

**CITY OF PORT ORFORD
HYBRED SESSION OF THE COMMON COUNCIL
THURSDAY, July 21, 2022 AT 5:30 P.M.**

AGENDA

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1. **Call to Order**
2. **Additions to the Agenda**
3. **Presentations to Council/Citizens- V. Robison Fishing Comm. Social & Economic Impact (Pg. 3-14)**
4. **Consent Calendar**
 - a. Approve Minutes June 16, 2022 (Pg. 15-24)
5. **Citizens’ Concerns (Speak Only for Old & New Business Items on the Agenda)**
6. **Departmental Reports-**

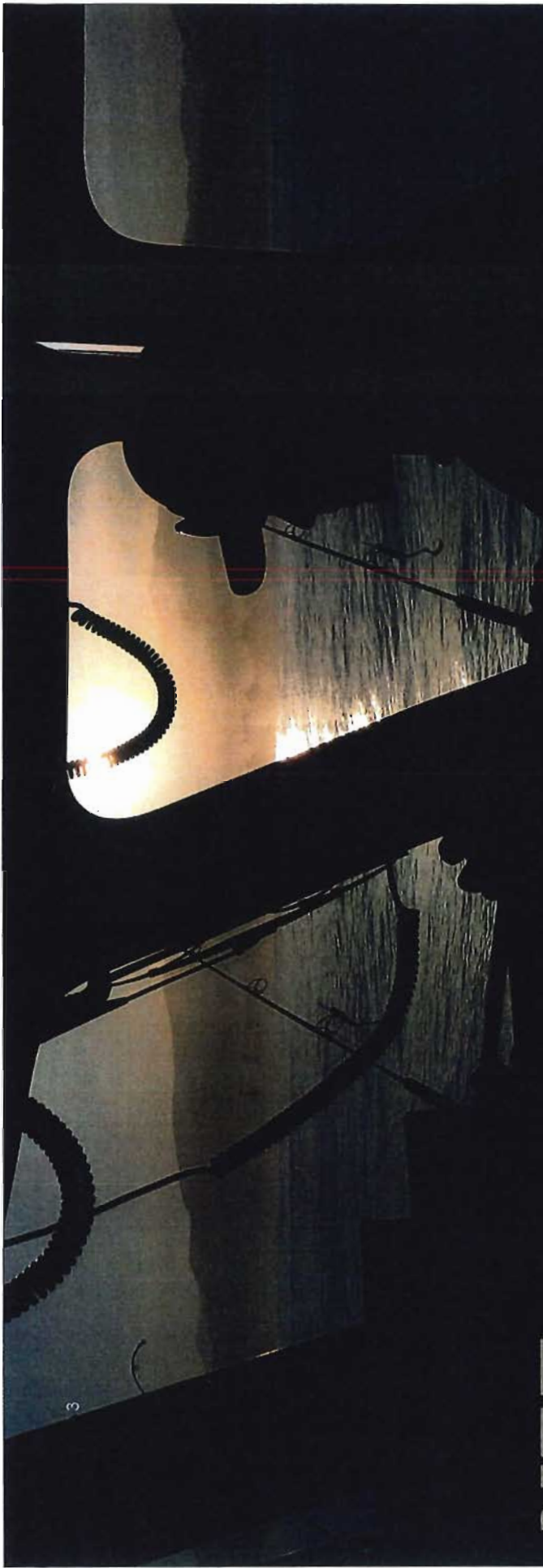
<ol style="list-style-type: none"> a. Public Works (Pg. 25-28) d.Planning(Pg. 71-98) 	<ol style="list-style-type: none"> b. Administration (Pg. 29-58) e. Liaison 	<ol style="list-style-type: none"> c. Finance (Pg. 59- 70)
Fire District- Garratt	TLT- Pogwizd	Watershed- LaRoche (Pg. 99-100)
Port- Cox	Parks- Tidey	Emergency Mgmt.- Burns/Howe
School District- Kessler	Main Street- Burns	
7. **Old Business**
 - a. Community Center Building Project (Pg. 101-108)
 - b. Ordinance 2023-01 Ziplly Franchise Agreement (Pg. 109-118)
 - c Ordinance 2023-02 Building Code (Pg. 119-140)
 - d. Workshop- Types of Workshops, Dates and Times.(Pg.141-148)
 - e. Grant Writing Companies update (Pg. 149-154)
8. **New Business**
 - a. Ballot Measure 109- Oregon Psilocybin Services Act(Pg. 155-178)
9. **Continuing Action Items**

a. Seasonal Gas Tax	b. Text My Gov.	c. Data Storage	d. Water Conservation Ordinance
e. Historic Commission Ordinance Update		f. Emergency Commission Ordinance	
g. Website Update			
10. **Considerations**

a. Citizen	b. Staff	c. Councilor	d. Mayor
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11. **Future Meetings**
Thursday, Aug st 18, 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.



NET VALUES

Social and Economic Impacts
of the Oregon Marine Reserves on the
Fishing Communities of Garibaldi, Depoe Bay, and Port Orford.



Oregon State
University



Vaughn Robison
For Port Orford

OVERVIEW: Where I'm taking you.

BACKGROUND
RESEARCH QUESTIONS
RATIONALE
METHODS
RESULTS
DISCUSSION
ACKNOWLEDGMENTS
QUESTIONS



BACKGROUND: What are marine reserves?

Marine Reserves Broadly and Abroad.

Areas closed to extractive activities, like fishing, to achieve a variety of conservation and sometimes fisheries management goals.

Documented Positive & Negative Impacts

- Ecological
- Social
- Economic



graphic: Oregon Marine Reserves



graphic: The MPA Guide - Grorud-Caivert et. al. 2021

BACKGROUND: The Oregon Marine Reserves.

Marine Reserves Close to Home.

Created through state legislation with community input, operated under agency management and enforcement.

5 Locations

Habitats, use histories, and communities

3 Objectives

Conserve

Research

Communities



graphic: Oregon Marine Reserves

RESEARCH QUESTIONS: What I asked.

Two Distinct Sets of Research Questions.

1. Economic Impacts

- Are there perceived economic impacts to fishers from the Oregon Marine Reserves? If so, what are they?

2. Social Impacts

- What are the social values of fishers' occupation and identity?
- What values do fishers perceive the Oregon Marine Reserves to operate by, and are these values aligned?
- How do fishers use these values to explain potential social impacts created by the marine reserves or resistance to them?



RESEARCH RATIONALE: Why I asked.

Three Reasons For Asking.

1. My Thesis Requirements

- A maters is a prerequisite for putting my professional skillset to use in a full-time capacity back home.

2. ODFW's Legislative Mandate

- The agency is tasked to monitor significant adverse social and economic impacts as a result of marine reserves.

3. Applied Value of Values

- Can add context to understand impacts.
- Can improve communication with fishermen.



image: Oregon.gov



image: Oregon Marine Reserves

METHODS: How I asked fishermen.

Luring out Relevant Perspectives.

Semi-Structured Interviews

- 9 interviews with 10 participants.
 - 1 from Garibaldi, 8 from Depoe Bay, 1 from Port Orford.
 - 8 on vessels, 1 in a residence, 1 in a restaurant.
- 52-190 minutes in length.
- Standardized set of economic questions.
- “Has there been any economic impact from marine reserves to the community? How so? To you and your family? How so?”

Values Cards

- “What drives your work as a fisherman? Using your values, what sense of satisfaction do you experience as you work toward making a living?”



RESULTS: What I found, economically.

Economic Impacts

1. The marine reserves are **not providing** their suggested **economic benefits**.
2. **Awareness** of the marine reserves has caused some recreational fishers to **quit fishing**.
3. Fishermen are **spending more** to remain competitive and compliant but **catching less**.
4. The marine reserves produce **new economic uncertainties** for fishermen.
5. The marine reserves create concentrated fishing effort that contribute to **widespread concern** for the profession.



RESULTS: What I found, socially.

Social Impacts

1. Fishermen are professionally motivated by the values of **Self-Direction** and **Tradition** but **not Conformity** or **Power**.
2. **Cascade Head Marine Reserve** once represented the values of **Security** and **Tradition**.
3. There is a **misalignment** between the values fishermen believe underlie the marine reserves intended **outcomes** and **management process**, and some of **their own values**.
4. The marine reserves **contribute to a public misconception** that the fishing profession is **motivated by Power**.
5. **Equal prioritization** of **social and economic values**.



DISCUSSION: What it means, collectively.

Synthesizing and Grounding these Findings.

Combined Socioeconomic Findings

1. Fishermen perceive negative social and economic impacts, but appear more concerned about positive impacts they have not experienced or potential negative ones in the future.
2. Fishermen's priorities of social or economic values are important to consider and complex.
3. Fishermen's social values contextualize perceived impacts from, and perceptions of, the Oregon Marine Reserves.



QUESTIONS

Further questions
can be emailed to me at
vaughn.robison@oregonstate.edu



Oregon State
University



Thanks for your questions,
attendance, and support!

RESEARCH PRESENTATION ONE SHEET

Net Values: Social and Economic Impacts of the Oregon Marine Reserves on the Fishing Communities of Garibaldi, Depoe Bay, and Port Orford.

Vaughn Robison - Oregon State University for Depoe Bay Nearshore Action Team

Background

I conducted this research to monitor individual fishers' perceptions of adverse economic and social impacts resulting from shifted fishing effort caused by the Oregon Marine Reserves, and to understand how fishers use their social values to communicate potential social impacts. I assessed these impacts through **two distinct research agendas**; one concerned with fishermen's perceptions of **economic impacts**, and another with their **social value perceptions in relation to their identity, occupation, and the Oregon Marine Reserves**. I collected data for both research agendas simultaneously through in-person interviews during the summer and fall of 2021. Ten interviews were conducted with fishermen from Garibaldi, Depoe Bay, and Port Orford, with the majority in Depoe Bay. Interviews were analyzed to answer the questions asked by both research agendas. Five key findings emerged from each.

