cities that do not provide public/municipal wastewater service, either depend on residential septic systems or are served by another municipality, such as a county or special service district.

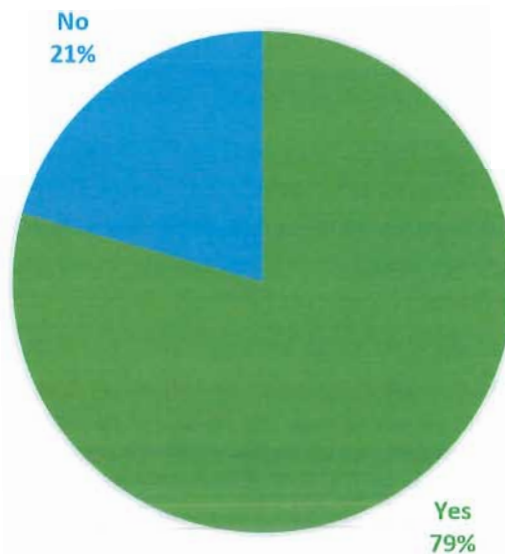


Figure 5: Does your City Charge for Wastewater Services?

2017 was the average last year that wastewater rates were changed. Nearly all regions and populations had adjusted wastewater rates in the last five years. This indicates that drinking water rates may change far more frequently than wastewater rates. All responding cities noted that this adjustment was an increase. On average, the increase was 8.4%.

While many cities noted increases of less than 3%, many reported much higher increases. Eleven cities noted double digit increases. LOC asked cities to describe the reason for these increases. The majority of increases under 3% are most commonly due to CPI and inflation adjustments. Double digit increases are most commonly due to increased treatment and labor costs. Eight cities listed state and federal mandates as reasons for rate increases.

<b>The Rate % Increase for Wastewater Services</b>	
<b>Quintile</b>	
1st Quintile	9.3%
2nd Quintile	11.3%
3rd Quintile	7.4%
4th Quintile	4.9%
5th Quintile	11.7%
<b>TOTAL</b>	<b>8.4%</b>
<b>Region</b>	
N. Coast	2.8%
Metro	12.8%
N. Willamette	6.5%
S. Willamette	4.1%
C. Coast	4.6%
S. Coast	2.6%
S. Oregon	12.5%
Gorge	3.1%
C. Oregon	2.0%
SC Oregon	2.3%
NE Oregon	10.9%
E. Oregon	25.7%
<b>TOTAL</b>	<b>8.4%</b>

Among the cities that responded, most charge for wastewater based on a base or flat rate, with an additional rate for amount consumed afterward. The LOC provided a hypothetical water service scenario in which a residential customer was billed for 5,000 gallons (6.684 CCFs) with a 3/4" meter size, the same scenario as requested for drinking water. Table 7 shows the average across all cities at \$51.14.

<b>For wastewater services, what dollar amount would you bill them?</b>	
<b>Quintile</b>	
1st Quintile	\$41.87
2nd Quintile	\$51.07
3rd Quintile	\$48.62
4th Quintile	\$56.89
5th Quintile	\$49.99
<b>TOTAL</b>	<b>\$51.14</b>
<b>Region</b>	
N. Coast	\$51.18
Metro	\$51.98
N. Willamette	\$56.41
S. Willamette	\$46.41
C. Coast	\$65.91
S. Coast	\$62.93
S. Oregon	\$63.48
Gorge	\$60.72
C. Oregon	\$37.88
SC Oregon	\$35.92
NE Oregon	\$40.32
E. Oregon	\$44.50
<b>TOTAL</b>	<b>\$51.14</b>

Table 5: For wastewater services, what dollar amount would you bill them, including the base rate?

### Stormwater Rates and Methods

Forty percent of cities charge for stormwater services. These services are present almost exclusively in cities with a population greater than 3,000, and those in the Metro, Willamette Valley and North Coast regions. Again, this likely reflects those cities that are required by the Environmental Protection Agency to have a Municipal Separate Storm Sewer System permit (commonly known as a MS4 permit).

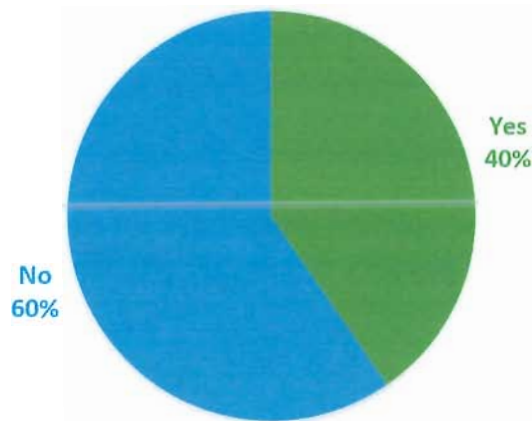


Figure 6: Does your City Charge for Stormwater Services?

Again, 2017 was the average last year that stormwater rates were changed. Nearly all regions and populations had made such adjustments in the last five years, although several cities had maintained rates since the early 2000s. All respondent cities noted that this adjustment was an increase. On average, the increase was 13.6%. This change was most significant in cities in the North Willamette region, which saw an average increase of 36.4%. The highest rates of increase come from the 3<sup>rd</sup> quintile (cities between 1,250 and 3,000 population).

The Rate % Increase for Wastewater Services	
Quintile	
1st Quintile	NA
2nd Quintile	2.0%
3rd Quintile	62.4%
4th Quintile	12.9%
5th Quintile	6.2%
<b>TOTAL</b>	<b>13.6%</b>
Region	
N. Coast	3.0%
Metro	6.4%
N. Willamette	36.4%
S. Willamette	4.2%
C. Coast	1.7%
S. Coast	NA
S. Oregon	3.4%
Gorge	3.1%
C. Oregon	4.0%
SC Oregon	NA
NE Oregon	14.2%
E. Oregon	NA
<b>TOTAL</b>	<b>13.6%</b>



Most respondent cities charge for stormwater as a separate utility fee on a dollars per month basis. Table 8 shows the average across all cities at \$8.20.

<b>For Stormwater services, what dollar amount would you bill them?</b>	
<b>Quintile</b>	
1st Quintile	NA
2nd Quintile	NA
3rd Quintile	\$6.83
4th Quintile	\$4.80
5th Quintile	\$11.03
<b>TOTAL</b>	<b>\$8.20</b>
<b>Region</b>	
N. Coast	\$9.78
Metro	\$12.95
N. Willamette	\$6.26
S. Willamette	\$4.04
C. Coast	\$6.83
S. Coast	NA
S. Oregon	\$4.66
Gorge	\$9.54
C. Oregon	\$8.18
SC Oregon	NA
NE Oregon	\$8.00
E. Oregon	NA
<b>TOTAL</b>	<b>\$8.20</b>

Table 6: For stormwater services, what dollar amount would you bill them on a per month basis?

### *Service Population, Consumption, and Infrastructure*

Cities provide water services to residents, but may also provide service to individuals outside city limits. In 2018, the average service population for respondent cities was proportional to the size of each city. While this is no shock, the more interesting insight is the proportion of customers, receiving drinking water services, outside of city limits. On average, the number of serviced residential accounts with drinking water outside city limits was 41% the number of accounts inside the city proper. This means that large swaths of non-city residents benefit from drinking water services provided by Oregon cities. More interesting, the proportion of accounts outside of city limits increases as city population increases. This may be a reflection of urbanization and population growth occurring within urban growth boundaries. This same trend is seen in wastewater, where on average customers outside city limits represent 30% the number within the city.

In terms of gallons, city residents (and outside city limits customers) consumed an average of 84 million gallons of drinking water in 2018. This consumption increases with population but also varies by region. Table 9 shows that several regions are more likely to consume more water including: North Coast, Metro, and Northeastern Oregon. Water consumption can be impacted by a number of factors, including water conservation efforts and plans, or aging infrastructure that may be subject to increased leakage.

<b>What is the annual average water consumption for residential customers (in gallons)?</b>	
<b>Quintile</b>	
1st Quintile	6,566,487
2nd Quintile	4,623,667
3rd Quintile	60,040,707
4th Quintile	35,474,776
5th Quintile	192,932,393
<b>TOTAL</b>	<b>83,790,363</b>
<b>Region</b>	
N. Coast	174,284,481
Metro	332,401,612
N. Willamette	10,818,236
S. Willamette	40,686
C. Coast	62,907,510
S. Coast	NA
S. Oregon	31,163
Gorge	48,000
C. Oregon	94,588
SC Oregon	1,300,000
NE Oregon	88,014,416
E. Oregon	2,903,000
<b>TOTAL</b>	<b>83,790,363</b>

*Table 7: Average Annual Residential Consumption (Gallons)*

This high demand and high consumption translate into increased need for water infrastructure. The table below shows the average number of pumps and lift stations, zones and water levels, and the total miles of water pipe (not including laterals). Comparing regions is far less useful in this case as regional geographic differences influence city water infrastructure. However, there is an obvious trend in the water infrastructure by population. Each column in Table 10 shows that as a city grows, even with regional variation, infrastructure expands and becomes more complex. The overwhelming majority of cities had only a single water treatment facility with the exception of Brownsville, Salem, and Hillsboro, which had two.

<b>City Infrastructure Averages</b>				
	<i>Drinking Water Pumps and Lift Stations</i>	<i>Zones and Levels</i>	<i>Total Miles of Water Pipes</i>	<i>Total Miles of Sewer Lines</i>
<b>Quintile</b>				
1st Quintile	2.0	0.5	6.0	2.0
2nd Quintile	7.3	2.7	12.0	11.5
3rd Quintile	7.0	3.7	28.5	13.0
4th Quintile	3.8	2.0	39.7	58.2
5th Quintile	9.5	5.4	197.2	159.3
<b>TOTAL</b>	<b>5.9</b>	<b>3.3</b>	<b>87.9</b>	<b>79.5</b>
<b>Region</b>				
N. Coast	3.0	6.0	48.0	36.0
Metro	5.9	4.0	117.0	80.2
N. Willamette	9.0	4.2	119.0	120.0
S. Willamette	4.7	1.9	60.5	22.0
C. Coast	7.0	3.7	37.8	34.2
S. Coast	NA	NA	NA	NA
S. Oregon	6.0	2.3	86.0	147.5
Gorge	5.0	1.0	3.0	3.0
C. Oregon	15.0	3.0	177.0	80.0
SC Oregon	NA	NA	NA	NA
NE Oregon	2.9	1.6	84.4	52.0
E. Oregon	4.5	5.0	20.0	20.0
<b>TOTAL</b>	<b>5.9</b>	<b>3.3</b>	<b>87.9</b>	<b>79.5</b>

Table 8: Averages for City Water Infrastructure

On average, the last major update for city drinking water systems was in 2009. Most cities were within three years of this average. Despite recent updates, additional expansion may be needed for many Oregon cities. Respondent cities noted daily production would exceed the design of their water systems by 2038. It should be noted that this average varies significantly by population quintile. Cities under 1,250 were not likely to exceed design capacity until 2043. However, cities over 10,000 population would exceed production on average by 2036, sixteen years from present. Several cities had noted already reaching capacity. Central Oregon region cities would exceed system design capacity by 2022.

Wastewater systems, on average, are due to reach design capacity by 2039. Again, this is most likely to occur sooner in cities over 10,000. North Coast and Metro regions will exceed capacity the soonest (2022 and 2023, respectively).

#### *Water Conservation, Management, and Reclamation*

Seventy-one percent of cities have a water management and conservation plan (WMCP). These plans can be adopted voluntarily but are often a required condition associated with state-issued water right permits. Cities with a WMCP tend to have a population greater than 3,000 and be located in the Metro, Valley and Northeastern Oregon regions. Even more cities (87%) measure their water loss. This is also more likely to occur in the above stated quintiles and regions.

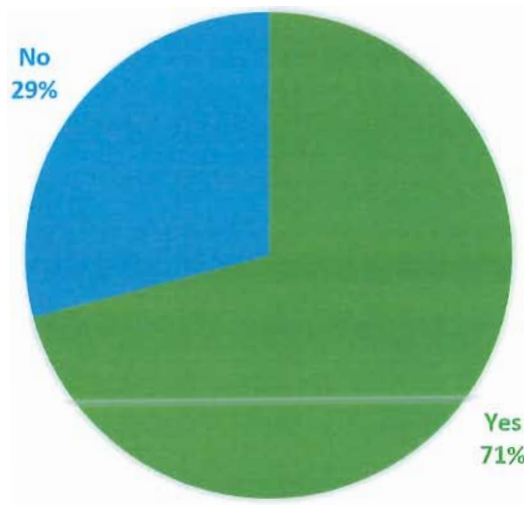


Figure 7: Does your city have an approved water conservation and management plan?

Forty-four percent of cities utilize or provide reclaimed water for irrigation on public or private property. This is most likely to occur in cities with a population greater than 10,000, as well as in Central, South-Central, and Northeastern Oregon. On average, 44.6 of reclaimed water is reused and applied to these properties. Forty percent of cities with such a program noted a majority of their water was reclaimed. Common types of property where the water was reused include farmland and golf courses.

Fewer cities apply biosolids to public or private property. Thirty-one percent have such a program for biosolids, and these cities are more likely over 10,000 population as well as in Metro region. Cities on average landfill 49% of biosolids.

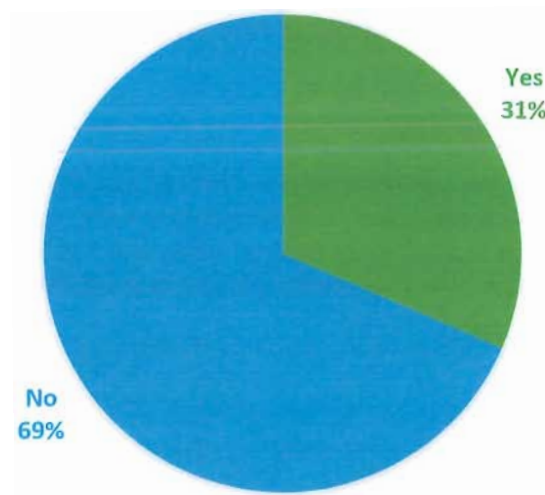


Figure 8: Does your city apply biosolids to public/private property?

## Appendix A: Invitation to Participate

**The League needs your help – please complete this survey by Friday, October 25th.**

The League of Oregon Cities appreciates your participation in the 2019 Water & Wastewater Rate Survey. We have been gathering this information every 2-5 years for over 20 years now. Our ability to gather this information has proven to be a useful tool that allows cities to better understand trends in water, wastewater and stormwater rates; and to understand how water rates might be impacted based on region, population or economic demographics

NOTE: Please submit all answers using the online form. Please use the attached PDF only for information and guidance.

Survey Link Below:

[http://orcities.co1.qualtrics.com/jfe/form/SV\\_cNHkJVBHIMuWd0h](http://orcities.co1.qualtrics.com/jfe/form/SV_cNHkJVBHIMuWd0h)

Please don't hesitate to contact me if you have any questions regarding the survey at [research@orcities.org](mailto:research@orcities.org) or 503-588-6550.

Thank you in advance for taking the time to fill out this important survey.