Results: Economic Impacts

The majority of fishermen interviewed were able to adapt to the marine reserves in a way that **did not lead to direct loss of money**, as measured either through income or as significant costs to their operations. However, there were **still economic impacts perceived by the majority** of people interviewed. These perceived impacts include:

1. **The marine reserves are not providing their suggested economic benefits.**
2. **Awareness of the marine reserves has caused some recreational fishers to quit fishing.**
3. **Fishermen are spending more to remain competitive and compliant but catching less.**
4. **The marine reserves produce new economic uncertainties for fishermen.**
5. **The marine reserves contribute to widespread concern for the future of the profession.**

Results: Social Value Perceptions in Relation to Identity, Occupation, & Marine Reserves

Fishermen **identified the social values they satisfy through their work** and indicated their importance in comparison to the economic values they simultaneously earn. Some fishers' social values are the same as the values they assign to underlie the marine reserve's intended outcomes, while some fishers' values are notably different from them. Even more, fishers also identified a discrepancy between the values they perceive to underlie intended outcomes of the marine reserves and the values that underlie the process through which those outcomes are produced. These values and related impacts include:

1. **Fishermen are professionally motivated by the values of Self-Direction and Tradition.**
2. **Cascade Head Marine Reserve once represented the values of Security and Tradition.**
3. **Fishermen perceive the value of Universalism underlies the marine reserve's intended outcomes but there is a misalignment between this, the values they perceive to underlie the management process, and some of their own values.**
4. **The marine reserves contribute to a misconception of a profession motivated by Power.**
5. **An equal number of participating fishermen prioritize their social and economic values.**

Discussion

These ten total findings were then synthesized to establish three comprehensive and critical findings. These three findings include:

1. **Fishermen perceive negative social and economic impacts, but appear more concerned about positive impacts they have not experienced or potential negative ones in the future.**
2. **Fishermen's priorities of social or economic values are important to consider and complex.**
3. **Social values contextualize perceived impacts from, and perceptions of, the marine reserves.**

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: City Council meeting Minutes

ITEM NO: 4 A.

Attached are the Council Meeting Minutes from June 16, 2022.

Suggested Motions

Motion to Approve the Meeting Minutes from June 16, 2022.

I move to approve the meeting minutes from June 16, 2022

Motion to Deny the Meeting Minutes from June 16, 2022.

I move to deny the meeting minutes from June 16,2022.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, June 16, 2022 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>CA Ginsburg</i>	X
<i>Tim Pogwizd, President</i>	X	<i>Shala Kudlac, City Attorney</i>	X
<i>Gary Burns</i>	X	<i>John Isadore, Public Works</i>	X
<i>Lorin Kessler</i>	X		
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	Excused		
<i>Greg Tidey</i>	X		

Others Present: Ann Vileisis, Linda Maxxon, Chris Bennet of Kamstrup, Linda Tarr, Kim Foster, Max Beeken.

1. Call to Order

Mayor Cox called to order this Meeting of the Common Council on Thursday, June 16, 2022, at 5:31 p.m.

2. Additions to the Agenda: Items f through k under New Business is going to be moved forward to be included with the consent calendar motion.

3. Presentation to Council / Citizens: Linda Maxxon representing Coast Community Health Center shared a presentation regarding rural homelessness. Statistics are shared.

- 1 in 5 non-metro counties are classified as a high-poverty county.
- 2018 – 15.1 percent rural Americans live in poverty vs. non-rural at 12.5 percent.
- Regions whose economies are based on mining, timber, or fishing have grown in the poverty rates 2.5 times faster than other economies.
- In rural areas we see fewer jobs, lower wages, longer periods of unemployment contribute to higher levels of poverty and homelessness.
- No longer can we say housing costs in our region are lower than urban areas due to the events of mass exodus from urban life that have occurred in the past 24 months thus driving up rural prices.
- Portland State Homeless Research and Action Report 2022 –Homeless numbers are drastically underreported in Curry County affecting funding for the homelessness.
- The need to create a structured integrated solution-based service model that requires city agency, community services organization support does not happen overnight. It is hard work.

4 Coast Community is not advocating for a shelter or anything. They are providing education
5 to the City of Port Orford and other communities on the needs of the homeless community so
6 they can focus on reasonable solutions.

- 7 ➤ **Property:** What can the City appropriate for a safe/controlled location.
- 8 ➤ **A Plan:** Involves city leaders, agency leaders, community service organizations, funders.
- 9 ➤ **Controlled Environment:** Supervised site = rules, expectations, accountability.
- 10 ➤ **Managed:** Location that is managed in collaboration from partner agencies.
- 11 ➤ **Multi-disciplinary approach:**
 - 12 ○ Manage a site – entry point to support residents
 - 13 ○ Weekly home inspections
 - 14 ○ Physical/mental health supports req'd
 - 15 ○ Community residents and project recipients are invested in the success of this project.
 - 16 Win-win.

17 Coast Community wonders what the city's visions are and how can they help. Coast
18 Community welcomes the City of Port Orford to meet with Coast Community for those
19 discussions and needed support. Councilor Kessler volunteered to research and communicate
20 with Coast Community.

22 4. Consent Calendar

23 **Approve Committee Appointment of Ross Kelly to Emergency Response Committee.**

24 **Approve Committee Appointment of Jim Howe to Emergency Response Committee.**

25 **Approve Committee Appointment of Gary Anderson to Emergency Response
26 Committee.**

27 **Approve Committee Appointment of Alan Jones to Emergency Response Committee.**

28 **Approve Committee Appointment of Mari Lochhaas to Emergency Response
29 Committee.**

30 **Approve Minutes May 19, 2022:** Councilor Burns moved to approve the minutes for the
31 May 19, 2022 council meeting as written to include the appointments of the members to the
32 Emergency Response Committee with Councilor Kessler as second. *Motion carried 5-0.*
33 Discussion: None.

34 ***Councilor Pogwizd* Yes *Councilor Burns* Yes**
35 ***Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes**

37 5. Departmental Reports

- 38 a. **Public Works:** A written report has been provided to councilors. John Isadore
39 introduced Chris Bennet of Kamstrup to give a presentation on revolutionary ultrasonic
40 water meters that report leakage on both sides of the meter including service side.
41 Kamstrup has been in the industry since 1991. It can eliminate non-revenue water.
42 Kamstrup will invest in, procure, install, maintain and monitor without any funds down.
43 This meter will increase revenue, thus becoming a self-funding project. This is a wireless
44 system working on acoustics. It sends signals to Kamstrup who then sends the
45 information to the City of Port Orford. City of Port Orford pays Kamstrup for the meter
46 based on usage per month, as a utility to Port Orford. There are no fees until installation

4 takes place regardless of contract. This system is supported by Public Works
5 superintendent, John Isadore.

6 Councilor Kessler moved to look at a contractual process for installation and operation of
7 water meters through Kamstrup with Councilor Burns as second. *Motion carried 5-0.*

8 Discussion: None.

9 *Councilor Pogwizd* Yes *Councilor Burns* Yes
10 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes

11
12 John Isadore requested council approval to purchase parts for repair of the gearbox. The
13 cost will be approximately 28,000. John Isadore presented the quote for the Coastguard
14 Hill pump station, which is 50,000 dollars less than previous quotes.

15
16 Councilor Burns moved to approve having Koontz Machine Welding, Inc do the blasting
17 and painting of the steel structure of the septic clarifying tank up to 30,000 dollars with
18 Councilor Kessler as second. *Motion carried 5-0.*

19 Discussion: None.

20 *Councilor Pogwizd* Yes *Councilor Burns* Yes
21 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes

22
23 Councilor Burns moved to approve the repair of the pump skid at Coast Guard Hill up to
24 92,000 dollars with Councilor Tidey as second. *Motion carried 5-0.*

25 Discussion: None.

26 *Councilor Pogwizd* Yes *Councilor Burns* Yes
27 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes

28
29 **b. Administration/Financial Report:** CA Ginsburg reviewed her written report with
30 councilors. She addressed cleanup of hazardous areas. She addressed cleanup of city hall
31 and outside landscaping by volunteers. An audit is set up for the end of the fiscal year in
32 September. No accountant application has been received.

33 **c. Planning:** ADU zoning and water/sewage connection discussed.

34 **d. TLT:** Councilor Pogwizd will present grants for approval later this meeting.

35 **e. Port:** Working on request for proposals for crane replacement.

36 **f. Parks:** Councilor Tidey updated on Fourth of July events. The disk golf course is
37 installed. It is intended to be operational before the Fourth of July.

38 **g. School District:** School is out for the year.

39 **h. Main Street:** Councilor Burns reported Main Street is investigating the Episcopal
40 Church as a location for the daycare. Funds going to TLT for advertising and Kim
41 Foster's digital medial to target young outdoor tourists in Discover Port Orford Facebook
42 and Instagram platform. Five thousand copies of the Town map and Guide are printed.
43 TLT approved 1,400 dollars for a second printing. The whale tale will be painted Monday
44 June 20 weather permitting. City hall landscaping is underway from volunteers. Grant for
45 trees is received and locations selected. Volunteers for cleanup organized prior to the
46 Fourth of July.

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6. Public Hearing: State Revenue Sharing. Mayor Cox opened the public hearing and recapped that each year the State of Oregon distributes excess revenue collected from special taxes such as liquor and gas tax. In order to be eligible to receive these funds the city must first hold two public hearings, one before the Budget Committee and one before the City Council, to discuss possible uses of the funds. The use of State Revenue funds in the past included annual parks operations. The amount estimated incorporated in the 2022/2023 budget is 11,500 dollars.

Public testimony: The staff has received no correspondence from the public regarding the use of the state revenue sharing funds.

Clark Kocurek, Park Commissioner, testified in favor of use of revenue for public places such as cleanup of garbage in public trails which might include biohazard waste and repair of the boardwalk in the wetlands.

With no further public testimony, the hearing is closed by Mayor Cox.

7. Citizen Concerns:

Ann Vileisis, local resident, as president of Kalmiopsis Audubon Society and local citizen, urges the council to move ahead with the MOU in partnership with the land trust and Watershed Council for future acquisition of the Lee property to protect the watershed. As a citizen, Ms. Vileisis encouraged council to move forward with the STR ordinance with the assistance of Mr. Kern. She agrees with the cap on overall numbers with permits. She likes the use of permits rather than land use. She agrees with the licenses be non-transferable. She appreciates the city will have fees to cover enforcement issues. She appreciates public input in the topic.

Kim Foster, local resident, urges support for the MOU of the Lee property.

8. Old Business:

a. Ordinance 2022-05 Abatement of Nuisance and Dangerous Housing: Mayor Cox is concerned about empowering one person to target which is a nuisance. CA Ginsburg describes the current process. Councilor Pogwizd is concerned about the right of entry. A reasonable effort needs defined. Councilor Pogwizd does not think entry should be made until contact with responsible party is made. Legal Counsel Kudlac gave legal perspective. Councilor Kessler moved to table the abatement of nuisance and dangerous housing until topics of interest mentioned today are researched with Councilor Burns as second. ***Motion carried 5-0.***

Discussion: None.

Councilor Pogwizd Yes **Councilor Burns** Yes
Councilor Kessler Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

b. Ordinance 2022-02 Ziplly Franchise Agreement: Councilor Garratt likes the improvements made by Ziplly in the agreement. He noticed his request for free services to

4 city facilities was not addressed in this new agreement. It is a common request in these
 5 types of agreements. The cost is minimal to Zply but savings to the city is huge.
 6 Councilor Garratt moved to add an addendum to the agreement with Zply stating they
 7 will provide free service to any city services directed by council with Councilor Pogwizd
 8 as second. **Motion carried 4-1.**

9 Discussion: Councilor Kessler is concerned that they asked for 7 percent and Zply
 10 complied and now are asking for free service. Councilor Pogwizd stated this is common.
 11 CA Ginsburg will amend with addendum. Contract decision will be tabled until the city
 12 hears back on the addendum.

13 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 14 **Councilor Kessler** No **Councilor Tidey** Yes **Councilor Garratt** Yes

15
 16 c. Daniel Kerns Agreement for Vacation Rentals: Councilor Kessler moved for the city
 17 council to approve the documentation presented and assistance from Daniel Kerns for the
 18 STVR with Councilor Tidey as second. **Motion carried 4-1.**

19 Discussion: Councilor Garratt feels this might be premature. In the effort of trying to
 20 keep things moving forward, he suggested doing so carefully and wisely. He suggested a
 21 clear and concise direction prior to signing the contract with the attorney instead of
 22 signing the contract and then getting the clear and concise direction in case the direction
 23 cannot be reached. He recommended the councilors bring brief bullet proof suggestions
 24 on how to proceed. Councilor Burns suggested a workshop with suggestions for planning.

25 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 26 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** No

27
 28 d. Forest Management Plan: Linda Tarr is in attendance and available for questions. She
 29 needs approval for the contract with Springboard Forestry to do the forestry management
 30 plan for the entire watershed. This is paid for by an OHA grant. This is a prerequisite to
 31 apply for the Clean Water State Revolving Fund. Councilor Tidey moved to approve the
 32 contract between the City of Port Orford and the Springboard Forestry with Councilor
 33 Kessler as second. **Motion carried 5-0.**

34 Discussion: None.

35 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 36 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

37
 38 **9. New Business:**

39 a. MOU for Lee Property: Council Pogwizd has no concern with the MOU; however, he is
 40 concerned about having the funds for purchasing the property in one year. Wild Rivers
 41 Land Trust is finding grant funding. The state has made drinking water a priority and land
 42 acquisition is the cheapest way to protect drinking water. Linda Tarr explained the need
 43 for MOU and procedure following. Port Orford will need David Brock Smith to advocate
 44 for the funding. If legislature denies funding other options are available. Options are
 45 described. City administrative involvement is extensive.
 46

4

5 Councilor Kessler moved to continue the meeting with Councilor Burns as second.

6 Discussion: None.

7 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 8 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

9

10 Max Beeken, WRLT conservation director, is in attendance. He wrote the MOU in
 11 coordination with Linda Tarr and the landowner. Nobody is bound to follow through if
 12 things are not working out.

13 Councilor Burns moved for the City Council to approve the MOU between the city of
 14 Port Orford and Wild Rivers Land Trust with Councilor Kessler as second. **Motion**
 15 **carried 5-0.**

16 Discussion: None.

17 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 18 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

19

20 **b.** Deady Street Property: Councilor Tidey moved to approve the city administration begin
 21 discussion with the current owner of tax lot ID R11851 for possible future purchase of
 22 the property with Commissioner Burns as second. **Motion carried 5-0.**

23 Discussion: Councilor Garratt suggested strong exploration be on cost.

24 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 25 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

26

27 **c.** Resolution 2022-02: Councilor Burns moved for the City Council to Approve Resolution
 28 2022-02 to receive state revenue funds for the fiscal year 2022-2023 with Councilor
 29 Pogwizd as second. **Motion carried 5-0.**

30 Discussion: None.

31 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 32 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

33

34 **d.** Resolution 2022-03 Adopting 2022-2023 Budget: Councilor Kessler moved for the City
 35 Council to approve resolution 2022-03 to adopt the budget for the fiscal year 2022-2023
 36 with Councilor Burns as second. **Motion Carried 5-0.**

37 Discussion: Mayor Cox wanted clarification that the 12 percent increase is on the FDC
 38 charges and not an increase in rates until rates applying to the budget getting approved
 39 now. Confirmed. Councilor Garratt is concerned council is entertaining new expenditures
 40 not in the budget. CA Ginsburg advised an amendment will have to be made if
 41 expenditures happen.

42 **Councilor Pogwizd** Yes **Councilor Burns** Yes
 43 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Garratt** Yes

44

- 4 e. Resolution 2022-04 Adopting Employee Wages: Councilor Tidey moved for the City
5 Council to approve resolution 2022-04 to adopt employees' wages for the fiscal year
6 2022-2023 with Councilor Burns as second. ***Motion carried 5-0.***

7 Discussion: Positions not hired yet will be under an umbrella budget item.

8 ***Councilor Pogwizd*** *Yes* ***Councilor Burns*** *Yes*
9 ***Councilor Kessler*** *Yes* ***Councilor Tidey*** *Yes* ***Councilor Garratt*** *Yes*

- 10
11 f. TLT Grand Approval Main Street, \$2,900: Councilor Burns moved to approve the TLT
12 grant application for Main Street for 2,900 dollars as accepted by the TLT with Councilor
13 Pogwizd as second. ***Motion carried 5-0.***

14 Discussion: None.

15 ***Councilor Pogwizd*** *Yes* ***Councilor Burns*** *Yes*
16 ***Councilor Kessler*** *Yes* ***Councilor Tidey*** *Yes* ***Councilor Garratt*** *Yes*

- 17
18 g. TLT Grant Approval Main Street \$1,790: Councilor Burns moved to approve the TLT
19 grant application for Main Street for 1,790 dollars as accepted by the TLT committee
20 with Councilor Tidey as second. ***Motion carried 5-0.***

21 Discussion: None.

22 ***Councilor Pogwizd*** *Yes* ***Councilor Burns*** *Yes*
23 ***Councilor Kessler*** *Yes* ***Councilor Tidey*** *Yes* ***Councilor Garratt*** *Yes*

- 24
25 h. TLT Grant Approval Port Orford Jubilee \$5000: Councilor Tidey moved to approve the
26 TLT grant application for Jubilee for 5,000 dollars as accepted by the TLT Committee
27 with Councilor Burns as second. ***Motion carried 5-0.***

28 Discussion: None.

29 ***Councilor Pogwizd*** *Yes* ***Councilor Burns*** *Yes*
30 ***Councilor Kessler*** *Yes* ***Councilor Tidey*** *Yes* ***Councilor Garratt*** *Yes*

31
32 **10. Continuing Action Items:**

- 33 a. **Seasonal Gas Tax**
34 b. **Text My Gov**
35 c. **Website Updated**
36 d. **Data Storage**
37 e. **Water Conservation Ordinance**
38 f. **Historic Commission Ordinance Update**
39 g. **Grant Writing Companies**

40
41
42 **11. Considerations:**

43 **Citizen:** None.

44 **Staff:** Election preparations are needed. Three seats are available. Paperwork needs to be
45 turned in by August.

4 **Councilor:** Councilor Pogwizd expressed appreciation to the mayor, staff, council and
5 citizens for allowing of the aforementioned to be fiscally responsible, as it is so important to
6 the future of the city. We are in terrible times and do not know what lies in the future. Tax
7 rolls may not come in as expected. He appreciates being fiscally responsible. It is not
8 negativity but preparing for the future.

9 **Mayor:** Mayor Cox is requesting a workshop to organize and know where action items
10 stand.

11
12 **12. Future Meetings: Thursday, July 21, 2022, Regular Council Meeting 5:30, hybrid.**

13
14 **11. Adjourn:** There being no further business, Mayor Cox Adjourned the meeting at 7:55 p.m.

15
16
17
18 Attest:

19
20
21
22 _____
23 Mayor, Pat Cox

_____ City Recorder, Jessica Ginsburg

Water Plant: Op's - NO Run Days 4

Raw water into plant 7,099,000 Treated water 5,239,000 Backwash water used 191,000 Leaks 50K

Hubbard's / Reservoir Dredging / Dam leakage

1. Dredging waiting quote and permitting.
2. **Update** Billiter marine has received materials, waiting to start until flow slows down

Water Treatment plant, Finished Water Pump Replacement

1. **Update** Finished water pump #1 has been received and electrical upgrade is complete. Pump will be installed in late July or early August.
2. **Pending:** Multiple issues with communication / controls with plant (TAG) Will most likely have to go to cellular or internet for a reliable signal.
3. **Installed** new sewer lift pump for Water treatment plant pump station.