Tracy Rutten, *Intergovernmental Relations Associate*

503-588-6550 direct: 503-540-6576

cell: 503-830-9772

1201 Court St. NE, Suite 200, Salem, OR 97301-4194

[www.orcities.org](http://www.orcities.org)







## Residential Water Rates

The Residential Water and Sewer Rate for Garibaldi is \$74.50 per month for the first 4,000 gallons of water. New accounts require a deposit equivalent to one month of service, refundable by request after 12 months of on time payments.

If you have any questions or concerns, please call the Utility Billing Clerk at (503)322-3327.

### Water Rates

For a single-family residence, the base water rate is \$24.50 for 4,000 gallons, and an additional \$2.75 per each additional 1,000 gallons. Click on the link for more information on the [water rate structure \(PDF\)](#).

### Sewer Rates

For a single-family residence, the base sewer rate is \$50. Click on the link for more information on the [sewer rate structure \(PDF\)](#).

### Deposits

A deposit, pursuant to [GMC13.05.020](#) is required for all new applicants and equals the minimum monthly charge. For a single-family residence, the minimum monthly charge is \$74.50. This deposit can be applied to your account after one year of timely payments or posted against the final bill upon closing and the balance, if any, is refunded to the customer.





## RESOLUTION 2011-20

### A RESOLUTION ADJUSTING THE RATE STRUCTURE FOR THE GARIBALDI WATER SYSTEM, SETTING NEW RATES, AND ESTABLISHING CRITERIA FOR ANNUAL RATE INCREASES

**WHEREAS**, the City of Garibaldi provides and maintains water utility service for its citizens and businesses through Garibaldi Municipal Code 13.05, and enacted through Ord. 184, on 12 August 1991 and last amended 20 December 2004, prescribing rules, regulations and methods for establishing rates for water service; and

**WHEREAS**, fees for residential and commercial users were last set by Resolution 2010-22 adopted 19 July 2010; and

**WHEREAS**, the Garibaldi City Council held a workshop on 6 June 2011 to review the existing rate structure for water service as compared to similar coastal communities; and

**WHEREAS**, the Garibaldi City Council held a town hall meeting on 11 July 2011 to discuss a proposed rate structure for water service that aligns Garibaldi's water rates to similar coastal communities; and

**WHEREAS**, the Garibaldi City Council has directed the City Manager to adjust the City's water service rates to be comparable to similar coastal cities, while providing for sufficient revenue to adequately operate the City's water system; NOW, THEREFORE

#### THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:

**Section 1.** For the purpose of this resolution the following terms are defined:

1. *Water Service*: references the size of water pipe used to provide service to a property or building. This designation may also reference the actual water meter and its corresponding size. For the purpose of this rate structure meters that have designated as 5/8" meters will be treated as 3/4" meters.
2. *Base Rate*: is the minimum charge each month for a water service based on the *Water Service*.
3. *Base Gallons*: is the minimum amount of gallons included with a *Base Rate* each month for a *Water Service*.
4. *Overage Rate*: is the amount that is charged per thousand gallons of water used over the *Base Gallons* in any given month.

**Section 2.** Effective as of the passage of this resolution, Water System Charges shall be changed as follows:

Water Service	Base Rate	Base Gallons	Overage Rate
Residential 3/4" .....	\$24.50 .....	4,000 .....	\$2.75
Commercial 3/4" .....	\$24.50 .....	4,000 .....	\$3.00
Commercial 1" .....	\$36.75 .....	8,000 .....	\$3.00
Commercial 1- 1/2" .....	\$49.00 .....	12,000 .....	\$3.00
Commercial 2" .....	\$73.50 .....	16,000 .....	\$3.00
Commercial 3" .....	\$98.00 .....	32,000 .....	\$3.00
Commercial 4" .....	\$196.00 .....	64,000 .....	\$2.50
Commercial 6" .....	\$784.00 .....	128,000 .....	\$2.50

**Section 3.** The City Manager is hereby instructed to adjust water service rates each year on July 1, beginning 1 July 2012, in an amount ranging from a zero percent (0%) to three percent (3%) increase above the established rate of the prior year. The City Manager will determine an increase based on actual



# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 02/17/2022

SUBJECT: Seasonal Gas Tax

ITEM NO: 7 d.

At the February 17<sup>th</sup> meeting the changes for Ordinance 2022-06 were approved for the Seasonal gas tax to be Ethanol based. I have attached the final copy of the Ordinance in this section. Also attached is the resolution for the call to vote imposing a Seasonal Motor Vehicle Fuel Tax.

We have also discussed educating the residents of Port Orford on how the Seasonal Motor Vehicle Gas tax funds will be used. We have not set up a date for those sessions or established how we would like to address this. Would the council like to set up a date and or time?

### Suggested Motion:

#### ***Motion to approve Resolution 2022-02 Election to impose seasonal motor vehicle fuel tax:***

I make a motion to approve Resolution 2022-02 to call for an election within the City of Port Orford that will impose a Seasonal Motor Vehicle Fuel tax of \$0.02 (two cents).

#### ***Motion to NOT approve Resolution 2022-02 Election to impose a seasonal motor vehicle fuel tax:***

I make a motion to NOT approve Resolution 2022-02 that is calling for an election within the City of Port Orford that will impose a Seasonal Motor Vehicle Fuel tax of \$0.02 (two cents).

---

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



**RESOLUTION 2022-02**

**A RESOLUTION OF THE *COMMON COUNCIL OF THE CITY OF PORT ORFORD*,  
CALLING FOR AN ELECTION WITHIN THE CITY OF PORT ORFORD FOR THE  
PURPOSE OF IMPOSING A SEASONAL MOTOR VEHICLE FUEL TAX.**

**WHEREAS**, the City Council has established a two cents (\$0.02) per gallon of motor vehicle fuel tax sold within the City; and

**WHEREAS**, ORS 475B.491 requires that the adoption of this tax to be referred to the electors of the City of Port Orford; and

**WHEREAS**, an election specified in ORS 475B.491 will occur on November 8, 2022,

**NOW, THEREFORE**,

**BE IT RESOLVED** by the *Common Council of the City of Port Orford*, as follows:

An election within the City for the purpose of approving the seasonal motor vehicle fuel tax on all motor vehicle fuel dealers within the boundaries of the City of Port Orford shall be held on November 8, 2022.

The tax rate to be imposed will be two cents (\$0.02) per gallon.

The two cents (\$0.02) tax per gallon on the sale of motor fuel sales will begin on May 1, 2023.

Approved by the *Common Council of the City of Port Orford* and effective this 17th day of March 2022.

\_\_\_\_\_  
Pat Cox, Mayor

ATTEST:

\_\_\_\_\_  
Jessica Ginsburg, City Recorder



## Seasonal Motor Vehicle Fuel Tax Ordinance 2022-06

### AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD

**The Common Council of the City of Port Orford hereby ordains that the following Ordinance 2022-06 be adopted for Season Motor Vehicle Fuel Tax.**

#### **Chapter 3.15**

##### **SECTIONS:**

- 3.15.010 Purpose and Title.
- 3.15.020 Findings
- 3.15.030 Definitions
- 3.15.040 Tax Imposed.
- 3.15.050 Amount and Payment
- 3.15.060 License Requirements.
- 3.15.070 License Application and Issuance.
- 3.15.080 Failure to Secure License.
- 3.15.090 Revocation of License.
- 3.15.100 Cancellation of License.
- 3.15.110 Remedies Cumulative.
- 3.15.120 Delinquency.
- 3.15.130 Monthly Statement of Dealer.
- 3.15.140 Failure to File Monthly Statement.
- 3.15.150 Billing Purchasers.
- 3.15.160 Failure to Provide Invoice or Delivery Tag
- 3.15.170 Transporting Motor Vehicle Fuel in Bulk.
- 3.15.180 Exemption of Exported Fuel.
- 3.15.190 Sales to Armed Forces Exempted.
- 3.15.200 Fuels in Vehicles Coming into City Not Taxed.
- 3.15.210 Refunds.
- 3.15.220 Examination and Investigations.
- 3.15.230 Limitation on Credit or Refund of Overpayment and Assessment of Additional Tax.
- 3.15.240 Records to be Kept by Dealers.
- 3.15.250 Records to be Kept Three Years.
- 3.15.260 Use of Tax Revenues.
- 3.15.270 Administration.
- 3.15.280 Voter Referral.
- 3.15.290 When Tax Shall Take Effect.
- 3.15.300 Severability.

“The People of the City of Port Orford ordain as follows”

3.15.010 . Purpose and Title. This ordinance is enacted to provide additional funds for the construction, reconstruction, improvement, repair, maintenance, operation and use of the public highways, roads, and streets in the city and those subject to city control. This ordinance shall be known as the “Motor Vehicle Fuel Tax Ordinance.”

3.15.020 . Findings. The City Council of the City of Port Orford finds:

- A. The public highways, roads, and streets in the city and those subject to city control are consistently in need of construction, reconstruction, improvements, repair, upkeep and maintenance, to promote ease of travel and commerce in and around the city;
- B. The city’s current revenue sources do not produce adequate funding to fund said construction, reconstruction, improvement, repair, upkeep, and maintenance;
- C. The city wishes to enact a \$0.02 per gallon motor vehicle fuel tax on all motor vehicle fuel dealers beginning May1 to October 31 in order to provide additional funds for said construction, reconstruction, improvement, repair, upkeep, and maintenance of the public highways, roads, and streets in the city and those subject to city control;
- D. The city referred a proposed \$0.02 per gallon motor vehicle fuel tax to the electors of the City of Port Orford for their approval at the election held on November 08, 2022.
- E. On November 08, 2022 the electors of the City of Port Orford approved a \$0.02 per gallon motor vehicle fuel tax; and
- F. The monies generated by this ordinance will be dedicated to the construction, reconstruction, improvements, repair, maintenance, operation, and use of public highways, roads, and streets in the city and those subject to city control as required by the Oregon Constitution.

3.15.030 . Definitions. As used in this ordinance, unless context requires otherwise, the following words and phrases mean:

- A. City. The city of Port Orford, Oregon.
- B. Dealer. Any person who:
  - 1) Imports or causes to be imported motor vehicle fuel for sale, use or distribution in the city;
  - 2) Produces, refines, manufactures or compounds motor vehicle fuel in the city for use, distribution or sale in the city; or
  - 3) Acquires in the city for sale, use or distribution in the city motor vehicle fuels with respect to which there has been no motor vehicle fuel tax previously incurred.
  - 4) “Dealer” does not include any person who imports into the city motor vehicle fuel in quantities of 500 gallons or less purchased from a supplier who is licensed as a dealer hereunder if that dealer assumes liability for the payment of the applicable motor vehicle fuel tax to the city.



- C. Distributor. In addition to its ordinary meaning, the deliverer of motor vehicle fuel by a dealer to any service station or into any tank, storage facility, or series of tanks or storage facilities connected by pipelines, from which motor vehicle fuel is withdrawn directly for sale or for delivery into the fuel tanks or motor vehicles whether or not the service station, tank, or storage facility is owned, operated, or controlled by the dealer.
- D. Motor vehicle. All vehicles, engines or machines, moveable or immovable, operated or propelled by the use of motor vehicle fuel.
- E. Motor vehicle fuel. Means Ethanol based fuels. Propane fuel and motor vehicle fuel used exclusively as a structural heating source are excluded as a taxable motor vehicle fuel.
- F. Person. Every natural person, association, firm, partnership or corporation.
- G. Service station. Means and includes any place operated for the purpose of retailing and delivering motor vehicle fuel into the fuel tanks of motor vehicles.

3.15.040 . Tax Imposed. A motor vehicle fuel tax is hereby imposed on every dealer operating within the corporate limits of the city. The city motor vehicle fuel tax shall be paid monthly to the city or its authorized agent.

- A. A person who is not a licensed dealer shall not accept or receive motor vehicle fuel in this city from a person who supplies or imports motor vehicle fuel who does not hold a valid motor vehicle fuel dealer license in this city. If a person is not a licensed dealer or licensed motor vehicle fuel handler in this city and accepts or receives motor vehicle fuel, the purchaser shall be responsible for all taxes, interests and penalties prescribed herein.
- B. A licensed dealer who accepts or receives motor vehicle fuel from a person who does not hold a valid dealer license in this city, shall pay the tax that would have otherwise been imposed upon the unlicensed dealer by this ordinance to the city, or its authorized agent, upon the sale, use or distribution of the motor vehicle fuel.

3.15.050 . Amount and Payment.

- A. In addition to any fees or taxes otherwise provided for by law, every dealer in the city engaging in the sale, use or distribution of motor vehicle fuel shall:
  - 1) Not later than the 25<sup>th</sup> day of each calendar month, render a statement to the city or its authorized agent, of all motor vehicle fuel sold, used, or distributed by them in the city as well as all such fuel sold, used, or distributed in the city by a purchaser thereof upon which sale, use, or distribution the dealer has assumed liability for the applicable motor vehicle fuel tax during the preceding calendar month and within the time provided in this ordinance ; and
  - 2) Pay a motor vehicle fuel tax on the basis of \$0.02 per gallon of such motor vehicle fuel so sold, used, or distributed as shown by such statement in the manner and within the time provide in this Ordinance.
- B. The motor vehicle fuel tax shall not be imposed wherever it is prohibited by the Constitution, laws of the United States, or the State of Oregon.

3.15.060 . License Requirements. No dealer, shall sell, use, or distribute any motor vehicle fuel until they have secured a dealer license as required herein.

3.15.070 . License Application and Issuance.

- A. Every person, before becoming a dealer in motor vehicle fuel in this city, shall make an application to the city or its duly authorized agent, for a license authorizing such person to engage in business as a dealer.
- B. Applications for the license must be made on forms prescribed, prepared, and furnished by the city or its duly authorized agent.
- C. Applications shall be accompanied by a fully acknowledged certificate containing:
  - 1) The business name under which the dealer is transacting business;
  - 2) The address of the applicant's principal place of business and location of distributing stations in and adjacent to the city;
  - 3) The name and address of the managing agent, the names and addresses of the several persons constituting the firm or partnership and, if a corporation, the corporate name under which it is authorized to transact business and the names and addresses of its principal officers and registered agent, as well as primary transport carrier.
- D. If an application for a motor vehicle fuel dealer license having been accepted for filing, the city or its authorized agent shall issue to the dealer a license in such form as the city or its duly authorized agent may prescribe to transact business in the city. The license so issued is not assignable and is valid only for the dealer or fuel handler in whose name it is issued.
- E. No fee shall be charged by the city for securing said license as described herein.

3.15.080 . Failure to Secure License.

- A. If any dealer sells, distributes or uses any motor vehicle fuel without first filing the certificate and securing the license required by 3.15.070 , the motor vehicle fuel tax shall immediately be due and payable on account of all motor vehicle fuel so sold, distributed or used.
- B. The city shall proceed forthwith to determine, from the best available sources, the amount of such tax, and it shall assess the tax in the amount found due, together with a penalty of 200% of the tax, and shall make its certificate of such assessment and penalty, determined by the City Manager or the city's duly authorized agent. In any suit or proceeding to collect such tax or penalty or both, the certificate is prima facie evidence that the dealer therein named is indebted.
- C. Any tax or penalty so assessed may be collected in the manner prescribed in 3.15.120 of this ordinance with reference to delinquency in payment of the fee or by an action at law.
- D. In the event any suit or action is instituted to enforce this section, if the city is the prevailing party, the city shall be entitled to recover from the person sued, reasonable attorney's fees at trial or upon appeal of such suit or action, in addition to all other sums provided by law.