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

1. **Coast guard hill pump station update,** Pump-Tech is working on redesign due to the power service that's available in order for current generator to be utilized.

Hubbard's Reservoir R&M.

1. Looking into silt boom in order to allow water production during storm events.

Electronic read water meters: working on gathering the information needed for the vender. I'll schedule a work session with council to discuss further.

Water distribution leaks repaired

N/A

New Services:

- N/A

Meter Swop out'

- No meter swaps

Waste Water plant: Op's:

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

- Primary Clarifier is down; gear box is getting rebuilt by Koontz Machine
- **Update:** Clarifier coating materials are on order hoping to start in the next couple weeks
- VFD controls for Raz / Waz pumps fried, current one is obsolete.
- Arizona lift station, in progress and ordered 6-12 weeks out.
- Grit removal system, Koontz will be checking gear box when on site for Clarifier repairs / coating
- Ordered 2 new blower 5-6 months out maybe early July, still waiting on blowers.
- Pending Influent Flow Meter, working on quote for replacement meter is no longer supported. Vender is looking for replacement flow meters.

Streets Maintenance:

- Continued mowing and trimming
- Fire Hydrant Main maintenance on going.
- potholes, cold patched received and placed. We'll continue with repairs as time allows
- Trimmed brush back on several intersections in the city

Parks

- Spent several days hauling brush and trees from the parks in preparation for the 4th
- Buffington playground equipment is in need of replacement, made temporary repairs to the supports but they are rusted completely off.
- Assisted with installation of the new freebie golf
- Battle Rocks, Pending quotes for repairs (roof / rotten wood)
- Interpretive trail, wooden decking and railings are failing (rotten). Made temp repairs, looking for a contractor to R&R on platform/walkway.
- Pick up and disposal of trash and debris in parks.
- Continued mowing and trimming of parks.

PW Works Equipment PM's

- Run and Pm generators monthly
- Oil changes on work trucks
- Replaced the brakes on truck 27



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City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

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 and repairs have been completed in City Hall.

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 \$14,540

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

TLT Committee has been formed and the grants have been awarded. Checks were going out the week of July 15th.

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- In speaking with Monica we should be able to begin to apply for the grants in late July to mid-August. The applications have not been released yet. However, Monica was able to share with us a very similar one so that we can begin to gather the data needed. On 07/13/2022 I attended a class on the Water Infrastructure Funding in the Bipartisan Infrastructure Law. I have attached a portion of the information that was provided about the different grants that are available. The whole book is over 400 pages. So if anyone would like one please let me know and I will get it together for pick up.

Building Inspector/Building Code- Updated Building code for Abatement and Nuisance and Dangerous Housing is in the Agenda. We are adopting the code that was written by the Curry County Building Inspector Garrett Thomson. Update in section 7c.

Citation Clean up- When this project started the balance outstanding was \$837,217.86 thru 09/28/2021. As of June 10th the balance due is \$710,294.25 thru 09/28/2021 also. Therefore, we have collected **\$126,923.61** in past due Citations. We will be re-running this report at the end of every fiscal year and continue collection processes.

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. We had our first meeting for the new Emergency Response Committee June 7th. We will be approving committee appointments in this meeting.

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 received notice on April 15th that we did receive the grant for the Forest Management 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. I have received additional news about the other buildings and I have attached a copy of the quote from The Roofers Inc. Currently we are looking for a framer in order to pitch both City Hall's roof and the Wastewater Plant roof. Legacy Construction has completed the install of the new payment window and they have also completed the other repairs that were needed in City Hall. The next step is painting! Some residents have offered to Volunteer their time to do the painting. We are hoping to start that as soon as possible. As you have noticed also the work has begun on the outside of City Hall. It is amazing that dirt looks better! I cannot wait to see what Port Orford Main street has in store for City Hall. Thank you all so much!

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.

Annual City Business Licenses- Business license renewal letters have been sent out for the upcoming year. We have also sent out letters to newer businesses and reminding them they need to apply for business licenses.

Phones for City Staff- In the past we had 2 phone companies US Cellular and ATT. We were not getting the advantages of have multiple lines and more for discounts. Therefore we have combined everything on to 1 (ATT) and currently Public works is working on installing the correct programs on to their phones so that they can see the water tanks and more at the water plant.

Abatement of Buildings- Since we are adopting the new building code that Curry County has adopted we are also starting to work on cleaning up the City of Port Orford. We have our 1st property that was notified to clean it up and if it was not cleaned up by a certain day then we (The City) would be doing it at the owners expense. The address is 2480 Arizona Street. The owners were given till June 9th to clean it up. It has not been done. Public Works is going to make sure that the water and sewer are capped off. I have a company that I have been in contact with about removing the asbestos. Waiting on a quote from them. I have also sent out some abatements orders to residents to clean up their properties that are currently being lived on. I have been in communication with them and I expressed to them that as long as we see progress of the property being cleaned and have communication then no action would be taken.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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Water

Challenge: The nation has underinvested in water infrastructure for too long, putting communities at risk. Lead pipes, watermain breaks, PFAS contamination, and failing wastewater management systems threaten the safety and security of Americans across the country. Long-term drought and water shortages in many areas of the nation, fueled by climate change, have laid bare underinvestment in water reuse, conveyance and storage infrastructure.

Solutions: The legislation's \$55 billion investment represents the largest investment in drinking water, wastewater, water reuse, conveyance and water storage infrastructure in American history, including dedicated funding to replace lead service lines and address the dangerous chemical PFAS (per- and polyfluoroalkyl).

Funding Overview: This funding falls into seven major programs covered under this section – **(1)** the Drinking Water and Clean Water State Revolving Funds (\$23.43 billion), **(2)** Lead Service Lines (\$15 billion), **(3)** PFAS and Emerging Contaminants (\$10 billion), **(4)** Indian Water Rights (\$2.5 billion), **(5)** Indian Health Service Water and Sewer (\$1.8 billion), **(6)** Water and Sewer Tax (\$1.25 billion), **(7)** Rural Water (\$1 billion), **(8)** Western Water (\$7.1 billion).

The **Drinking Water and Clean Water State Revolving Funds** provide below-market rate loans and grants to fund water infrastructure improvements to protect public health and the environment. This additional funding will go towards existing Environmental Protection Agency programs– the Fiscal Year 2022 allocations from the Bipartisan Infrastructure Law can be found [here](#).

The **Lead Service Lines** program provides funding for lead pipe replacement. This was announced as part of a broader Lead Pipe and Paint Action Plan on December 16, 2021. The fact sheet covering the entirety of the program can be found [here](#).

The **PFAS and Emerging Contaminants** program provides funding for states and water utilities to be used in the treatment of any pollutant that is a perfluoroalkyl or polyfluoroalkyl substance (PFAS) or any pollutant identified by the Environmental Protection Agency Administrator as a contaminant of emerging concern.

The **Indian Water Rights** program is to satisfy Federal obligations under Indian water rights settlements enacted as of November 15, 2021.

The **Western Water** program appropriates funds to be spent on projects associated with water storage, groundwater storage, and conveyance projects, water recycling and reuse projects, water desalination projects and studies, watershed management, dam repair and replacement, repairing and replacing aging infrastructure, and WaterSMART grants.



The **Indian Health Service Water and Sewer** program provides funds for the provision of domestic and community sanitation facilities for Tribal communities.

The **Water and Sewer Tax** excludes from taxable income any “contribution in aid of construction” or any other contribution for purposes of water storage.

The **Rural Water Project** invests in water infrastructure projects in rural communities.

Getting Ready:

The majority of the water funding will move through the State Revolving Fund programs. Water utilities, non-profits, drinking water providers, and other potential recipients should begin to work with local stakeholders and state program contacts to identify potential projects, with a focus on prioritizing projects serving disadvantage communities. The Environmental Protection Agency and other agencies will provide technical assistance to help these disadvantaged communities overcome barriers to receiving loans and grants for water improvements. Potential recipients of the lead service line funding are also encouraged to accelerate the development and use of lead service-line inventories, which can help guide the design of replacement projects eligible for these funds. Additional national program guidance will be issued soon to state water primacy agencies.

Existing Resources:

- Funds from State and Local Fiscal Recovery Funds as part of the American Rescue Plan can be used to support necessary improvements in water, including for the State Revolving Funds, lead service line replacement programs, and other projects that assist systems most in need to provide clean drinking water. See more about the guidance that permitted the use of these funds [here](#).
- Funding through the CARES act State and Local Fiscal Recovery Funds can also be used to make necessary investments to improve access to clean drinking water.
- Funding is available for water infrastructure through Environmental Protection Agency’s existing State Revolving Funds and grant programs under the Water Improvements for the Nation Act, including \$25 million in 2022 to improve drinking water quality in small, underserved, and disadvantaged communities; and additional funding for lead testing in school and child care drinking water grants, and reducing lead in drinking water grants.
- Department of Agriculture funds are also available through the Water and Waste Disposal Loan and Grant Program.



- Department of Housing and Urban Development Community Block Development Block Grant funds are available for a wide range of community needs, including lead reduction initiatives.