3.15.090 . Revocation of License. The city or its authorized agent shall revoke the license of any dealer refusing or neglecting to comply with any provision of this ordinance. The city or its authorized agent shall mail by certified mail addressed to such dealer at their last known address on file, a notice of intention to revoke. The notice shall give the reasons for the revocation. The revocation shall become effective without further notice if within 10 days from the mailing of the notice, the dealer has not made good its default or delinquency.3.15.100. Cancelation of License.

- A. The city or its authorized agent may upon written request of a dealer, cancel any license issued to such dealer. The cancellation shall take effect not later than 30 days after receipt of the written request, after which the license shall no longer be effective.
- B. If the city or its authorized agent ascertains and finds that the person to whom a license has been issued is no longer engaged in the business of as a dealer, the city or its authorized agent may cancel the license of such dealer upon investigation after 30 days' notice has been mailed to the last known address of the dealer.

3.15.110 . Remedies Cumulative. Except as otherwise provided in 3.15.120 and 3.15.140 , the remedies provided in 3.15.080 and 3.15.100 are cumulative. No action taken pursuant to those sections shall relieve any person from the penalty provisions of this ordinance.

3.15.120. Delinquency.

- A. Except as provided in subsection (B) and (C) of this section, if payment of the tax is not paid as required by sections 4 and 5 of this ordinance, a penalty of 1% of such license tax shall be assessed and be immediately due and payable.
- B. Except as provided in subsection (C) of this section, if the payment of the tax and penalty, if any, is not made on or before the 1<sup>st</sup> day of the next month following that month in which payment is due, a further penalty of 10% of the tax shall be assessed. Said penalty shall be in addition to the penalty provided for in subsection (A) of this section and shall be immediately due and payable.
- C. Penalties imposed by this section shall not apply if a penalty has been assessed and paid pursuant to 3.15.080 .
- D. The city or its authorized agent may for good cause shown waive any penalties assessed under this section.
- E. If any person fails to pay the license tax, interest, or any penalty provided for by this section, the tax, interest, and/or penalty shall be collected from that person for the use by the city. The city shall commence and prosecute the final determination in any court of competent jurisdiction an action at law to collect the same.
- F. In the event any suit or action is instituted to collect the tax, interest, or any penalty provided for by this section, if the city is the prevailing party, the city shall be entitled to recover from the person sued reasonable attorney's fees at trial or upon appeal of such suit or action, in addition to all other sums provided by law.

3.15.130 . Monthly Statement of Dealer. Every motor vehicle fuel dealer shall provide to the city or its authorized agent on or before the 25th day of each month, on forms prescribed, prepared and furnished by the city or its authorized agent, a statement of the number of gallons of motor vehicle fuel sold, distributed or used by the dealer during the preceding calendar month. The statement shall be signed by the dealer or its agent. All statements as required in this section are public records.

3.15.140 . Failure to File Monthly Statement. If a dealer fails to file any statement required by Section 13, the city or its authorized agent shall proceed forthwith to determine from as many available sources as the city or its authorized agent determines reasonable the amount of motor vehicle fuel sold, distributed, used, or stored by such dealer for the period unreported, and such determination shall in any proceeding be prima facie evidence of the amount of fuel sold, distributed, used, or stored. The city or its authorized agent immediately shall assess the motor vehicle fuel tax in the amount due determined, as pertaining to the reportable dealer, adding thereto a penalty of ten percent for failure to report. The penalty shall be cumulative to other penalties provided in this ordinance. In any suit brought to enforce the rights of the city under this section, any such determination showing the amount of tax, penalties, and costs unpaid by any dealer and that the same are due and unpaid to the city or its authorized agent is prima facie evidence of the facts as shown.

3.15.150 . Billing Purchasers. Bills shall be rendered to all purchasers of motor vehicle fuel by dealers. The bills shall separately state and describe to the satisfaction of the city or its authorized agent, the different products shipped thereunder and shall be serially numbered except where other sales invoice controls acceptable to the city or its authorized agent are maintained. The bills required hereunder may be the same as those required under ORS 319.210.

3.15.160 . Failure to Provide Invoice or Delivery Tag. No person shall receive and accept any shipment of motor vehicle fuel from any dealer, or pay for the same, or sell or offer the shipment for sale, unless, the shipment is accompanied by an invoice or delivery tag showing the date upon which shipment was delivered and the name of the dealer in motor vehicle fuel.

3.15.170 . Transporting Motor Vehicle Fuel in Bulk. Every person operating any conveyance for the purpose of hauling, transporting, or delivering motor vehicle fuel in bulk shall, before entering upon the public streets of the city with such conveyance, have and possess during the entire time of such hauling or transporting of motor vehicle fuel, an invoice, bill of sale, or other written statement showing the number of gallons conveyed, the true name and address of the seller or consignor, and the true name and address of the buyer or consignee of the same. The person hauling such motor vehicle fuel shall at the request of any officer authorized by the city to inquire into, or investigate such matters, produce and offer for inspection the invoice, bill of sale, or other statement.

3.15.180 . Exemption of Exported Fuel.

A. The tax imposed by 3.15.040 shall not be imposed on motor vehicle fuel that is:

- 1) Exported from the city by a dealer; or
- 2) Sold by a dealer in individual quantities of 500 gallons or less for export by the purchaser to an area, or areas outside the city in containers other than the fuel tank of a motor vehicle, but every dealer shall be required to report such exports and sales to the city in such detail as may be required.

B. In support of any exemption from motor vehicle fuel taxes claimed under this section other than in the case of stock transfers or deliveries in their own equipment, every dealer must execute and file with the city or its authorized agent, an export certificate in such form as shall be prescribed, prepared and furnished by the city or its authorized agent, containing a statement, made by some person having actual knowledge of the fact of such exportation, that the motor vehicle fuel has been exported from the city, and giving such details with reference to such shipment as may be

required. The city or its authorized agent may demand of any dealer such additional data as is deemed necessary in support of any such certificate, and failure to supply such data will constitute a waiver of all right to exemption claimed by virtue of such certificate. The city or its authorized agent, may, in a case where it believes no useful purpose would be served by filing of an export certificate, waive the certificate.

- C. Any motor vehicle fuel carried from the city in the fuel tank of a motor vehicle shall not be considered as exported from the city.
- D. No person shall, through false statements, trick or device, or otherwise, obtain motor vehicle fuel for export as to which the city motor vehicle fuel tax has not been paid and fail to export the same, or any portion thereof, or cause the motor vehicle fuel or any portion thereof to be used, distributed or sold in the city and fail to notify the city or its authorized agent and the dealer from whom the motor vehicle fuel was originally purchased of their act.
- E. No dealer or other person shall conspire with any person to withhold from export, divert from export, or return motor vehicle fuel to the city for sale or use so as to avoid any fees imposed herein.
- F. In support of any exemption from taxes on account of sales of motor vehicle fuel in individual quantities of 500 gallons or less for export by the purchaser, the dealer shall retain in his files for at least three years an export certificate executed by the purchaser in such form and containing such information as is prescribed by the city or its authorized agent. This certificate shall be prima facie evidence of the exportation of the motor vehicle fuel to which it applies only if accepted by the dealer in good faith.

3.15.190 . Sales to Armed Forces Exempted. The motor vehicle fuel tax imposed by 3.15.040 shall not be imposed on any motor vehicle fuel sold to the Armed Forces of the United States for use in ships, aircraft or for export from the city; but every dealer shall be required to report such sales to the city, in such detail as may be required. A certificate by an authorized officer of such Armed Forces shall be accepted by the dealer as sufficient proof that the sale is for the purpose specified in the certificate.

3.15.200 . Fuels in Vehicles Coming into City Not Taxed. Any person coming into the city in a motor vehicle may transport in the fuel tank of such vehicle motor vehicle fuel for their own use only and for the purpose of operating such motor vehicle without securing a license or paying the tax provided in Section 4, or complying with any of the provisions imposed upon dealers herein, but if the motor vehicle fuel so brought into the city is removed from the fuel tank of the vehicle or used for any purpose other than the propulsion of the vehicle, the person so importing the fuel into the city shall be subject to all provisions herein applying to dealers.

3.15.210 . Refunds. Refunds will be made pursuant to ORS 319.280 to 319.320.

3.15.220 . Examination and Investigations. The city, or its duly authorized agent, may make any examination of accounts, records, stocks, facilities, and equipment of dealers, service stations, and other persons engaged in storing, selling, or distributing motor vehicle fuel within this city, and such other investigations as it considers necessary in carrying out the provisions of this ordinance. If the examinations or investigations disclose that any reports of dealers or other persons theretofore filed with the city or its authorized agent pursuant to the requirements herein, have shown incorrectly the amount of gallons of motor vehicle fuel distributed or the tax accruing thereon, the city or its authorized agent may

make such changes in subsequent reports and payments of such dealers or other persons, or may make such refunds, as may be necessary to correct the errors by its examinations or investigations.

3.15.230 . Limitation on Credit or Refund of Overpayment and Assessment of Additional Tax.

- A. Except as otherwise provided in this chapter, any credit for erroneous overpayment of tax made by a dealer taken on a subsequent return or any claim for refund of tax erroneously overpaid filed by a dealer must be so taken or filed within three (3) years after the date on which the overpayment was made to the city or to its authorized agent.
- B. Except in the case of a fraudulent report or neglect to make a report, every notice of additional tax proposed to be assessed under this chapter shall be served on dealers within three (3) years from the date upon which such additional taxes become due.

3.15.240 . Records to be Kept by Dealers. Every dealer in motor vehicle fuel shall keep a record in such form as may be prescribed by the city or its authorized agent of all purchases, receipts, sales, and distribution of motor vehicle fuel. The records shall include copies of all invoices or bills of all such sales and purchases, and shall at all times during the business hours of the day be subject to inspection by the city or its authorized agent.

3.15.250 . Records to be Kept Three Years. Every dealer shall maintain and keep, for a period of three (3) years, all records of motor vehicle fuel used, sold, and distributed within the city by such dealer, together with stock records, invoices, bills of lading, and other pertinent papers as may be required by the city or its authorized agent. In the event such records are not kept, the dealer shall reimburse the city or its authorized agents for all travel, lodging, and related expenses incurred in examining such records. The amount of such expenses shall be an additional tax imposed hereunder.

3.15.260 . Use of Tax Revenues.

- A. The city manager or designee shall be responsible for the disposition of the revenue from the tax imposed by this ordinance in the manner provided by this section.
- B. For the purposes of this section, “net revenue” means the revenue from the tax imposed by this ordinance remaining after providing for the cost of administrating the motor vehicle fuel tax to motor vehicle fuel dealers and any refunds and credits authorized herein. The program administration costs of revenue collection and accounting activities shall not exceed ten and one-half percent (10.5%) for the first year and ten percent (10%) thereafter, of annual tax revenues.
- C. The net revenue shall be used only for the activities related to the construction, reconstruction, improvement, repair, and maintenance of public highways, roads and streets within the city which are subject to city control.

3.15.270 . Administration. The city manager or designee is responsible for administrating this ordinance. In addition, the city manager or designee may enter into an agreement with the Oregon Department of Transportation as an authorized agent for the implementation of certain sections of this ordinance.

3.15.280 . Voter Referral. This ordinance was referred to the electors of the city of Port Orford at the November 03, 2020 election. A copy of the ballot measure for this referral is attached hereto and by this reference incorporated herein.

3.15.290 . When Tax Shall Take Effect. The taxation imposed by this ordinance shall commence May 1 thru October 31 annually

3.15.300 . Severability. If any portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of any remaining portions of this ordinance.

DATED the <sup>th</sup> day of January 2022

Passed or Failed by the following Roll Call Vote

Yes: \_\_\_\_\_

No: \_\_\_\_\_

Passed \_\_\_\_\_ Failed \_\_\_\_\_

\_\_\_\_\_  
Mayor Pat Cox

ATTEST:

\_\_\_\_\_  
Jessica Ginsburg, City Recorder





# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Text My GOV

ITEM NO: 7 d

In October 2021 we had a demonstration for a new program called Text My GOV. This is a way for our residents and visitors to contact City Hall for a wide range of things from basic questions, making payment (both Citations and Utility) to reporting water breaks and pot holes. We can customize responses for multiple things that will be sent automatically to the resident or visitor. We can also have the reports of pot holes to water breaks sent directly to the correct employee in public works. We can easily administer the back end and make changes as necessary either daily, weekly or monthly with just a few clicks.

The total amount to set it up is \$4,200. This includes a \$1,200 set up fee and the annual fee of \$3,000 for the 1<sup>st</sup> year. This requires very little time from staff to set up and maintain but it will open up the communication channels for everyone in Port Orford.

### Suggested Motions:

#### ***Motion to approve Text My GOV services.***

I make a motion that the City Council Approve the Contract and Installation services of Text My GOV.

#### ***Motion to NOT approve Text My GOV Services***

I make the motion that the City Council does NOT approve the Contract and Installation services of Text My GOV

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



194

# TextMyGov

TextMyGov  
P.O. Box 3784  
Logan, Utah 84323  
435-787-7222

## Partnership Proposal

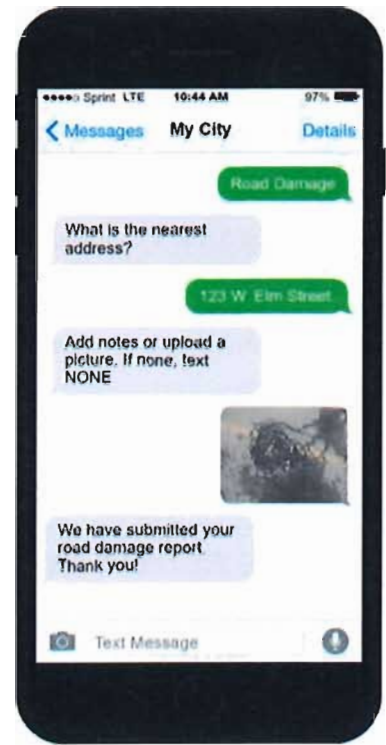
### Introducing TextMyGov

TextMyGov was developed to open lines of communication with local government agencies and citizens. The system works 24 hours a day and easily connects with your website and other communication methods.

Using the regular messaging app on any smartphone, the smart texting technology allows the citizen to ask questions and get immediate responses, find links to information on the agency's website, address problems, report any issues and upload photos.

According to the Pew Research Center, **97% of smartphone owners text regularly.**

The technology analysts at Compuware reported **that 80 to 90% of all downloaded apps are only used once and then eventually deleted** by users.



### TextMyGov Solutions:

*Communicate, Engage, Boost Website Traffic, Track, and Work*



#### Communicate

TextMyGov uses smart texting technology to communicate with citizens. Local government agencies can answer questions, send links to their website, and provide details on garbage pickup, utility payments, city news, events, office hours, just to name a few.



#### Engage

TextMyGov uses smart texting technology to engage with citizens. Citizens can easily report issues to any department, such as potholes, drainage problems, tall grass, junk cars. The issue reporting function can be customized for each department and their most commonly reported items. Agencies can engage citizens and ask specific guided questions regarding location, address, street name, and more. If your goal is to engage with citizens and get smart valuable data- You need TextMyGov.



## Boost Website Traffic

TextMyGov uses smart texting technology to maximize a city's website. Citizens can text in keywords like festival, parking, ticketing, meeting, sporting event, etc. The smart texting technology can answer the question or send a link from the city's website with additional information. Local government agencies spend thousands of dollars each year on their website. TextMyGov is the best way to benefit from that investment. If your goal is to benefit from your website investment- You need TextMyGov.



## Track

TextMyGov uses smart texting technology to track and record all the information that is sent in. Agencies can track the cell phone number, date, and time of every request. If your agency wants to be compliant with FOIA- You need TextMyGov.



## Work

Smart texting uses detailed information to track a citizen's request or create a work order. Work orders and requests can be generated and completed. Smart texting allows you to easily collect information like name, location, street address, and allows the user to upload a photo. If your agency wants to track real requests and real work orders submitted by a real cell phone number- You need TextMyGov.

# Implementation

## Getting Started

After the execution of the basic service agreement, a project manager will be assigned to assist the client through implementation. A local phone number will be obtained for use with TextMyGov.

## Configuration

The project manager will work with the client to customize interactive responses, create automation flows, and keyword lists. Training will be provided on how to quickly create and edit data.

## Media Kit

Advertising materials will be provided to the client, including an infographic for the website and downloadable flyer for social media and other communication methods used by the agency.

## Unlimited Training and Support

After initial implementation and training, unlimited on-going support is included. Our experts are available M-F 6am-5pm MST.

## Subscription Cost Breakdown

This quote represents a subscription to TextMyGov with an annual reoccurring charge for a period of two years. The agreement is set to automatically renew on the date of this agreement, after year two. See below for package price and other details.

Terms and conditions can be printed and attached as Exhibit A or viewed at [www.TextMyGov.com/terms](http://www.TextMyGov.com/terms)

**Prepared for:**

Port Orford  
555 W. 20th St. PO Box 310  
Port Orford, OR 97465

**Prepared by:**

Jason Johnson  
Account Executive  
P.O. Box 3784  
Logan, UT 84323

Package	Package Price	Billing
<b>TextMyGov</b> Package includes: <ul style="list-style-type: none"> <li>• TextMyGov Web-Based Software</li> <li>• Local Phone Number</li> <li>• Short Code Number (for outgoing messages)</li> <li>• Unlimited Users</li> <li>• Unlimited Departments</li> <li>• Unlimited Support for Every User</li> <li>• 10 GB Managed online data storage</li> <li>• 25,000 Text Messages per year</li> <li>• Additional text messages can be purchased for: (\$750 for 100,000), (\$550 for 50,000), (\$300 for 25,000)</li> </ul>	\$3,000	Annual
Implementation/Setup Fee	\$1,200	One Time
<b>Total (First Year):</b>	<b>\$4,200</b>	<b>First Year</b>
<b>Total (Ongoing):</b>	<b>\$3,000</b>	<b>Annual</b>

**Notes:**

1. This is a two-year contract. After the initial two years, the contract can be canceled by providing 60-day written notice.
2. After the initial two-year contract, the agreement will revert to a year to year.
3. Customer is required to put Text My Gov widget on the Agencies Web Home page.
4. This agreement and pricing was provided at the customer's request and is good for 30 days.
5. Customer is required to provide copy of W-9

## Agreement Confirmation

### Implementation Team Information

Name:

Title:

Email:

Office Phone:

Cell Phone (Required):

### Implementation Team Information

Name:

Title:

Email:

Office Phone:

Cell Phone (Required):

### Billing Information

Billing Contact Name:

Title:

Email:

Office Phone:

Address:

### Agreement Signature

Name:

Title:

Date:

Signature:

## Twilio Contact Authorization

### Twilio Authorized Contacts

Employee Name (1):

Email:

Business Title:

Job Position:

Phone Number:

Employee Name (2):

Email:

Business Title:

Job Position:

Phone Number:

I confirm that my nominated authorized representatives agree to be contacted by Twilio.

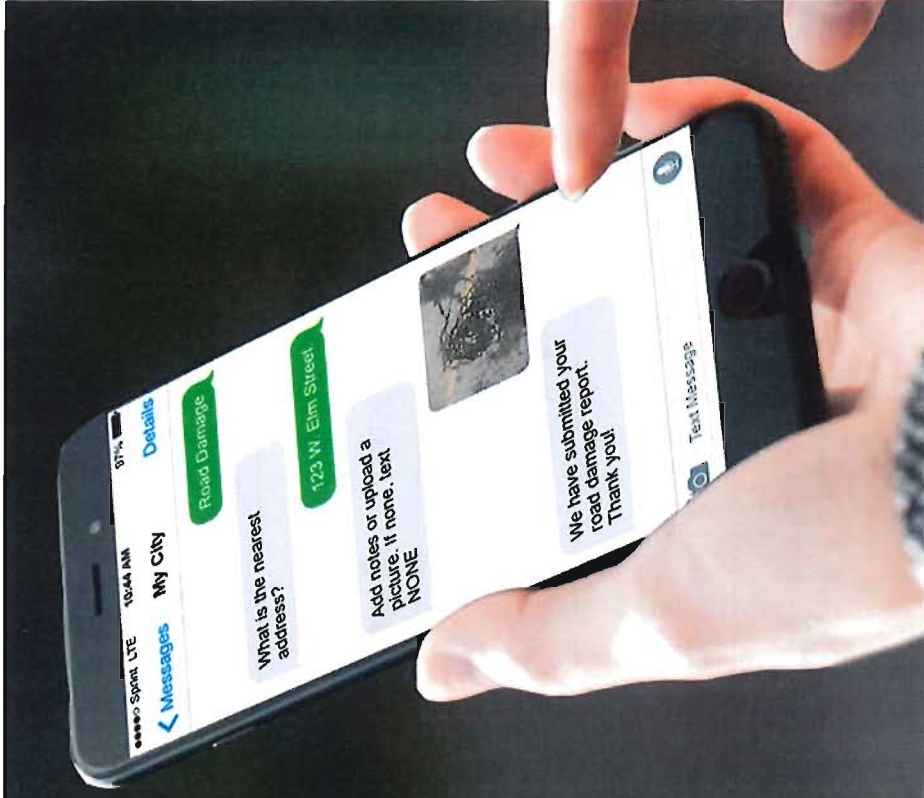




# TextMyGov

## The Simplest Way To Communicate With Citizens

***Make It Easy For Citizens To:  
Report Issues – Find Information – Receive Alerts***





## Let's Look At The Numbers

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Over 70% of Americans prefer text over calling

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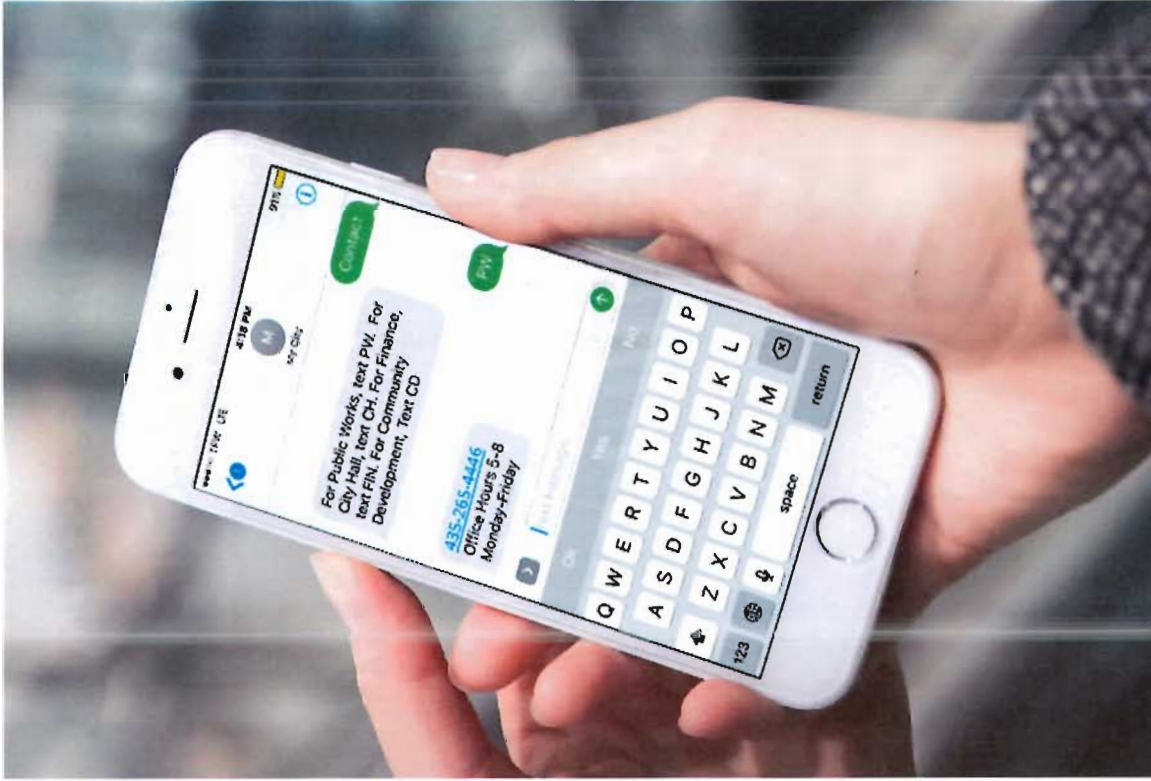
80-90% of all downloaded apps are used once before being deleted

---

TextMyGov uses a mobile phone's regular messaging app (no usernames or passwords to remember)

---

Artificial Intelligence searches for keywords and automatically responds to inquiries, 24 hours a day



TextMyGov makes it easy for residents to find information quickly and easily by simply sending a text.



Text MyGov  
(435)265-4597

Code Complaint

Animal control

Parking

Pay Utilities

Road damage

park reservations



Report Issues  
Text in keywords: "Pothole" "Sign" "Tall Grass" "Tree Limbs" "Street Light"



Get Contact Info for Different Departments  
Text in keywords: "Contact" "PW" "Code" "Park" "Bill Pay"



Find Schedule Information  
Text in keywords: "Office Hours" "FAQ" "Contact" "Trash"



Learn More  
Click the link to be directed to our informational site

Less Info



# TextMyGov

City employees have access to easy to use software, giving them the ability to send and receive texts, publish updates and keep track of interactions with citizens.

## Recent Log

- 05/14/2020 - +1[redacted] - What is the soccer schedule
- 05/14/2020 - +1[redacted] - Bus info
- 05/14/2020 - +1[redacted] - Hi
- 05/14/2020 - +1[redacted] - Attractions
- 05/14/2020 - +1[redacted] - Report
- 05/14/2020 - +1[redacted] - PERMIT INFO

[View More](#)

## One Response Word

### One Response Answer

#### Animal Control

To report a stray animal, text REPORT, to receive a status update text STATUS.

## Send Message

Group Name: City Alerts

Message:

[account-name] must be included in your message.

-Contact support to send a message-

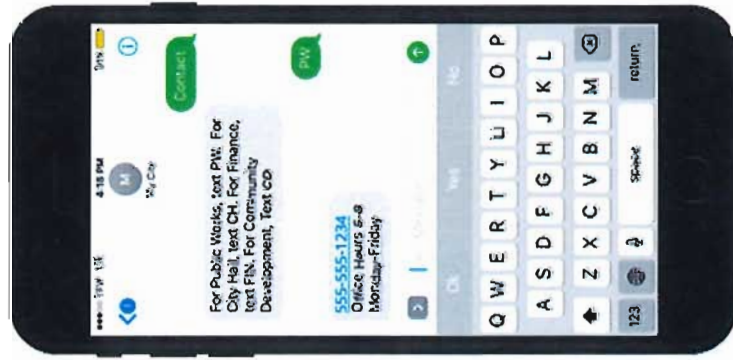
Text city1 to '91896'

## Get Ready To Take Your Agency's Communication Service To The Next Level

Meet high-volume demands, & Reduce incoming phone calls while improving citizen communication.



**TextMyGov**



### COMMUNICATE

Textmygov uses smart texting technology to communicate with citizens 24/7. Local government agencies can answer question, send links to their website, and provide details on garbage pickup, utility payment, city news, events, office hours, department locations and more.

### ENGAGE

Textmygov uses smart texting technology to engage with citizens. Citizens can easily report code violation, public works issues like potholes, sign down, drainage problems, tree trimming, sewer smell, and more. Agencies can engage citizens, start a workflow, and ask specific guided question regarding location, address, street name and more.

### BOOST WEBSITE TRAFFIC

Textmygov uses smart texting technology to maximize a cities website (compatible with any website). Citizens can text in key words like festival, parking, ticketing, and more. The smart texting technology can answer the question, or send a link from the cities website with additional information. Local government agencies spend thousands each year on their website and Textmygov is the best way to benefit from that investment



# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Cluster Cottages

ITEM NO: 8 a.

We have had an opportunity for smaller homes to be built in Port Orford. Therefore, Jessica, Hui and Crystal talked to the potential builder/contractor and the decision was made that we will work on a Zoning Overlay called Cluster Cottages. Hui is with the DLCD and they have already written a "plug and play" version which I have attached to this section. Keep in mind it is written for cities that are 10,000 + in population. We will have to have the Planning Commission make a few changes for Port Orford but not many. The builder has agreed to wait till we pass this overlay before starting the project. Due to this and how the housing situation currently is Crystal, Shala and Jessica have discussed how we are going to express the need for this with the Planning Commission.

I have also attached a sample of what the builder has proposed. Keep in mind this is just a draft and it has NOT been submitted to the City or the County for approval yet. Hui from the DLCD is in attendance for this meeting and can answer any questions that the Council Members may have.

### Suggested Motion:

#### ***Motion to approve the Planning Commission to work on Ordinance for Cluster Cottages:***

I make a motion to approve that the Planning Commission begin to work on an Ordinance for "Cluster Cottages".

#### ***Motion to table the discussion for additional research:***

I make a motion to take the discussion of "Cluster Cottages" for additional research and be discussed at the Council Meeting in April 2022 .

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator





- iv. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.
- c. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b).

## Chapter 5. Cottage Clusters

### Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards

### A. Permitted Uses and Approval Process

1. Permitted Use. Cottage cluster projects are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Cottage cluster projects are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a cottage cluster project subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a cottage cluster development application.

### B. Development Standards

1. Applicability.
  - a. Cottage clusters shall meet the standards in subsections (2) through (7) of this section (B).
  - b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):
    - Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).
    - Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the siting or design of dwellings.
    - The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.

2. Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot size, width, and depth standards that apply to detached single family dwellings in the same zone.
3. Maximum Density. The jurisdiction's pre-existing density maximums do not apply.
4. Setbacks and Building Separation.
  - a. Setbacks. Cottage clusters shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone, except that minimum setbacks for dwellings in excess of the following are invalid:
    - Front setbacks: 10 feet
    - Side setbacks: 5 feet
    - Rear setbacks: 10 feet
  - b. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
5. Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.
6. Building Height. The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.
7. Off-Street Parking.
  - a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).
  - b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
    - i. The space must be abutting the subject site;
    - ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
    - iii. The space must be a minimum of 22 feet long; and
    - iv. The space must not obstruct a required sight distance area.