Program Name	Agency Name	Funding Amount
Drinking Water State Revolving Fund Lead Service Lines Replacement	Environmental Protection Agency	\$15,000,000,000
Drinking Water State Revolving Fund	Environmental Protection Agency	\$11,713,000,000
Clean Water State Revolving Fund	Environmental Protection Agency	\$11,713,000,000
Water Infrastructure Improvements for the Nation Small and Underserved Communities Emerging Contaminants Grant Program	Environmental Protection Agency	\$5,000,000,000
Drinking Water State Revolving Fund Emerging Contaminants (incl. PFAS)	Environmental Protection Agency	\$4,000,000,000
Indian Health Service Sanitation Facilities Construction Program	Department of Health and Human Services	\$3,500,000,000
Aging Infrastructure Account	Department of the Interior	\$3,200,000,000
Indian Water Rights Settlements	Department of the Interior	\$2,500,000,000
Water & Groundwater Storage, And Conveyance	Department of the Interior	\$1,150,000,000
Rural Water Projects	Department of the Interior	\$1,000,000,000
Clean Water State Revolving Fund-Emerging Contaminants	Environmental Protection Agency	\$1,000,000,000
Water Recycling	Department of the Interior	\$1,000,000,000
Dam Safety Program	Department of the Interior	\$500,000,000
WaterSMART Grants	Department of the Interior	\$400,000,000
Water Desalination Projects	Department of the Interior	\$250,000,000
Safety of Dams, Water Sanitation, And Other Facilities	Department of the Interior	\$200,000,000
Watershed Management Projects	Department of the Interior	\$100,000,000
Central Utah Project	Department of the Interior	\$50,000,000
Underground Injection Control Grants: Class VI wells	Environmental Protection Agency	\$50,000,000
Tribal Irrigation and Power Systems	Department of the Interior	\$50,000,000
Water Resources Development Act Data Acquisition	Department of Commerce	\$25,000,000
Soil Moisture and Snowpack Pilot Program	Department of Commerce	\$1,000,000
Geographic Programs - Columbia River Basin Restoration Program	Environmental Protection Agency	\$79,000,000
Geographic Programs - Great Lakes Restoration Initiative	Environmental Protection Agency	\$1,000,000,000
Geographic Programs - Gulf of Mexico	Environmental Protection Agency	\$53,000,000
Geographic Programs - Lake Champlain	Environmental Protection Agency	\$40,000,000
Geographic Programs - Lake Pontchartrain Restoration Program	Environmental Protection Agency	\$53,000,000
Geographic Programs - Long Island Sound	Environmental Protection Agency	\$106,000,000
Geographic Programs - Northwest Forest	Environmental Protection Agency	\$4,000,000
Geographic Programs - South Florida Geographic Initiatives Program	Environmental Protection Agency	\$16,000,000
Geographic Programs - Southeast New England Coastal Watershed Restoration Program	Environmental Protection Agency	\$15,000,000
National Estuary Program Grants	Environmental Protection Agency	\$132,000,000
Geographic Programs - Chesapeake Bay Program	Environmental Protection Agency	\$238,000,000
Geographic Programs - Puget Sound	Environmental Protection Agency	\$89,000,000
Geographic Programs - San Francisco Bay Water Quality Improvement Fund	Environmental Protection Agency	\$24,000,000
TOTAL - WATER		\$64,251,000,000



Drinking Water State Revolving Fund Lead Service Lines Replacement

Federal Agency: Environmental Protection Agency
Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$15,000,000,000

Period of Availability: Available until expended

Funding Mechanism: Loans and Grants

New Program: No

Recipients: States initially receive funding, then provide funds to Water Utilities and/or Municipal and Other Eligible Entities. Tribes and Territories are also eligible to receive a portion of State Revolving Fund funds.

Description: Drinking Water State Revolving Fund funding as described in the Drinking Water State Revolving Fund program, below, with eligible projects limited to lead service line replacement and associated activities related to identification, planning, design and removal. Under the Bipartisan Infrastructure Law, 49 percent of funds shall be eligible to be grants or 100 percent principal forgiveness loans.

Eligible Uses: States receive a capitalization grant with no state match required. The states provide low interest loans, principal forgiveness, and/or grants to replace lead service lines. Further information will be forthcoming.

Next Milestone: Applicants apply through their State Revolving Fund program. State deadlines vary.



Drinking Water State Revolving Fund

Federal Agency: Environmental Protection Agency
Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$11,713,000,000

Period of Availability: Available until expended

Funding Mechanism: Loans and Grants

New Program: No

Recipients: States initially receive funding, then provide funds to Water Utilities and/or Municipal and Other Eligible Entities. Tribes and Territories are also eligible to receive a portion of State Revolving Fund funds.

Description: The Drinking Water State Revolving Fund is a financial assistance program to help water systems and states to achieve the health protection objectives of the Safe Drinking Water Act. States are required to give priority for the use of Drinking Water State Revolving Fund project funds to: Address the most serious risks to human health, ensure compliance with the requirements of the Safe Drinking Water Act, and assist systems most in need on a per household basis according to state affordability criteria. Not all drinking water compliance problems, however, can be solved through capital financing of infrastructure improvements. Under the Bipartisan Infrastructure Law, 49 percent of funds shall be eligible to be grants or 100 percent principal forgiveness loans.

Eligible Uses: Capitalization grants are available to each State, and Tribes and territories for the purpose of establishing a Drinking Water State Revolving Fund. This revolving fund provides loans and grants to water systems for eligible infrastructure projects including: construction of expansion of drinking water treatment plants and/or distribution systems; improving drinking water treatment; fixing leaky or old pipes (water distribution); improving sources of water supply; replacing or constructing finished water storage tanks; other infrastructure projects needed to protect public health.

Next Milestone: Applicants apply through their State Revolving Fund program. State deadlines vary.



Clean Water State Revolving Fund

Federal Agency: Environmental Protection Agency

Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$11,713,000,000

Period of Availability: Available until expended

Funding Mechanism: Loans and Grants

New Program: No

Recipients: States initially receive funding, then provide funds to Water Utilities and/or Municipal and Other Eligible Entities. Tribes and Territories are also eligible to receive a portion of State Revolving Fund funds.

Description: The Clean Water State Revolving Fund program is a federal-state partnership that provides communities low-cost financing for a wide range of water quality infrastructure projects. Under the Bipartisan Infrastructure Law, 49 percent of Clean Water State Revolving Fund funds shall be eligible to be grants or 100 percent principal forgiveness loans. The Clean Water State Revolving Fund program provides capitalization grants to States, which will provide a long-term source of State financing for construction of wastewater treatment facilities and implementation of other water quality management activities.

Eligible Uses: Capitalization grants are available to each State and to Tribes and territories for the purpose of establishing a Clean Water State Revolving Fund. State Revolving Fund programs provide financial assistance to local communities and publicly owned treatment systems for construction of wastewater and stormwater treatment facilities and collection systems; nonpoint source pollution management; construction, repair, or replacement of decentralized wastewater treatment systems; construction of nature-based infrastructure solutions; and other uses associated with the management of wastewater and stormwater.

Next Milestone: Applicants apply through their State Revolving Fund programs. State deadlines vary.



Water Infrastructure Improvements for the Nation Small and Underserved Communities Emerging Contaminants Grant Program

Federal Agency: Environmental Protection Agency

Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$5,000,000,000

Period of Availability: Available until expended

Funding Mechanism: Grant

New Program: No

Recipients: States initially receive funding, then provide funds through grants to water utilities and other eligible entities in small and/or underserved/disadvantaged communities. Tribes and territories are also eligible to receive funds under this program.

Description: This grant program provides grants to public water systems in small and underserved/disadvantaged communities that are unable to finance activities needed to comply with drinking water regulations. Bipartisan Infrastructure Law prioritizes the funding to focus on small and disadvantaged communities in addressing emerging contaminants, including PFAS.

Eligible Uses:

- Projects eligible for assistance include efforts that benefit small and disadvantaged communities in testing and remediating emerging contaminants, including PFAS, including water filtration.
- "Disadvantaged Community" is one determined by the state to be disadvantaged under the affordability criteria established by the state under its authorities in the Safe Drinking Water Act, or may become a disadvantaged community as a result of carrying out a project or activity.
- "Small Community" is one that has a population 10,000 or fewer individuals and lacks the capacity to incur debt sufficient to finance a project to comply with the SDWA.

Next Milestone: More information will be forthcoming. Applicants will apply through their state. State deadlines vary.



Drinking Water State Revolving Fund Emerging Contaminants (incl. PFAS)

Federal Agency: Environmental Protection Agency

Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$4,000,000,000

Period of Availability: Available until expended

Funding Mechanism: Grant

New Program: No

Recipients: States initially receive funding, then provide funds to Water Utilities and/or Municipal and Other Eligible Entities. Tribes and Territories are also eligible to receive a portion of State Revolving Fund funds.

Description: Drinking Water State Revolving Fund funding as described in the Drinking Water State Revolving Fund program, with eligible projects limited to those that address emerging contaminants, such as PFAS.

Eligible Uses: States apply for a capitalization grant with no state match required. The states provide loans with principal forgiveness or grants to fund drinking water infrastructure projects to address emerging contaminants, including PFAS. Further information will be forthcoming.

Next Milestone: Applicants apply through their State Revolving Fund program. State deadlines vary.



Indian Health Service Sanitation Facilities Construction Program

Federal Agency: Department of Health and Human Services

Bureau or Account: Indian Health Service

Funding amount: \$3,500,000,000 – the law makes \$700,000,000 available per year from 2021-2026.

Period of Availability: Available until expended

Funding Mechanism: Indian Self-Determination and Education Assistance Act Agreements, Direct Federal Spending

New Program: No

Recipients: Federally recognized Tribal governments.

Description: The mission of the Indian Health Service is to raise the physical, mental, social, and spiritual health of American Indians and Alaska Natives to the highest level. To carry out this mission, the Indian Health Service provides comprehensive primary health care and disease prevention services. The Sanitation Facilities Construction Program is the environmental engineering component of the Indian Health Service health delivery system. To support the Indian Health Service mission, the Sanitation Facilities Construction Program provides technical and financial assistance to American Indian tribes and Alaska Native villages for the cooperative development and construction of safe drinking water supply, sewage, and solid waste disposal facilities, and related support facilities.

Eligible Uses: The Indian Health Care Improvement Act requires the Indian Health Service to identify the universe of sanitation facilities needs for existing American Indian and Alaska Native homes by documenting deficiencies and proposing projects to address their needs. These projects prevent communicable diseases by providing eligible new and existing Indian homes with services such as water wells, onsite wastewater disposal systems, or connections to community water supply and wastewater disposal systems. These projects can also include provision of new or upgraded water supply or waste disposal systems.