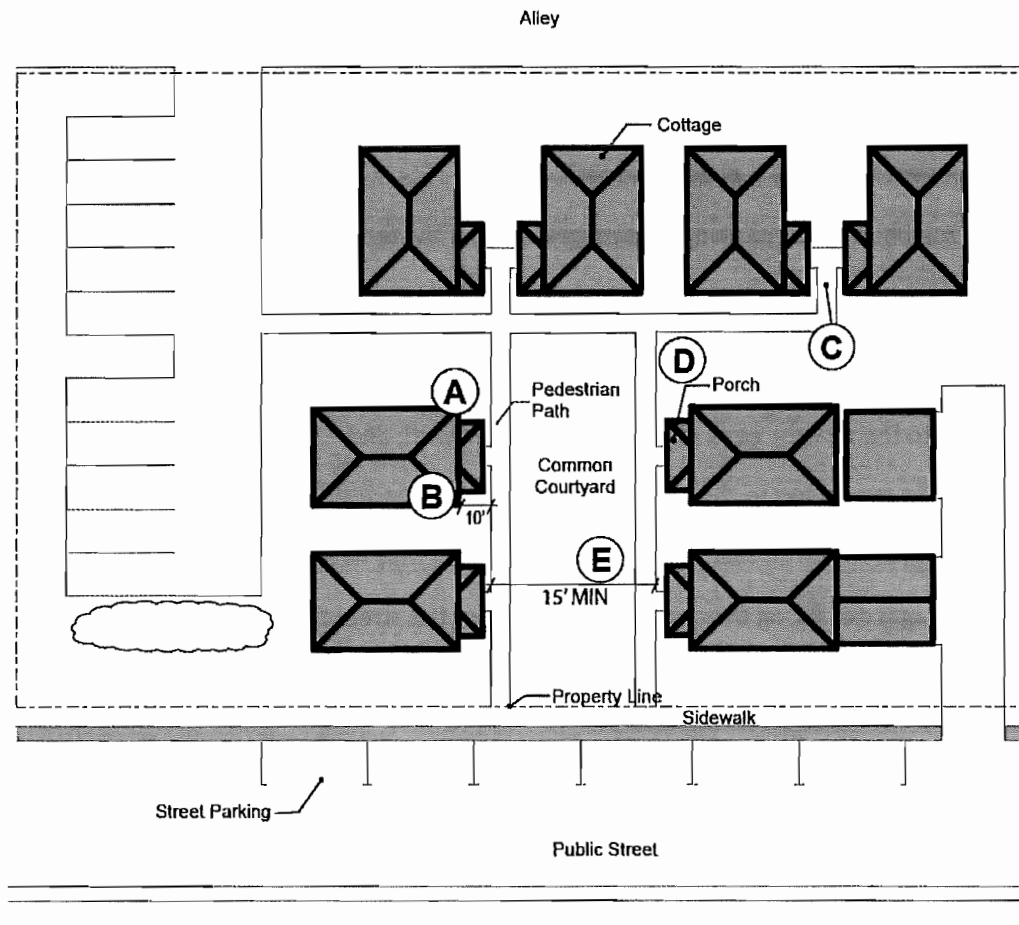
### C. Design Standards

Cottage clusters shall meet the design standards in subsections (1) through (8) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (C).

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 26):
  - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
  - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
    - i. Have a main entrance facing the common courtyard;
    - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
    - iii. Be connected to the common courtyard by a pedestrian path.
  - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
  - d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 26):
  - a. The common courtyard must be a single, contiguous piece.
  - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
  - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).
  - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
  - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

- f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 26. Cottage Cluster Orientation and Common Courtyard Standards

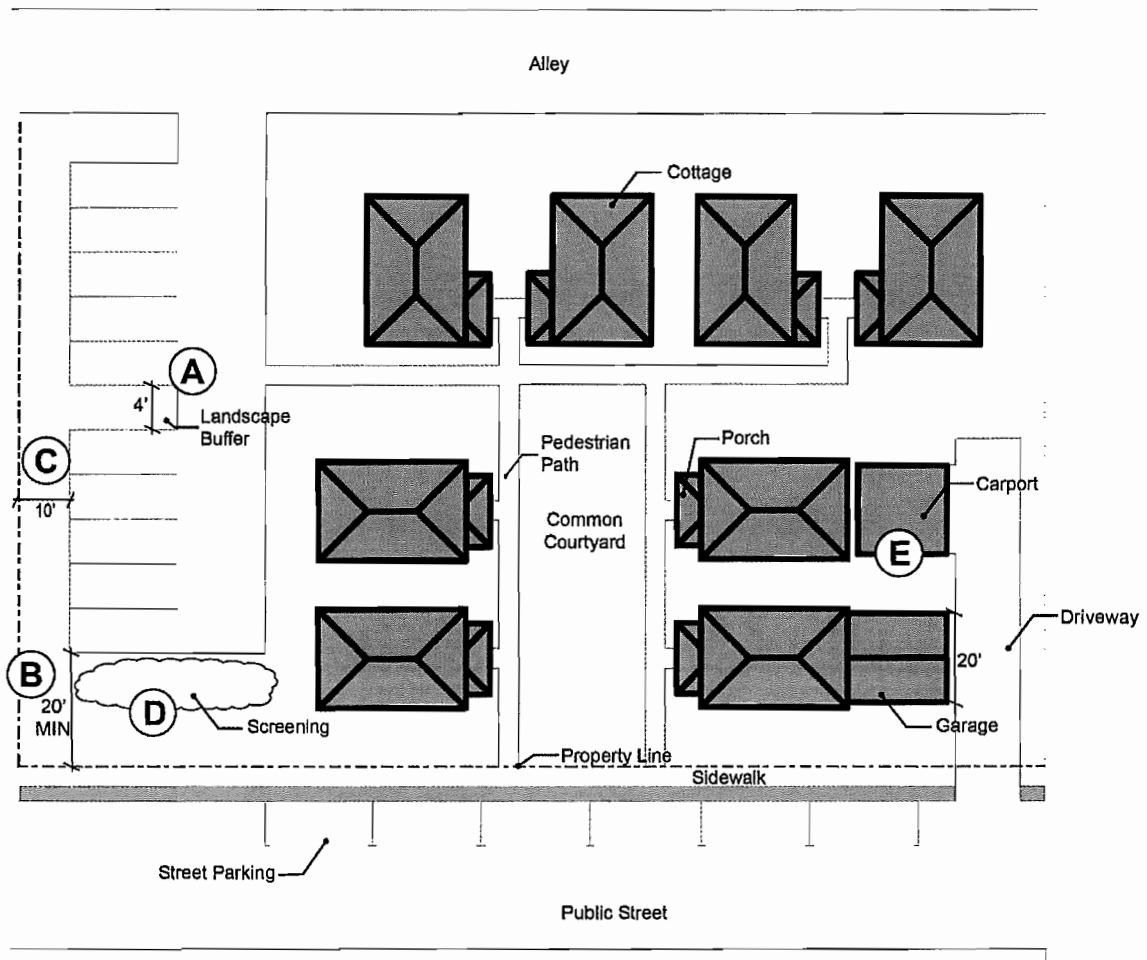


- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
  - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (B)(5).
  - b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
4. Pedestrian Access.
  - a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
    - i. The common courtyard;
    - ii. Shared parking areas;
    - iii. Community buildings; and
    - iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
  - b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.
6. Parking Design (see Figure 27).
  - a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
    - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
    - ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
    - iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
    - iv. Clustered parking areas may be covered.
  - b. Parking location and access.
    - i. Off-street parking spaces and vehicle maneuvering areas shall not be located:

- Within of 20 feet from any street property line, except alley property lines;
  - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
  - d. Garages and carports.
    - i. Garages and carports (whether shared or individual) must not abut common courtyards.
    - ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
    - iii. Individual detached garages must not exceed 400 square feet in floor area.
    - iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
  8. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
    - a. The existing dwelling may be nonconforming with respect to the requirements of this code.
    - b. The existing dwelling may be expanded up to the maximum height in subsection (B)(4) or the maximum building footprint in Chapter 1, subsection (B)(1); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
    - c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
    - d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (C).

Figure 27. Cottage Cluster Parking Design Standards



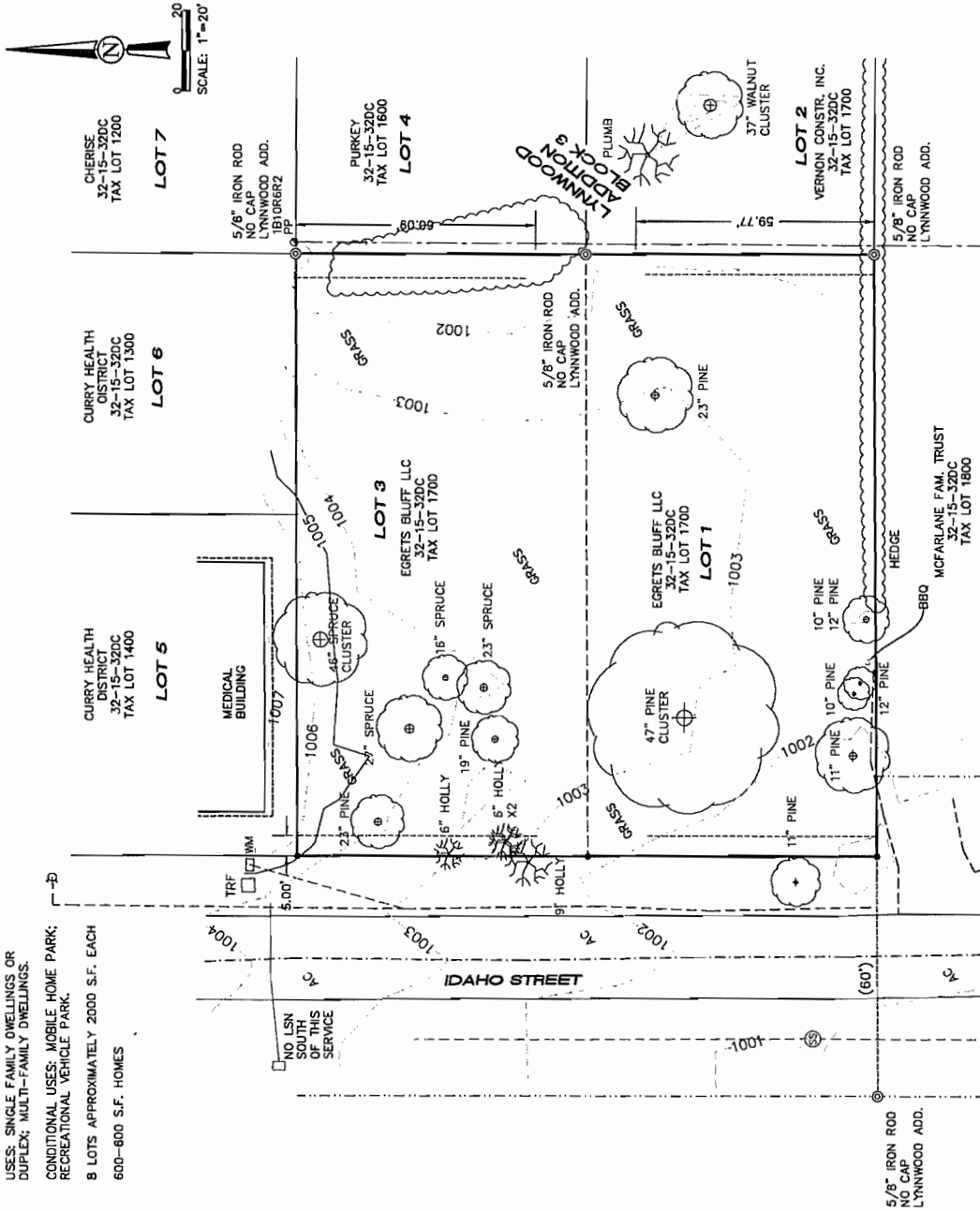
- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.





**EXISTING CONDITIONS**  
**PROPOSED REPLAT OF LOTS 1 AND 3, BLOCK 3, LYNNWOOD**  
**ADDITION TO THE CITY OF PORT ORFORD**  
**IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32,**  
**T.32S., R.15W., W.M., CURRY COUNTY, OREGON**

PLAN ZONE: 4(COMMERCIAL)  
 LOT SIZE: NO MINIMUM WATER AND SEWER AVAILABLE.  
 USES: SINGLE FAMILY DWELLINGS OR DUPLEX; MULTI-FAMILY DWELLINGS.  
 CONDITIONAL USES: MOBILE HOME PARK; RECREATIONAL VEHICLE PARK.  
 8 LOTS APPROXIMATELY 2000 S.F. EACH  
 600-800 S.F. HOMES



**LEGEND**

SYMBOL	INDICATES
⊙	FOUND MONUMENT AS NOTED
○	SET MONUMENT
•	CALCULATED POSITION, NOTHING FOUND OR SET
---	SURVEYED LINES
- - -	LOT LINES
---	BLOCK LINES
( ) R1	RECORD PER OPB 2-110, NASBURG'S ADDITION TO MARSHFIELD
( ) R2	RECORD PER CS 55927
RM	REFERENCE MONUMENT

**SYMBOL LEGEND**

SYMBOL	INDICATES
AC	ASPHALT SURFACE
⊕	HYDRANT
⊙	GUY ANCHOR
PP	POWER POLE
⊕	SHRUB/ BUSH SIGNS
⊕	SANITARY SEWER MANHOLE
⊕	DECIDUOUS TREE
⊕	CONIFEROUS TREE
⊕	STUMP
⊕	VAULT
⊕	WATER METER
⊕	WATER VALVE

**LINE LEGEND**

---	MINOR CONTOUR
---	MAJOR CONTOUR
---	WATER LINE
---	10" ELECTRIC LINE
---	UG ELECTRIC LINE
---	STORM WATER LINE
---	SANITARY SEWER LINE
---	PROPERTY LINES
---	BLOCK LINES
---	LOT LINES
---	NO CAP
---	RIGHT-OF-WAY LINE
---	EASEMENT LINES