Aging Infrastructure Account

Federal Agency: Department of the Interior
Bureau or Account: Bureau of Reclamation

Funding amount: \$3,200,000,000

Period of Availability: Available until expended

Funding Mechanism: Spend Plan/Application

New Program: No, however, the Authority and funding dramatically expanded in Bipartisan Infrastructure Law

Recipients: Transferred Works Operators and Reserved works Project beneficiaries (districts, power customers, cost share partners)

Description: The Aging Infrastructure/XM authority is used to fund extraordinary maintenance work on Reclamation project facilities.

Eligible Uses: Repair, rehabilitation and maintenance of infrastructure assets for reserved or transferred works

Next Milestone: First Application period opened December 17, 2021, closes January 31, 2022.



Indian Water Rights Settlements

Federal Agency: Department of the Interior
Bureau or Account: Indian Affairs/Reclamation

Funding amount: \$2,500,000,000

Period of Availability: Available until expended

Funding Mechanism: Contract/Compact/Trust Fund

New Program: No

Recipients: Tribal Governments - Recognized

Description: To satisfy Federal obligations under Indian water rights settlement enacted as of November 15, 2021.

Eligible Uses: Transfer to funds or accounts authorized to receive discretionary appropriations or to satisfy other obligations identified by the Secretary of the Interior, under an Indian water settlement approved and authorized by an Act of Congress before the date of enactment of this Act.

Next Milestone: Allocation of funding among eligible projects, TBD



Water & Groundwater Storage, And Conveyance

Federal Agency: Department of the Interior

Bureau or Account: Bureau of Reclamation

Funding amount: \$1,150,000,000

Period of Availability: Available until expended

Funding Mechanism: Project Funding/FA/etc.

New Program: No, however, the Authority and funding dramatically expanded in the Bipartisan Infrastructure Law

Recipients: State, Local

Description: Water Storage, Groundwater Storage, and Conveyance projects with existing feasibility study or construction authorization are eligible for funding. The project must be found feasible and with benefits proportionate to federal investment. Small Water Storage and Groundwater Storage Projects are defined in the Bipartisan Infrastructure Law as projects that have storage capacity between 2,000 acre-feet and 30,000 acre-feet and increase surface water or groundwater storage or convey water, directly or indirectly, to or from surface water or groundwater storage. Funding will be provided through a combination of internal formulation and competitive grant processes, and non-Federal project sponsors in Reclamation States, including Alaska and Hawaii are eligible.

Eligible Uses: Construction and grants

Next Milestone: Program feasibility guidelines published January 14, 2022 per statute; Application period expected calendar 2022.



Rural Water Projects

Federal Agency: Department of the Interior

Bureau or Account: Bureau of Reclamation

Funding amount: \$1,000,000,000

Period of Availability: Available until expended

Funding Mechanism: Project Funding

New Program: No

Recipients: Existing authorized projects - not for new opportunities - Tribal, Local

Description: Funding for Rural Water will support the seven rural water projects that have been authorized by an Act of Congress before July 1, 2021, in accordance with the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.).

Eligible Uses: Rural Water projects

Next Milestone: Allocation of funding for Fiscal Year 2022 among eligible projects with Fiscal Year 2022 capability to execute the funds.



Clean Water State Revolving Fund-Emerging Contaminants

Federal Agency: Environmental Protection Agency
Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$1,000,000,000

Period of Availability: Available until expended

Funding Mechanism: Grant

New Program: No

Recipients: States initially receive funding, then provide funds to Water Utilities and/or Municipal and Other Eligible Entities. Tribes and Territories are also eligible to receive a portion of State Revolving Fund funds.

Description: Clean Water State Revolving Fund funding as described in the Clean Water State Revolving Fund program, with eligible projects limited to those that address emerging contaminants, such as PFAS.

Eligible Uses: States apply for a capitalization grant with no state match required. The states provide loans with principal forgiveness or grants to fund clean water infrastructure projects to address emerging contaminants, including PFAS. Further information will be forthcoming.

Next Milestone: Applicants apply through their State Revolving Fund programs. State deadlines vary.



Water Recycling

Federal Agency: Department of the Interior

Bureau or Account: Bureau of Reclamation

Funding amount: \$1,000,000,000

Period of Availability: Available until expended

Funding Mechanism: Grant, Financial Assistance

New Program: No, however, the Authority and funding dramatically expanded in the Bipartisan Infrastructure Law

Recipients: Open

Description: Projects that reclaim and/or reuse municipal, industrial, and agricultural wastewater; or impaired ground and surface waters. Large Scale Water Recycling Program is defined in the Bipartisan Infrastructure Law as projects that reclaim and reuse municipal, industrial, domestic, or agricultural wastewater; or impaired groundwater or surface water with a total project cost of \$500 million or more and located in a Reclamation state.

Eligible Uses: Water recycling and reuse projects and large water reuse projects in Reclamation states

Next Milestone: Funding opportunities posted January 14, 2022 to grants.gov, closes March 15, 2022, additional program criteria for large projects to follow during 2022.



Dam Safety Program

Federal Agency: Department of the Interior

Bureau or Account: Bureau of Reclamation

Funding amount: \$500,000,000

Period of Availability: Available until expended

Funding Mechanism: Direct Federal Spending

New Program: No

Recipients: State, Local

Description: Reclamation's Dam Safety Program is in place to ensure Reclamation dams do not present unreasonable risk to people, property, and the environment.

Eligible Uses: Project work at identified dams needing corrective action to reduce risk

Next Milestone: Publication of Fiscal Year 2023 budget request/updates to Initial Spend Plan



WaterSMART Grants

Federal Agency: Department of the Interior

Bureau or Account: Bureau of Reclamation

Funding amount: \$400,000,000

Period of Availability: Available until expended

Funding Mechanism: Grant

New Program: No

Recipients: Open - meet criteria for Grant Opportunity

Description: This funding will be used for competitive grants through WaterSMART under the authority of Sec. 9504(a) of the SECURE Water Act for water management improvements that contribute to water supply sustainability, increase drought resilience, and that have environmental benefits.

Eligible Uses: Grant projects that support water management improvements that contribute to water supply sustainability, increase drought resilience, and that have environmental benefits

Next Milestone: Estimated application opening dates in March, April and May of 2022 for three distinct opportunities under this authority



Water Desalination Projects

Federal Agency: Department of the Interior
Bureau or Account: Bureau of Reclamation

Funding amount: \$250,000,000

Period of Availability: Available until expended

Funding Mechanism: Financial Assistance

New Program: No

Recipients: Open

Description: Water desalination projects support desalination of ocean or brackish water.

Eligible Uses: Water desalination projects

Next Milestone: Funding opportunity posted January 14, 2022 to grants.gov, closes March 15, 2022.



Safety of Dams, Water Sanitation, And Other Facilities

Federal Agency: Department of the Interior
Bureau or Account: Indian Affairs - Construction

Funding amount: \$200,000,000

Period of Availability: Available until expended

Funding Mechanism: Contract/Compact

New Program: No

Recipients: Tribal Governments - Recognized

Description: The Bureau of Indian Affairs Safety of Dams aims to reduce the potential loss of human life and property damage caused by dam failure by making Bureau of Indian Affairs dams as safe as practically possible. Safety of Dams is responsible for dams on Indian land. These dams form a significant part of the water-resources infrastructure on Indian reservations. The water sanitation and safety program supports improvement and repair projects that address public health and safety compliance issues at Bureau of Indian Affairs-owned drinking water and sanitation systems.

Eligible Uses: Safety of Dams funding is planned to be used to accelerate rehabilitation activities using current prioritization methodology. Water sanitation; funds will address deferred maintenance and deficiencies identified in condition assessments, environmental health reviews and audit reports.

Next Milestone: Announcement of initial project awards, 3rd quarter 2022.



Watershed Management Projects

Federal Agency: Department of the Interior

Bureau or Account: Bureau of Reclamation

Funding amount: \$100,000,000

Period of Availability: Available until expended

Funding Mechanism: Financial Assistance

New Program: Yes

Recipients: Open - must meet funding opportunity criteria

Description: Watershed management includes water conservation and efficiency projects that increase reliability for ecological value, improvements to mitigate drought-related impacts to ecological values, and projects that improve the condition of a natural feature or nature-based feature.

Eligible Uses: Watershed management activities that include water conservation and efficiency projects that increase reliability for ecological value, improvements to mitigate drought-related impacts to ecological values, and projects that improve the condition of a natural feature or nature-based feature.

Next Milestone: Estimated application opening date, January 2022.



Central Utah Project

Federal Agency: Department of the Interior
Bureau or Account: Central Utah Project Completion Act Office

Funding amount: \$50,000,000

Period of Availability: Available until expended

Funding Mechanism: Direct Federal Spending

New Program: No

Recipients: Central Utah Water Conservancy District, Utah Reclamation Mitigation and Conservation Commission

Description: Funding will be used to continue construction of the Utah Lake System Pipeline to deliver 30,000 acre-feet of water to the communities in South Utah County, continued construction of a water flow control structure at Sixth Water on the Diamond Fork System to allow for minimum stream flows for fishery purposes, and continued development of the Provo River Delta Restoration Project for habitat development for the threatened June sucker fish.

Eligible Uses: Funding will be transferred to and be used by the Central Utah Water Conservancy District and the Utah Reclamation Mitigation and Conservation Commission.

Next Milestone: Contract award March 2022.



Underground Injection Control Grants: Class VI wells

Federal Agency: Environmental Protection Agency
Bureau or Account: State and Tribal Assistance Grants

Funding amount: \$50,000,000

Period of Availability: Available until expended

Funding Mechanism: Grant

New Program: Yes

Recipients: States and Tribes

Description: The Underground Injection Control Grants fund federal, state, and Tribal government agencies that oversee underground injection activities to prevent contamination of underground sources of drinking water from fluid injection practices. The funding in Bipartisan Infrastructure Law targets funding to Class VI wells utilized for carbon sequestration. The law includes an additional \$25 million to support the permitting of these wells on top of the \$50 million in grant funding.