COOS COUNTY SURVEYOR  
 DATE APPROVED: \_\_\_\_\_  
 DATE FILED: \_\_\_\_\_  
 COOS COUNTY SURVEYOR

Date: Feb. 8, 2022 Scale: 1" = 20'  
 275 MARKET AVENUE  
 COOS BAY, OREGON 97130  
 WWW.LSN-ENGR.COM  
 541-266-8890

REGISTERED PROFESSIONAL LAND SURVEYOR  
**DRIFT**  
 OREGON  
 SAY & SEAL  
 WILLIAMS 555A  
 EXPIRES 6/30/20



FOR EGRETS BLUFF LLC

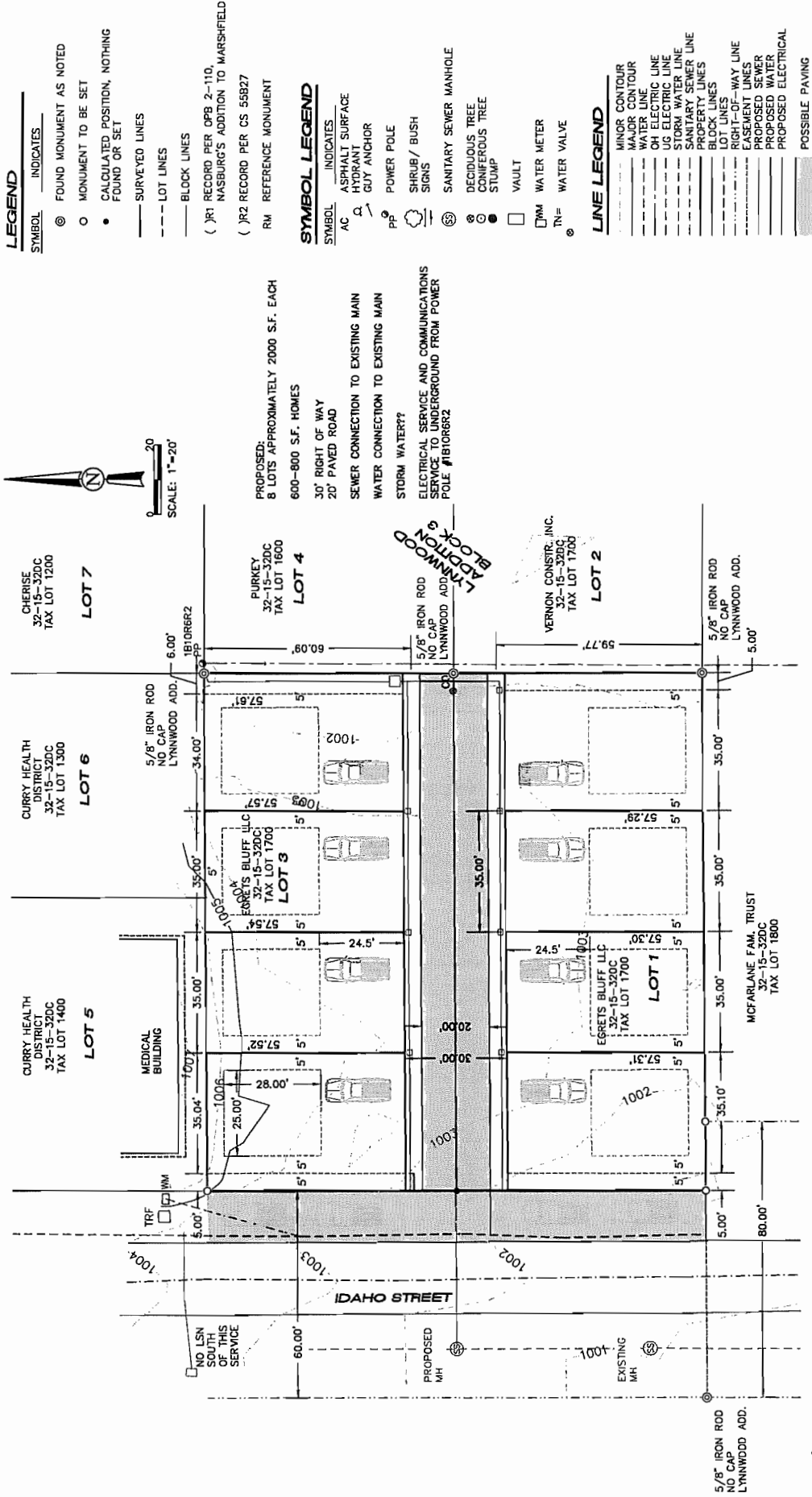
Project: 622017 Sheet 1 of 1



COOS COUNTY SURVEYOR  
 DATE APPROVED: \_\_\_\_\_  
 DATE FILED: \_\_\_\_\_  
 COOS COUNTY SURVEYOR

**PROPOSED REPLAT OF LOTS 1 AND 3, BLOCK 3, LYNWOOD ADDITION TO THE CITY OF PORT ORFORD IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, OF SECTION 32, T.32S., R.15W., W.M., CURRY COUNTY, OREGON**

PLAN ZONE: 4C(COMMERCIAL)  
 LOT SIZE: NO MINIMUM LOT SIZE, WATER AND SEWER AVAILABLE.  
 USES: SINGLE FAMILY DWELLINGS OR DUPLEX; MULTI-FAMILY DWELLINGS.  
 HEIGHT RESTRICTION: 45 FEET



- LEGEND**
- ⊙ FOUND MONUMENT AS NOTED
  - MONUMENT TO BE SET
  - CALCULATED POSITION, NOTHING FOUND OR SET
  - SURVEYED LINES
  - - - LOT LINES
  - ▭ BLOCK LINES
  - ( ) R1 RECORD PER OPB 2-110, ( ) R2 NASBURG'S ADDITION TO MARSHFIELD
  - ( ) R2 RECORD PER CS 55827
  - RM REFERENCE MONUMENT
- SYMBOL LEGEND**
- INDICATES
  - AC ASPHALT SURFACE
  - HYDRANT
  - GUY ANCHOR
  - PP POWER POLE
  - SHRUB/ BUSH
  - SANITARY SEWER MANHOLE
  - DECIDUOUS TREE
  - CONIFEROUS TREE
  - STUMP
  - VAULT
  - TM WATER METER
  - TN= WATER VALVE
- LINE LEGEND**
- MINOR CONTOUR
  - MAJOR CONTOUR
  - WATER LINE
  - OH ELECTRIC LINE
  - US ELECTRIC LINE
  - STORM WATER LINE
  - SANITARY SEWER LINE
  - BLOCK LINES
  - LOT LINES
  - RIGHT-OF-WAY LINE
  - EASEMENT LINES
  - PROPOSED SEWER
  - PROPOSED WATER
  - PROPOSED ELECTRICAL
  - POSSIBLE PAVING



Date: Feb. 4, 2022 Scale: 1" = 20'

REGISTERED PROFESSIONAL LAND SURVEYOR  
**DRABET**  
 CURRY COUNTY, OREGON  
 5547  
 EXPIRES 6/30/20

275 MARKET AVENUE  
 PORT ORFORD, OREGON 97420  
 WASHINGTON@DRABET.COM  
 541-266-9880

EGRETS BLUFF LLC

Project: 622017 Sheet 1 of 1

**NARRATIVE**

THIS SURVEY WAS TO MONUMENT LOTS 1, 4, & 5 OF BLOCK 3, NASBURG'S ADDITION TO MARSHFIELD, THE BASIS OF BEARING FOR THIS SURVEY IS ASSUMED BETWEEN EXISTING MONUMENTS ALONG THE NORTH LINE OF BLOCKS 38 & 39 PER CS 55827. I FOUND AND HELD THE BLOCK CORNERS OF 38, 39, & 40 FROM CONTROL OF THIS SURVEY. CONTROL RECORD OF SURVEYS WERE CS 55427, 55827, 554216, 5548, & 5549. BLOCK 39 HAD BEEN PREVIOUSLY PROPORTIONED IN CS 554216. THE MONUMENTS ALONG THE EASTERN LINE OF BLOCK 39 WERE EITHER DISTURBED OR OUT OF POSITION. I PROPORTIONED BLOCK 39 HOLDING THE FOUND MONUMENTS AS SHOWN AND SET NEW MONUMENTS BASED ON MY PROPORTIONED DISTANCES.

ASSISTING ME WITH THIS SURVEY WAS SHAWN FRAZZING.

A TRIMBLE 5603 ROBOTIC TOTAL STATION WITH ACU DATA COLLECTOR WERE USED FOR THIS SURVEY.



# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Development of Offshore Wind Facilities

ITEM NO: 8b.

On February 18, 2022 the Council received an e-mail from the manager of the Port of Port Orford Pat Cox with the a copy of the Port of Port Orford Resolution 2022-01. A copy of the Resolution is attached. He explains that yes there is an economic gain with the Development of Offshore Wind Facilities. However; since our community has a rather large fishing fleet the Development of Offshore Winds Facility would negatively impact the Port Orford fishing fleet. As you will see in the diagrams attached the fishing fleet would lose access to a lot of their fishing grounds.

Port Manager Pat Cox would like to ask for the support of the Port Orford City Council by writing their own resolution that also explains that yes the City of Port Orford does support the Development of Offshore Wind Facilities however these facilities need to be outside the traditional fishing grounds for the Port Orford Fishing fleet.

### Suggested Motion:

#### ***Motion to support and protect the Port Orford Fishing Fleet's Traditional Fishing Grounds:***

I make a motion to have a resolution written for the City of Port Orford that states we Support the Development of Offshore Wind Facilities outside the Traditional fishing grounds of the Port of Port Orford Fleet.

---

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



**BEFORE THE BOARD OF COMMISSIONERS  
OF THE  
PORT OF PORT ORFORD DISTRICT**

**RESOLUTION 2022-01**

*A Resolution of the Board of Commissioners of the  
Port of Port Orford District (District)*

Resolved by the Board of Commissioners of the District:

**WHEREAS**, the economic activity of the District comprises 30% of the workforce of Port Orford; and

**WHEREAS**, the majority of this economic activity is driven by commercial seafood harvest and processing; and

**WHEREAS**, commercial seafood harvest is dependent on both the health of the ecosystem found in the commercial fishing grounds of the region, and access to these resources; and

**WHEREAS**, in 2012, the City of Port Orford recognized the Port Orford Community Stewardship Area through Ordinance 2012-04, which states "The Port Orford Community Stewardship Area is biologically diverse and encompasses terrestrial, freshwater, intertidal, and ocean environments. The Stewardship Area is 1,320 square miles and includes 385 square miles of terrestrial habitat and 935 square miles of ocean habitat." and "The City of Port Orford recognizes the Port Orford Community Stewardship Area because activities that take place therein have an impact on the economy and natural resource base of the City.; and

**WHEREAS**, the District is engaged in marine stewardship through the support of collaborative ocean research and support for the nearby Redfish Rocks Marine Reserve and Marine Protected Area: and

**WHEREAS**, the District supports workforce development initiatives dependent upon the health of the living resources found in the surrounding oceans: and

**WHEREAS**, for these reasons, the District supports the development of offshore wind facilities outside of the traditional fishing grounds of the Port Orford fleet; and

**Now, therefore the district resolves as follows:**

1. The District supports the reduction of carbon emissions through the development of clean energy alternatives.
2. The District opposes the development of offshore wind projects inside the Port Orford Stewardship Area and a surrounding 25 mile buffer zone.
3. The District requests a meeting with DLCD and BOEM to discuss implementation details of this resolution.

This Resolution is hereby adopted and approved by the Board of Directors of the Port of Port Orford District and the FERC is hereby requested not to sell wind energy lease holdings within the Port Orford Stewardship Area and a surrounding 25-mile buffer zone.


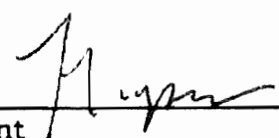
**PASSED AND ADOPTED** by the Board of Directors as a Resolution of the Port of Port Orford District at a regular Board Meeting held on the 18th day of January 2022, by the following vote:

**AYES:4**

**NOES:1**

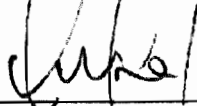
**ABSTAIN: 0**

**ABSENT: 0**


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Commission President




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Commission Secretary

**DATED:** \_\_\_\_\_

February 16, 2022

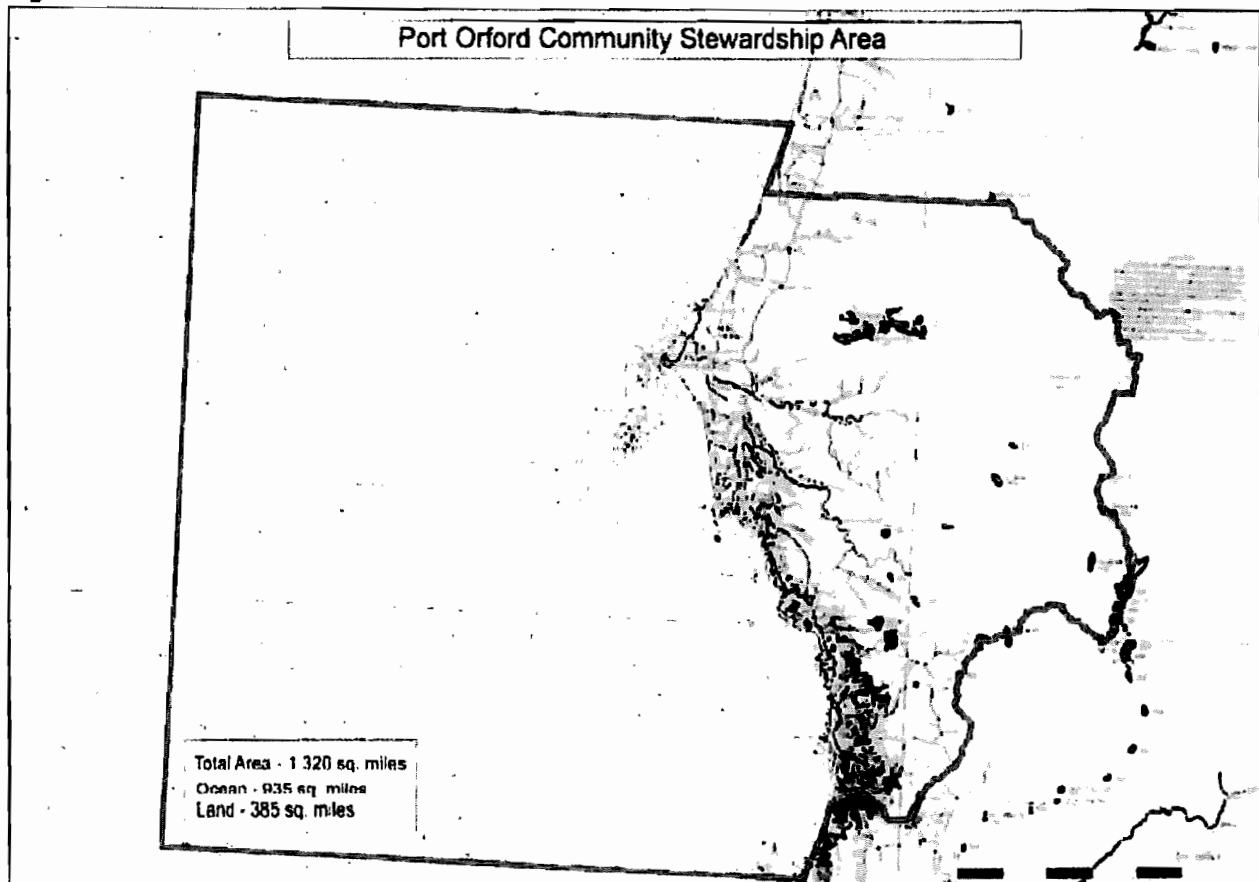


## Port Orford Community Stewardship Area

### Description:

The Port Orford Community Stewardship Area is biologically diverse and encompasses terrestrial, freshwater, intertidal, and ocean environments. The Stewardship Area is 1,320 square miles, and includes 385 square miles of terrestrial habitat and 935 square miles of ocean habitat. The area is 30 miles long (north to south), extends 18 miles offshore (west), and encompasses the Elk and Sixes River watersheds.