Eligible Uses: Eligible entities shall use grants to defray the expenses related to the establishment and operation of a Class VI primacy program.

Next Milestone: More information forthcoming.



Tribal Irrigation and Power Systems

Federal Agency: Department of the Interior
Bureau or Account: Indian Affairs - Construction

Funding amount: \$50,000,000

Period of Availability: Available until expended

Funding Mechanism: Contract/Compact

New Program: No

Recipients: Tribal Governments - Recognized

Description: The program addresses deferred maintenance needs at 17 congressionally authorized irrigation projects located on Indian reservations across the Rocky Mountain, Northwest, Southwest, Navajo and Western Regions.

Eligible Uses: Address deferred maintenance and deficiencies identified in condition assessments and audit reports.

Next Milestone: Announcement of initial project awards, 3rd quarter 2022.



Water Resources Development Act Data Acquisition

Federal Agency: Department of Commerce

Bureau or Account: National Oceanic and Atmospheric Administration

Funding amount: \$25,000,000

Period of Availability: 2 year

Funding Mechanism: Various

New Program: No

Recipients: States, Counties, Cities / Townships, Special Districts, Tribal Governments (Federally Recognized), Tribal Governments (Other Than Federally Recognized), Public Higher-Ed Institutions, Private Higher-Ed Institutions, Nonprofits With 501(C)(3) Status, Nonprofits - Without 501(C)(3) Status, Small Businesses, Businesses (Other Than Small Businesses), And / Or Individuals

Description: Section 511(b)(1) and (2) of the Water Resources Development Act of 2020 (division AA of Public Law 116–260) requires the National Oceanic and Atmospheric Administration to establish a pilot program within the National Mesonet Program for the acquisition and use of data generated by a U.S. Army Corps of Engineers -led initiative. Army Corps of Engineers is augmenting existing mesonet sites in 5 networks in the Upper Missouri River Basin with new soil moisture and snowpack instrumentation and installing new sites to reach a total of 540 sites outfitted with the new instrumentation by the end of Fiscal Year 2026. To support these efforts, the National Oceanic and Atmospheric Administration will establish the Soil Moisture and Snowpack Monitoring Pilot Program, which will acquire data that is generated by the network being installed in the Upper Missouri River Basin from 2023 through 2025. The National Weather Service National Mesonet Program supports a public-private partnership of nearly four-dozen mesonet networks operated by the states and the private sector providing hydrometeorological observational data at more than 30,000 sites nationwide.

Eligible Uses: Establishment of the Soil Moisture and Snowpack Monitoring Pilot Program, which will acquire data that is generated by the network being installed in the Upper Missouri River Basin.

Next Milestone: Estimated application opening date, 2nd quarter 2022



Soil Moisture and Snowpack Pilot Program

Federal Agency: Department of Commerce

Bureau or Account: National Oceanic and Atmospheric Administration

Funding amount: \$1,000,000 in Fiscal Year 2022

Period of Availability: 2 year

Funding Mechanism: Various

New Program: No

Recipients: States, Counties, Cities / Townships, Special Districts, Tribal Governments (Federally Recognized), Tribal Governments (Other Than Federally Recognized), Public Higher-Ed Institutions, Private Higher-Ed Institutions, Nonprofits With 501(C)(3) Status, Nonprofits - Without 501(C)(3) Status, Small Businesses, Businesses (Other Than Small Businesses), And / Or Individuals

Description: The study of the soil moisture and snowpack monitoring network in the Upper Missouri River Basin pursuant to section 511(b)(3) of the Water Resources Development Act of 2020 (division AA of Public Law 116-260) (see Provision 4 description).

Eligible Uses: The study of the soil moisture and snowpack monitoring network in the Upper Missouri River Basin

Next Milestone: Estimated application opening date, 2nd quarter 2022

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City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Finance

ITEM NO: 7 c.

Attached are the financials thru June 30, 2022. As you will see we are still waiting on information from the County on the breakout for the Police tax option. I sent another follow up e-mail the week of July 11th. I have reached out to a few different staffing agencies about an accountant and have meetings the week of July 18th. I should have an update for the council meeting.

We are just starting to do the year end entries and accruals. Hoping to have updated financials for the meeting in July 21st for the year end.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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City of Port Orford

Income Statement

Account Summary

For Fiscal: 2021-2022 Period Ending: 06/30/2022

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
Fund: 010 - GENERAL FUND						
Revenue						
010-00-40100	Prior Year Fund Balance	175,079.00	175,079.00	0.00	165,828.21	9,250.79
010-00-41110	Property Taxes Current	312,665.00	312,665.00	0.00	318,210.47	-5,545.47
010-00-41120	Property Taxes-Prior	10,000.00	10,000.00	0.00	6,476.37	3,523.63
010-00-41160	Local Marijuana Tax	3,000.00	3,000.00	1,450.97	4,243.73	-1,243.73
010-00-41210	State Cigarette Tax	1,271.00	1,271.00	0.00	802.09	468.91
010-00-41220	State Liquor Tax	22,500.00	22,500.00	0.00	18,312.00	4,188.00
010-00-41310	State Revenue Sharing	12,653.00	12,653.00	0.00	12,123.25	529.75
010-00-41320	Payment in Lieu of Tax (PILOT)	500.00	500.00	0.00	2,263.74	-1,763.74
010-00-42010	Interest on Investments	2,000.00	2,000.00	0.00	2,670.52	-670.52
010-00-42110	LSN - Franchise Fees	4,000.00	4,000.00	0.00	7,150.25	-3,150.25
010-00-42111	Charter Franchise Fees	14,040.00	14,040.00	0.00	7,420.23	6,619.77
010-00-42112	Frontier Franchise Fees	1,700.00	1,700.00	0.00	3,133.94	-1,433.94
010-00-42113	Vonage Franchise Fees	30.00	30.00	0.00	0.00	30.00
010-00-42210	Business Licenses	6,500.00	6,500.00	3,455.00	21,910.00	-15,410.00
010-00-44214	Court Administrative Fees	3,400.00	3,400.00	395.00	2,910.00	490.00
010-00-44320	Subdivision Engineering Fees	14,000.00	14,000.00	0.00	0.00	14,000.00
010-00-44330	Planning Fees	3,000.00	3,000.00	182.00	4,800.39	-1,800.39
010-00-44340	Lien Search Fees	500.00	500.00	0.00	0.00	500.00
010-00-45120	Citations	278,435.00	278,435.00	16,262.50	196,148.81	82,286.19
010-00-45730	Circuit Court Collection	3,500.00	3,500.00	397.50	4,437.45	-937.45
010-00-46114	Charge to Parks Fund	14,023.00	14,023.00	0.00	0.00	14,023.00
010-00-46120	Charge to Public Safety Fund	27,117.00	27,117.00	0.00	0.00	27,117.00
010-00-46140	Charge to Street Fund	16,470.00	16,470.00	0.00	0.00	16,470.00
010-00-46210	Miscellaneous Receipts	1,000.00	1,000.00	0.00	131,418.27	-130,418.27
010-00-46880	Reimbursements	2,000.00	2,000.00	0.00	12,646.36	-10,646.36
	Revenue Total:	929,383.00	929,383.00	22,142.97	922,906.08	6,476.92
Expense						
010-10-51200	Administrator/Manager	31,372.00	31,372.00	1,707.66	23,164.16	8,207.84
010-10-51350	Accounting Assistant	16,091.00	16,091.00	1,187.28	12,046.70	4,044.30
010-10-51400	Accountant	22,954.00	22,954.00	0.00	11,429.68	11,524.32
010-10-52010	Social Security	5,745.00	5,745.00	198.30	3,287.44	2,457.56
010-10-52020	PERS Retirement	17,998.00	17,998.00	769.46	5,820.15	12,177.85
010-10-52030	Worker's Comp./Disability Ins.	405.00	405.00	1.12	251.41	153.59
010-10-52040	Health, Dental, Life Ins.	27,850.00	27,850.00	1,280.54	15,864.51	11,985.49
010-10-52050	Unemployment Insurance	10,000.00	10,000.00	0.00	0.00	10,000.00
010-10-55800	Vacation Expense	0.00	0.00	-1,071.82	-2,079.72	2,079.72
010-10-62210	Telephone	3,600.00	3,600.00	990.48	4,564.24	-964.24
010-10-62310	Management Travel	2,500.00	2,500.00	0.00	0.00	2,500.00
010-10-62912	Dues & OR Statutes	2,500.00	2,500.00	0.00	2,187.32	312.68
010-20-51310	Court Clerk	10,426.00	10,426.00	466.03	9,157.56	1,268.44
010-20-51350	Clerical	3,618.00	3,618.00	234.27	2,403.44	1,214.56
010-20-52010	Social Security	1,263.00	1,263.00	49.96	814.08	448.92
010-20-52020	PERS Retirement	4,067.00	4,067.00	182.51	2,705.18	1,361.82
010-20-52030	Worker's Comp./Disability Ins.	14.00	14.00	0.38	5.09	8.91
010-20-52040	Health, Dental, Life Ins.	5,864.00	5,864.00	180.19	4,463.95	1,400.05
010-20-61210	Office & Operating Supplies	1,000.00	1,000.00	13.24	1,208.80	-208.80
010-20-61230	Software Maintenance	1,706.00	1,706.00	0.00	-6,216.50	7,922.50
010-20-62170	Judge Contract	3,600.00	3,600.00	300.00	3,600.00	0.00
010-20-62210	Telephone	400.00	400.00	49.09	383.31	16.69
010-20-62230	Postage	1,000.00	1,000.00	11.00	1,043.57	-43.57
010-20-62343	Travel & Training / Meetings	2,000.00	2,000.00	0.00	0.00	2,000.00