### Map:

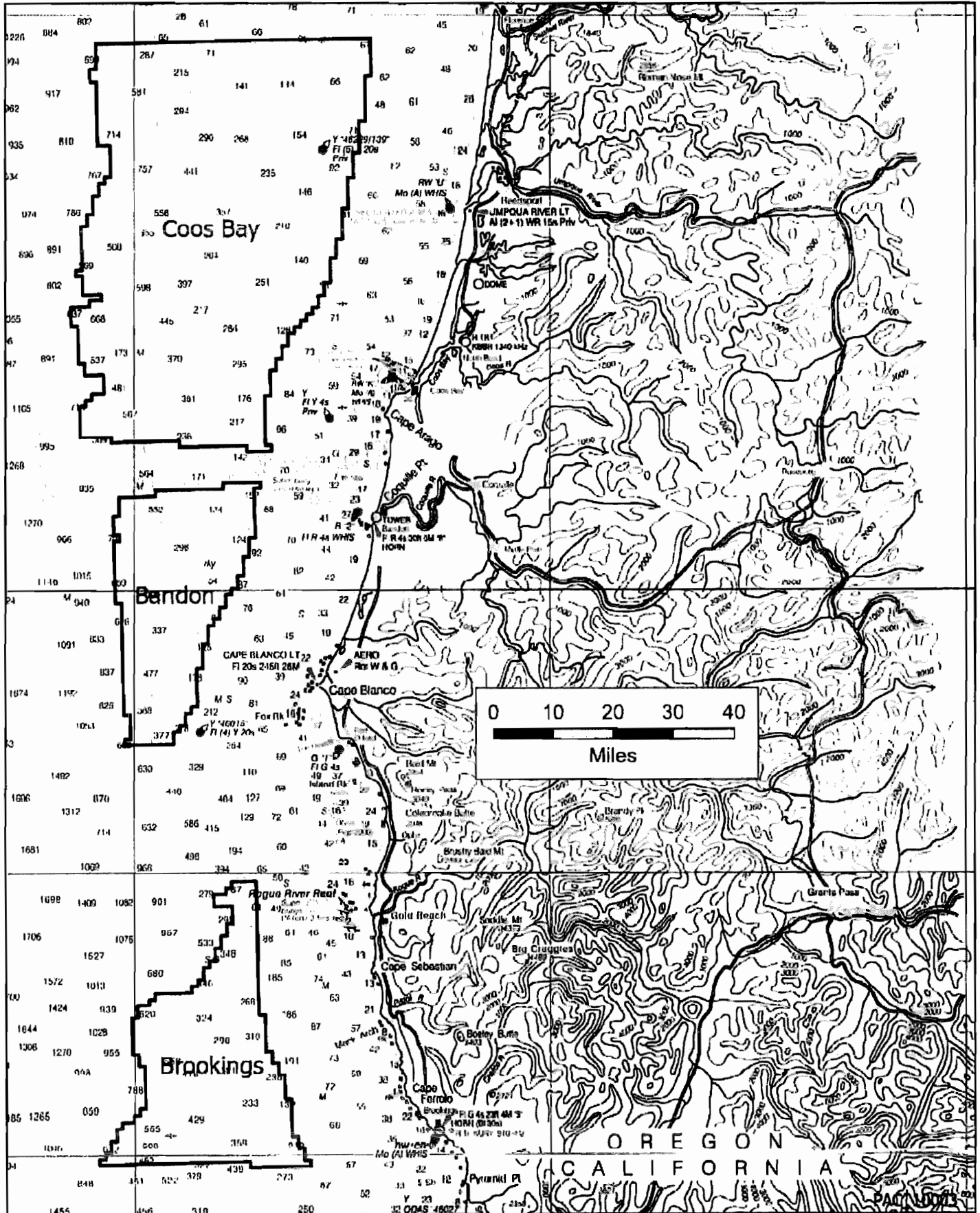


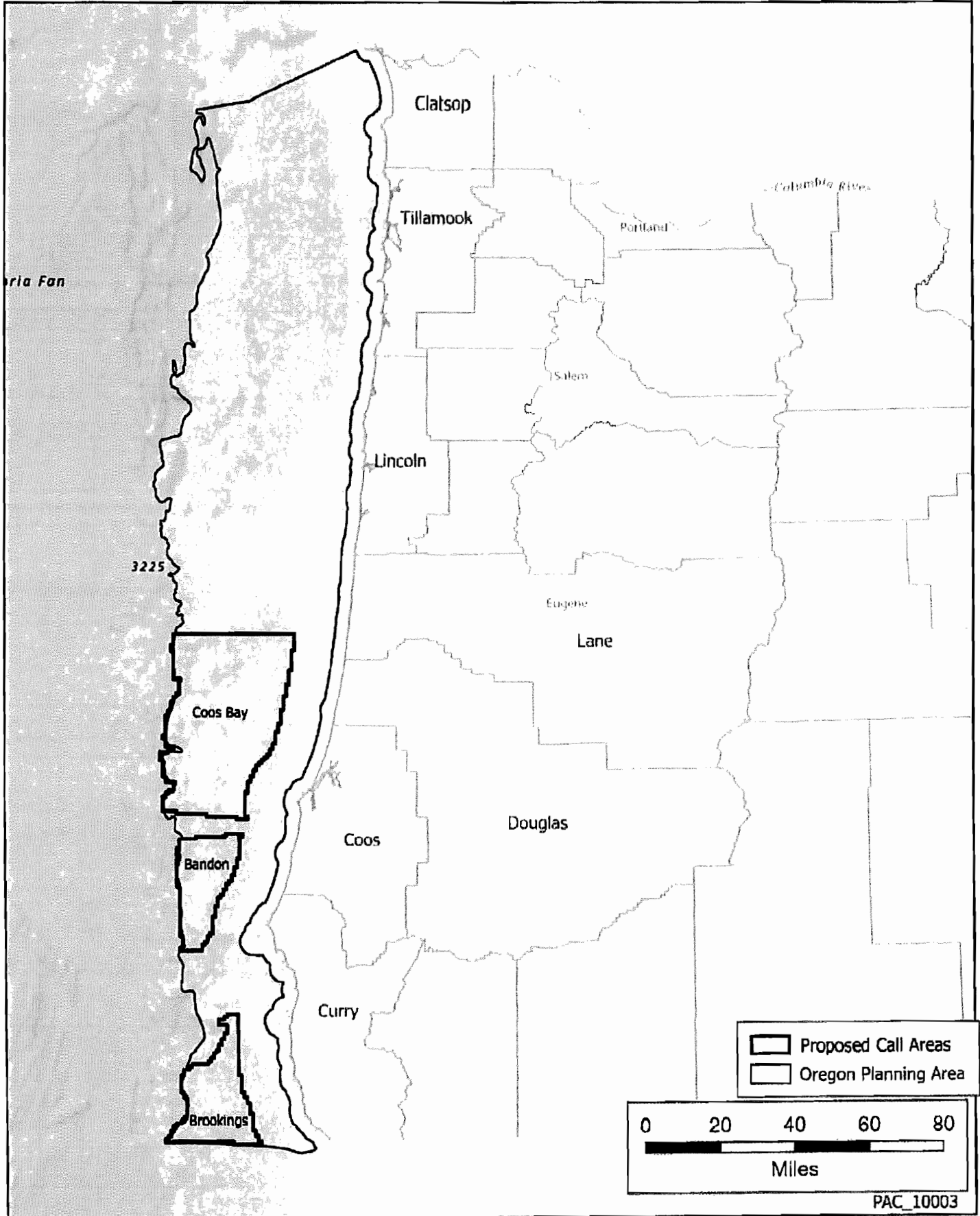
### Source:

STEWARDSHIP PLAN - *Integrating Stewardship, Access, Monitoring and Research: Port Orford Community Stewardship Area*. Prepared for Port Orford Ocean Resource Team by Pacific Marine Conservation Council and Golden Marine Consulting, January 2008.

### City Use of Stewardship Area Map:

The City of Port Orford recognizes the Port Orford Community Stewardship Area because activities that take place therein have an impact on the economy and natural resource base of the City. Recognizing that the City of Port Orford has jurisdiction for land use planning within the Port Orford City Limits and responsibility for lands lying within the City's Urban Growth Boundary only as set forth through Agreement with Curry County and as set forth in Oregon law, City support of activities within the Port Orford Community Stewardship Area will be considered on a case-by-case basis.







# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: City Hall Staff Salary Discussion

ITEM NO: 8 c.

As the Council is well aware of we are short staffed in City Hall. We have been advertising the Accountant Job however, we have received only 2 applications since the posting in December. We also lost Patty at the end of December when she retired.

We were able to replace Patty with Caitlin however we changed her Job duties since Patty did have a lot on her plate we decided to start Caitlin on Utilities mainly 1<sup>st</sup> and start to move more items back to that desk after she felt more comfortable. Caitlin has done an amazing job with Utilities and has started to take on more responsibilities with Municipal Court. She is entering all the citations, taking payments, tracking payment plans and doing all the notices and letters that are required to the DMV. She is also tracking and issuing business licenses, She is amazing at customer service and talking to the residents both on the phones and face to face.

The other job duties between the accountant position and Patty's position (that Caitlin is not doing) were split up between Jessica and Deana. We looked at the list of items that we left and wanted to make sure that we still had a separation of duties. For example since Jessica is a check signer then Deana should do the Bank Reconciliation. Deana has taken over the Bank Reconciliations, Processing Purchase Orders, Ordering Supplies, posting daily cash deposits, transferring funds between accounts and completing Journal Entries into the General Ledger.

Jessica has also taken on additional job duties to ensure items do not slip. Some of the City Administrator Duties are managing projects like watershed funding and status, Water funding options, managing Admin Employees, Public Works and Police, Citizen Concerns, Records Requests, Committee Management and Scheduling for Parks, Planning and TLT and reviewing and updating code based on City Council direction and/or observations from interactions with current and future residents. Jessica has taken on additional items like, completing the Audit for FY 21, Updating and reviewing the General Ledger, Posting Daily Deposits, Budget Preparation for FY 23, Planning Commission Secretary, in house Planner and Reviewer, attending Planning Commission/Parks Commission/City Council meetings monthly including creating Agenda and Packet for all three, and coordination of all City Building Repairs and Maintenance.

I am sure I have not hit all the new tasks that everyone is doing but this is a good overview. I have attached a list that both Caitlin and Deana have given to me with a list of the normal and additional tasks that they are currently completing. Jessica has been tracking her time for the last 2 months and has attached those time sheets with notes of what was worked on/or completed during those days. As you can see all of the City Hall Employees including Public works and Police are working and completing a lot of tasks thought out the days, weeks and months. We are working very well together as a team and all have a very common goal to ensure

the needs and wants of the residents, businesses, vendors and tourists of Port Orford are met to the best of our ability and to help the city grow yet still have that small town feel.

I have attached a worksheet that shows the wages paid out currently thru the payroll on March 5<sup>th</sup> 2022, the projected payroll thru June of 2022, the budgeted amount for fiscal year 22 and finally the difference between budgeted and actual + projected salary. We are estimated to finish the year with an estimated payroll of \$643,053.90 and \$706,534 was budgeted so the different is \$63,480.1 under the amount budgeted.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

Position	Annual		Annual Budgeted	Difference
	Thru March 5	Estimate		
Administrator/Manager	43,120.00	60,875.29	80,260.00	(19,384.71)
Accounting Assistant	14,637.17	20,664.24	29,565.00	(8,900.76)
Accountant	22,848.07	32,256.10	45,950.00	(13,693.90)
Planning Assistant	3,217.40	4,542.21	5,463.00	(920.79)
Court Clerk	7,373.26	10,409.31	10,426.00	(16.69)
Clerical	1,623.35	2,291.79	3,618.00	(1,326.21)
Police Chief	49,468.87	69,838.40	71,198.00	(1,359.60)
PW Superintendent	47,233.96	66,683.24	75,674.00	(8,990.76)
WWTP Operator	22,000.00	31,058.82	49,807.00	(18,748.18)
Seasonal Maint. Worker	9,137.03	12,899.34	16,794.00	(3,894.66)
Maintenance Worker #1	28,381.86	40,068.51	40,729.00	(660.49)
Utility Worker #3	35,401.38	49,978.42	50,631.00	(652.58)
Maintenance Worker #2	24,524.97	34,623.49	37,755.00	(3,131.51)
Utility Worker #2	-	-	27,590.00	(27,590.00)
Police Sergeant	20,298.91	28,657.28	-	28,657.28
Police Officer #2	36,580.86	51,643.57	51,671.00	(27.43)
Traffic Officer	37,714.06	53,243.38	56,202.00	(2,958.62)
Police Officer #3	37,714.06	53,243.38	53,201.00	42.38
Police Officer #4	14,221.30	20,077.13	-	20,077.13
	<b>455,496.51</b>	<b>643,053.90</b>	<b>706,534.00</b>	<b>(63,480.10)</b>





Deana Lang

Accounting Assistant/Payroll Clerk

Job Duties

Review invoices, prepare warrants, and issue checks for accounts payable

Review and process time sheets, prepare payroll, monthly and quarterly payroll reports, including insurance, union, retirement and tax withholdings. Process Quarterly payroll reports, Annual W-2 and 1099 forms.

Monthly reconcile payroll liability accounts

Responsible for the administration of the Transient Lodging Tax

Distribute new benefit information to employees and maintain current benefit information for employees

Set-up new employees and payroll procedures

Maintain accumulated sick, vacation and comp leave.

Prepare payroll and accounts payable related audit schedules.

Access and administer data to various online employee benefit service providers

Help court clerk with entering citations, sending letters and maintaining citation software

Help Utility Clerk with Utility billing, service orders, meter read entries

Added Job Duties since termination of Accountant

Post accounts receivable cash receipts to general ledger

Bank Account reconciliations/Journal Entries

Purchase Order processing

Ordering supplies

Transferring funds to/from LGIP or City Bank Account

Administer city insurance coverage and process claims

Any other duties assigned by the City Administrator



*Caitlin-*

- All aspects of the Utility Billing

*(Hired on at \$13.64/hour - \$14.19/hour after 6 months probation period)*

- entering meter reads
- opening/closing accounts including disconnects for non payment
- creating/sending bills – regular and past due
- water/sewer account inquiries
- contractor water use agreements/billing

-General Cashiering / Answering phones for City Hall

- general cashier for all city payments
- daily bank deposits/post office runs
- creating business licenses
- issuing burn permits
- assisting with records requests
- lien searches

-All Aspects of Traffic Court

- entering/filing citations into Incode
- receipting all payments – online, in person & phone
- keeping track of suspensions, reinstatements & payment plans
- scheduling trials for court & informing proper police staff
- updating police officers of new dates to write on citations
- creating/sending letters to non paid citation holders – failure to appear, etc..
- prepping all necessary paperwork for Judge Milliman to sign
- assisting in court trials
- setting up traffic school / all records keeping
- release of impounds paperwork
- monthly assessments



City of Port Orford Salaried Employee Time Sheet

Employee Name Jessica

Pay Period Ending February

Date	Hours Worked	Leave	Type
1	7:30-12:00 1:00-3:00 3:30-6:00		9:30-12:30 planning meeting, video upload
2	7:30-12:00 1:00-5:00		multiple planning issues, General ledger, parks
3	7:30-12:00 1:00-5:00 6:00-8:30		parks meeting, field trip
4	7:30-12:00 1:00-5:00		Planning, Audit
5			
6			
7	7:30-12:00 1:00-5:45		
8	7:30-12:00 1:00-4:30 7:30-9:30		planning, Audit work/meeting
9	7:30-12:30 1:00-4:30 8:30-11:30		meeting research, Audit General ledger research
10	7:30-12:00 1:00-7:30		court, field trip, City Council packet
11	7:30-12:00 1:00-4:30		
12			
13			
14	7:30-12:00 1:00-5:45		meetings, General ledger review
15	7:30-12:00 1:00-5:30		Audit Citations receivable analysis, General ledger clean up
16	7:30-12:00 1:00-4:30		General ledger/close monthly books/creating monthly close
17	7:30-12:00 1:00-4:30 5:30-7:30		field trip, City Council meeting, planning, Audit Video upload
18	off		
19			
20			
21	off		
22	7:30-12:00 1:00-5:00		General ledger review/movement planning
23	7:30-12:30 1:00-5:30		Audit/Budget review and analysis
24	7:30-12:00 1:00-6:00		Audit/Budget review and analysis
25	7:30-12:00 1:00-5:00 7:00-11:00		General ledger meeting, Audit info, planning, work
26			
27			
28	7:30-12:00 1:00-4:30		month end GL, Planning, document requests Volunteer coord.
29			
30			
31			

Vehicle	Miles	Fuel-Gallons

- residents in and out all day
- record requests also
- Project meetings updates

Personnel use only

Hours	Earned	Taken
Worked		
Vacation		
Sick		
Total		

Feb days on 8 hrs should be 144  
 Jess 169

Employee Signature \_\_\_\_\_

Supervisor Signature \_\_\_\_\_



# City of Port Orford Salaried Employee Time Sheet

238

Employee Name Jessica Ginsburg

Pay Period Ending March

Date	Hours Worked	Leave	Type
1	Sick Planning meeting 3:30 - 5:30		
2	Sick		
3	Sick		
4	Sick		
5	Saturday	emails	
6	Sunday	emails	
7	7:30-12:30 1:00-6:00 lots of catch up	Planning financials, Contribution analysis	
8	7:30-12:30 1:00-5:30 8:30-11:59	from planning submissions,	12.5
9	12:00am-1:00am 7:30am-12:00 1-5:00	Council agenda, Budget, Contributions, financials	9.5
10	7:30-12:00 1:00-5:00 6:00-11:30	Council packet, GL, Parks meeting, WRC meet.	16
11	7:30-12:00 1:00-5:00		
12			
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Vehicle	Miles	Fuel-Gallons

Personnel use only

Hours	Earned	Taken
Worked		
Vacation		
Sick		
Total		

Employee Signature \_\_\_\_\_

Supervisor Signature \_\_\_\_\_





# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Building Permit Application Changes

ITEM NO: 8d.

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At the last few City Council Meetings we have discussed some options on having the Port Orford Planner complete an additional check on all plans after the Curry County Planning Department has issued a building Permit. I have made changes to the Development Application and Review Process for planning that is attached.

I am suggesting that we have 1 more review after the building permit is issued in Curry County. With that review we will also issue our own building permit with an identifying number. This has to be displayed on the property so it can be seen from the road.

I have attached the current process with the additional step highlighted in yellow.

Does the council agree with this additional step. If so, I will have this added to the planning packet and present it along with a sample building permit for the City of Port Orford.

---

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



## DEVELOPMENT APPLICATION AND REVIEW PROCESS

### 1. APPLICANT SUBMITS APPLICATION.

Applicant submits completed planning clearance application, erosion control application and if required, an erosion control plan, plot plan, application fee and any other required information.

### 2. PORT ORFORD PLANNER REVIEWS APPLICATION AT THE COUNTER AND CHECKS TO SEE IF ALL REQUIRED INFORMATION IS SUBMITTED.

If all required information is submitted, the application and all required materials are date stamped received.

### 3. PORT ORFORD PLANNER REVIEWS THE APPLICATION & GOES THROUGH THE APPLICATION CHECKLIST IDENTIFYING COMPLIANCE OR NON COMPLIANCE.

If the application material shows non-compliance, the applicant is notified of deficiencies in the application. If the Plot plan indicates information that is non-compliant, the applicant will be required to re-draw the plans to show compliance prior to the Planning Clearance approval.

### 4. UPON PLANNING CLEARANCE APPROVAL – PORT ORFORD PLANNER WILL:

Date stamp approval of each page of the Planning Clearance and project plans.

Scan and email a copy of the Planning Clearance and all related conditions to the Curry County Building Department.

Retain a copy of the Planning Clearance and project plans for the Port Orford Planning Department.

Give two copies of the Planning Clearance and two copies of the plans to the applicant.

### 5. UPON PLANNING CLEARANCE APPROVAL – APPLICANT WILL:

Submit the Planning Clearance to the Curry County Building Department.

### 6. UPON PLANNING CLEARANCE APPROVAL FROM COUNTY – APPLICANT WILL:

Return the Port Orford City Hall. The Port Orford Planner will ensure that the same plans have been signed off on by Both Curry County and Port Orford. Once that is complete the Port Orford Planner will issue a Port Orford Building Permit and Permit number. This Permit needs to be displayed so that it can be seen from the road.



# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Liquor License Application

ITEM NO: 8e.

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Attached is the Liquor License Application for The Dive located at 236 6<sup>th</sup> Street in Port Orford.

### Suggested Motion:

#### *Motion to approve the Liquor License Application*

I make a motion to approve the Liquor License Application for the Dive at 236 6<sup>th</sup> Street

#### *Motion to Deny the Liquor License Application*

I make a motion to deny the Liquor License Application for the Dive at 236 6<sup>th</sup> Street

---

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator





# LIQUOR LICENSE APPLICATION

**PRINT FORM**  
**RESET FORM**

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 <sup>st</sup> Location	Date application received and/or date stamp:
Brewery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 <sup>st</sup> location	Name of City or County:
BPH Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	Recommends this license be:
<input type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Passenger Carrier	By: _____
<input type="checkbox"/> Full On-Premises, Other Public Location	Date: _____
<input type="checkbox"/> Full On-Premises, For Profit Private Club	<b>OLCC USE ONLY</b>
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 <sup>st</sup> location	Date application received: _____
GSP Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/>	Date application accepted: _____
<input checked="" type="checkbox"/> Limited On-Premises	License Action(s):
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 <sup>st</sup> Location	
Winery Additional location (2 <sup>nd</sup> ) <input type="checkbox"/> (3 <sup>rd</sup> ) <input type="checkbox"/> (4 <sup>th</sup> ) <input type="checkbox"/> (5 <sup>th</sup> ) <input type="checkbox"/>	

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)**<sup>1</sup> applying for the license(s):

ASHLEY NEBEKER                      Brian Nebeker  
 App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT    App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT    App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See)  
The Dive LLC

4. Business Address (Number and Street Address of the Location that will have the liquor license)  
236 6<sup>th</sup> Street

City <u>Port Orford</u>	County <u>Curry</u>	Zip Code <u>97465</u>
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<sup>1</sup> Read the instructions on page 1 carefully. If an entity is applying for the license, list the name of the entity as an applicant. If an individual is applying as a sole proprietor (no entity), list the individual as an applicant.







# LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) <i>The Dine LLC</i>			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in OAR 845-004-0065[1].) <i>P.O. Box 1394</i>			
City <i>Port Orford</i>	State <i>Oregon</i>	Zip Code <i>97465</i>	
9. Phone Number of the Business Location <i>(541) 332-1777</i>		10. Email Contact for this Application and for the Business <i>thedineportorford@gmail.com</i>	
11. Contact Person for this Application <i>Ashley or Brian Nebeker</i>		Phone Number <i>(208) 880-6980</i>	
Contact Person's Mailing Address (if different)	City	State	Zip Code

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

**ATTESTATION: \*\*READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM\*\***

I understand that marijuana is **prohibited** on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read OAR 845-005-0311 and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

**Applicant(s) Signature**

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

<i>Ashley Nebeker</i> App. #1: (PRINT NAME)	<i>[Signature]</i> App #1: (SIGNATURE)	App #1: Signature Date	Atty. Bar Information (if applicable)
<i>Brian Nebeker</i> App. #2: (PRINT NAME)	<i>[Signature]</i> App #2: (SIGNATURE)	App #2: Signature Date	Atty. Bar Information (if applicable)
App. #3: (PRINT NAME)	App #3: (SIGNATURE)	App #3: Signature Date	Atty. Bar Information (if applicable)
App. #4: (PRINT NAME)	App #4: (SIGNATURE)	App #4: Signature Date	Atty. Bar Information (if applicable)





# LIQUOR LICENSE APPLICATION

## INSTRUCTIONS

1. Complete and sign this application.
2. Combine this completed application with the other required application materials to make one application packet.
3. Submit the application packet to your local OLCC office.
4. Do not include any OLCC fees with your application packet (the license fee will be collected at a later time). When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

### Identify the Applicant(s) Applying for the License(s): these are individuals and entities that will become Licensees of Record (named on the license certificate)

Any entity (like a corporation or limited liability company) and any individual that is not part of an entity and that will own or control the business must be listed as an applicant on this form. This includes:

- Any individual or entity, other than an employee acting under the direction of the owner, that exercises control over, or is entitled to exercise control over, the business;
- Any individual or entity, other than an employee acting under the direction of the owner, that incurs, or is entitled to incur, debt or similar obligations on behalf of the business;
- Any individual or entity, other than an employee acting under the direction of the owner, that enters into, or is entitled to enter into, a contract or similar obligations on behalf of the business; or
- Any individual or entity identified as the lessee of the premises proposed to be licensed.

***Please review [OAR 845-005-0311](#) to confirm that all individuals (sole proprietors) or entities with an ownership interest (other than a waivable ownership interest, per [OAR 845-005-0311\[6\]](#)) in the business have been identified as license applicants on this document.*** Above the signature line for this application, you will be required to attest to the fact that all individuals (sole proprietors) or entities with an ownership interest are listed as applicants for the license. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

### Business Address

This is the street address of the location that will have the liquor license.

### Applicant Signature(s)

- Each individual listed in Section 2 (entity or individuals applying for the license) must sign the application.
- If an applicant in Section 2 is an entity (such as a corporation or limited liability company), at least one individual who is authorized to sign for the entity must sign the application.
- An individual with authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. The OLCC will likely require proof of such authority. Attorneys signing on behalf of their applicant clients may provide the state of bar licensure and bar number in lieu of providing written proof of their authority to sign on behalf of the applicant. ***Please note that applicants are responsible for all information provided on this form, even if an individual with signing authority signs on behalf of the applicant.***



# City of Port Orford

## CITY COUNCIL AGENDA DOCUMENTATION

Date: 03/17/2022

SUBJECT: Right of Way Permit Request

ITEM NO: 8f.

Attached is the Right of Way Usage license for the Honey House. The address is 1825 Oregon Street. She would like to put a new sign for her business.

### Suggested Motion:

#### ***Motion to approve the Right of Way request***

I make a motion to approve the Right of Way request for Honey House at 1825 Oregon Street.

#### ***Motion to Deny the Right of Way request***

I make a motion to deny the Right of Way request for Honey House at 1825 Oregon Street.

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SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator



**City of Port Orford**  
P.O. Box 310, Port Orford, OR 97465  
(541) 332-3681

**CITY RIGHT-OF-WAY USAGE LICENSE**

City Ordinance Chapter 12.24

**Licensee Information:**

Date: 3/18/2022

Name: Honey House Phone #: 541-253-7530

Address: 1825 Oregon St. Signature: \_\_\_\_\_

**Property location:**

Street location: 1825 Oregon St Assessors Map: 3315-05AB Lot#: 00101-00

**Description of Improvements:** Attach Drawings / Plans if available:

Replacing existing sign with 3'x3' double sign face  
standing 3' off ground total height 6'. plugs into existing  
outlet

**Agreements:**

1. Licensee confirms they are the owner of the property adjacent to the City's right of way.
2. Licensee agrees that this license is personal to the licensee, non-transferable and may be revoked by the City of Port Orford at any time and without notice to licensee.
3. Licensee agrees that the use of the City's right of way is limited to the specific use authorized by this license.
4. Licensee shall notify in writing any purchaser of the property of this revocable license.
5. Licensee shall have all utilities and property lines located and marked at licensee's expense before submitting permit. (Utility locate service 1-800-332-2344)
6. The City of Port Orford reserves the right to remove any ground cover, landscaping or structures without compensation to licensee/property owner for utility installation/repair, Street maintenance/repairs, Street widening, Sidewalk construction and/or any other Street improvements, Right-of-way maintenance or any other actions deemed necessary by the City of Port Orford.
7. HOLD HARMLESS CLAUSE: The licensee agrees that their performance under this license is at their own sole risk and that they shall indemnify the City of Port Orford, its agents and employees and hold harmless from any and all liability for damages, costs, losses and expenses resulting from, arising out of, or in any way connected with this license and from any loss arising from the licensee's use of the property, or from the licensee's failure to perform fully hereunder, and the licensee further agrees to defend the City of Port Orford, its agents, and employees, against all suits, actions or proceedings brought by any third party against them for which the license holder would be liable hereunder.
8. If applicant disagrees with the action of City Staff, an appeal may be filed with the City Council within 14 days of the action, or the decision becomes final.
9. Criteria that will be used to evaluate proposed right of way use:
  - A. Potential impact on existing utilities (water, sewer, storm water, etc.) including potential future maintenance requirements for those utilities.
  - B. Will the proposed use negatively impact visibility for traffic on adjoining roadways?
  - C. Are there any other potential public safety concerns?
  - D. Will the proposed use be likely to create negative visual impact on adjoining properties?
  - E. Will the proposed use impact any other existing uses?
  - F. Is granting the ROW usage license in the public interest?

OFFICE USE ONLY

Public Works Review

Name: John Badore Title: PW - Super Date: 3/11/22

Recommendation: Approve: X Approve with conditions: \_\_\_\_\_ Deny: \_\_\_\_\_

Conditions: \_\_\_\_\_

Police Department Review

Name: Paul J. Bent Title: Police Chief Date: 3/11/22

Recommendation: Approve: X Approve with conditions: \_\_\_\_\_ Deny: \_\_\_\_\_

Conditions: \_\_\_\_\_

City Administration Review and Final Decision

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Recommendation: Approved: \_\_\_\_\_ Approved with conditions: \_\_\_\_\_ Denied: \_\_\_\_\_

Conditions: \_\_\_\_\_

*If Applicant disagrees with City Administration Review and Final Decision, the matter may be appealed to the City Council. Appeals must be in writing and requested within 30 days of the final administrative decision, or the decision becomes final.*

*In order to have standing to appeal, you must be the applicant, an adjoining property owner, or and an adversely affected citizen of the City of Port Orford.*



N

+S<sub>4</sub>+61

+S<sub>4</sub>+61

hydrant

postpole

Sidewalk

Sign

Cafe building

May 101

Scale  
1 inch = 10 ft

S