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
010-20-62912	Dues & OR Statutes	100.00	100.00	0.00	50.00	50.00
010-20-62941	Reimbursements/Citations	5,000.00	5,000.00	100.00	2,758.05	2,241.95
010-20-63210	LEMIA	0.00	0.00	0.00	-4.00	4.00
010-20-63220	State Assessment	59,750.00	59,750.00	-337.00	28,137.00	31,613.00
010-20-63221	State Court Facilities Acct.	0.00	0.00	0.00	-10.00	10.00
010-20-63230	County Assessments	19,120.00	19,120.00	-125.00	7,366.75	11,753.25
010-30-51200	Administrator/Manager	8,200.00	8,200.00	569.22	6,284.04	1,915.96
010-30-51520	Police Chief	3,910.00	3,910.00	283.86	3,330.78	579.22
010-30-52010	Social Security	1,050.00	1,050.00	63.18	711.56	338.44
010-30-52020	PERS Retirement	3,050.00	3,050.00	223.44	1,676.07	1,373.93
010-30-52030	Worker's Comp./Disability Ins.	204.00	204.00	0.30	3.42	200.58
010-30-52040	Health, Dental, Life Ins.	2,350.00	2,350.00	156.96	1,813.69	536.31
010-30-55800	Accrued Sick Leave	0.00	0.00	-389.69	0.00	0.00
010-30-61210	Office & Operating Supplies	0.00	0.00	0.00	19.50	-19.50
010-50-51301	Planning Assistant	5,463.00	5,463.00	573.67	5,193.89	269.11
010-50-52010	Social Security	405.00	405.00	42.23	384.28	20.72
010-50-52020	PERS Retirement	1,710.00	1,710.00	149.50	1,495.73	214.27
010-50-52030	Worker's Comp./Disability Ins.	10.00	10.00	0.20	1.83	8.17
010-50-52040	Health, Dental, Life Ins.	1,637.00	1,637.00	124.22	1,100.89	536.11
010-50-61231	Tsunami Resilience Grant	0.00	0.00	0.00	-100.00	100.00
010-50-62120	Subdivision Engineering Contra	14,000.00	14,000.00	0.00	0.00	14,000.00
010-50-62150	Planning Contract	15,000.00	15,000.00	2,891.47	24,231.92	-9,231.92
010-50-62160	Professional Services	300.00	300.00	278.99	1,429.76	-1,129.76
010-50-62175	Legal Services	1,000.00	1,000.00	0.00	325.00	675.00
010-50-62230	Postage	500.00	500.00	0.00	84.62	415.38
010-50-62343	Travel & Training / Meetings	250.00	250.00	0.00	0.00	250.00
010-50-62410	Advertising	250.00	250.00	0.00	396.00	-146.00
010-60-61210	Office & Operating Supplies	9,000.00	9,000.00	1,552.00	9,804.74	-804.74
010-60-61220	Office Equip. Leases	1,725.00	1,725.00	0.00	1,566.62	158.38
010-60-61230	Software Maintenance	8,886.00	8,886.00	0.00	6,834.79	2,051.21
010-60-62100	Bank Charges	4,000.00	4,000.00	0.00	5,659.65	-1,659.65
010-60-62110	Auditing & Accounting	11,000.00	11,000.00	0.00	25,188.38	-14,188.38
010-60-62140	Computer Services	500.00	500.00	15.00	3,026.19	-2,526.19
010-60-62160	Professional Services	1,500.00	1,500.00	705.36	3,332.86	-1,832.86
010-60-62175	Legal Services	14,400.00	14,400.00	1,400.00	16,572.00	-2,172.00
010-60-62180	Port Orford Rural Fire Dist.	53,946.00	53,946.00	0.00	43,724.00	10,222.00
010-60-62190	Curry County 911 Dispatch Service	30,900.00	30,900.00	0.00	30,900.00	0.00
010-60-62220	Internet Access	1,200.00	1,200.00	112.97	1,343.22	-143.22
010-60-62230	Postage	700.00	700.00	180.39	1,808.21	-1,108.21
010-60-62343	Travel & Training / Meetings	6,000.00	6,000.00	30.42	545.61	5,454.39
010-60-62410	Advertising	800.00	800.00	108.00	216.00	584.00
010-60-62610	Insurance & Bonds	18,348.00	18,348.00	0.00	10,060.76	8,287.24
010-60-62740	Electricity	13,500.00	13,500.00	908.28	10,826.87	2,673.13
010-60-62805	R & M City Hall	20,000.00	20,000.00	412.12	15,653.30	4,346.70
010-60-62819	Municipal Code Book	0.00	0.00	0.00	1,100.30	-1,100.30
010-60-62835	Small Tools and Minor Equip.	5,000.00	5,000.00	0.00	1,148.66	3,851.34
010-60-62920	Dues & Memberships	700.00	700.00	0.00	0.00	700.00
010-60-62930	Custodial Services	2,907.00	2,907.00	242.26	2,919.89	-12.89
010-60-62935	Custodial Supplies	500.00	500.00	63.94	458.50	41.50
010-60-62936	Miscellaneous	2,000.00	2,000.00	0.00	980.17	1,019.83
010-60-91100	Transfer In/Out	0.00	0.00	0.00	165,828.21	-165,828.21
010-60-91114	Transfer to Parks Fund	35,000.00	35,000.00	0.00	0.00	35,000.00
010-60-91120	Transfer to Public Safety Fund	230,000.00	230,000.00	19,166.74	230,000.00	0.00
010-60-91142	Transfer to Streets Capital Improvement	27,845.00	27,845.00	0.00	0.00	27,845.00
010-60-98500	Contingency	81,845.00	81,845.00	0.00	0.00	81,845.00
010-60-99000	Unappropriated Reserves	27,949.00	27,949.00	0.00	0.00	27,949.00
	Expense Total:	929,383.00	929,383.00	36,052.72	772,284.08	157,098.92
	Fund: 010 - GENERAL FUND Surplus (Deficit):	0.00	0.00	-13,909.75	150,622.00	

Income Statement

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 014 - PARKS FUND						
Revenue						
014-00-40100	Prior Year Fund Balance	95,966.00	95,966.00	0.00	152,903.62	-56,937.62
014-00-41410	Transient Lodging Tax	100,000.00	100,000.00	0.00	129,692.67	-29,692.67
014-00-42010	Interest on Investments	500.00	500.00	0.00	939.43	-439.43
014-00-43415	DLCD Grant	0.00	0.00	0.00	35.00	-35.00
014-00-43419	Buffington Park Playground Upgrade	0.00	0.00	0.00	25,518.98	-25,518.98
014-00-43420	OR Marine Board Grant	3,900.00	3,900.00	0.00	0.00	3,900.00
014-00-44410	Rent - Community Building	1,000.00	1,000.00	0.00	0.00	1,000.00
014-00-44420	American Legion Income/Rent	2,500.00	2,500.00	0.00	375.00	2,125.00
014-00-44430	Visitor Center Rental	600.00	600.00	0.00	240.00	360.00
014-00-44435	Battle Rock Binocular Receipts	250.00	250.00	0.00	0.00	250.00
014-00-46110	Transfer from General Fund	35,000.00	35,000.00	0.00	0.00	35,000.00
014-00-46210	Miscellaneous Receipts	100.00	100.00	0.00	0.00	100.00
014-00-46880	Reimbursements	700.00	700.00	0.00	260.84	439.16
014-00-46887	Park Donations	0.00	0.00	200.00	200.00	-200.00
014-00-46890	Contributions Fort Point	20,000.00	20,000.00	-117.85	1,858.58	18,141.42
	Revenue Total:	260,516.00	260,516.00	82.15	312,024.12	-51,508.12
Expense						
014-00-51505	PW Superintendent	4,920.00	4,920.00	824.76	9,499.49	-4,579.49
014-00-51600	WWTP Operator	203.00	203.00	138.00	1,122.04	-919.04
014-00-51750	Seasonal Maint. Worker	7,253.00	7,253.00	0.00	3,928.89	3,324.11
014-00-51800	Maintenance Worker #1	4,760.00	4,760.00	402.77	4,470.38	289.62
014-00-51801	Utility Worker #3	2,932.00	2,932.00	230.19	2,550.74	381.26
014-00-51810	Maintenance Worker #2	5,523.00	5,523.00	499.56	5,351.23	171.77
014-00-51900	Utility Worker #2	2,842.00	2,842.00	0.00	0.00	2,842.00
014-00-52010	Social Security	1,904.00	1,904.00	154.14	1,988.74	-84.74
014-00-52020	PERS Retirement	4,203.00	4,203.00	546.01	5,783.98	-1,580.98
014-00-52030	Worker's Comp./Disability Ins.	3,076.00	3,076.00	0.79	1,624.56	1,451.44
014-00-52040	Health, Dental, Life Ins.	11,569.00	11,569.00	563.90	6,166.91	5,402.09
014-00-52050	Unemployment Insurance	5,125.00	5,125.00	0.00	0.00	5,125.00
014-00-53014	Charge to Parks	8,485.00	8,485.00	0.00	0.00	8,485.00
014-00-55800	Accrued Sick Leave	0.00	0.00	-1,264.05	-1,094.58	1,094.58
014-00-61210	Office & Operating Supplies	1,000.00	1,000.00	0.00	48.00	952.00
014-00-61260	Uniforms	50.00	50.00	0.00	28.36	21.64
014-00-61340	Fuel (Equip & Vehicles)	2,000.00	2,000.00	327.78	2,299.33	-299.33
014-00-61360	Heating Fuel-Community Bldg	2,000.00	2,000.00	0.00	19.85	1,980.15
014-00-61361	Heating fuel - American Legion	2,000.00	2,000.00	0.00	0.00	2,000.00
014-00-62110	Auditing & Accounting	900.00	900.00	0.00	2,341.63	-1,441.63
014-00-62160	Professional Services	700.00	700.00	335.36	707.38	-7.38
014-00-62165	Tourism & Beautification Grant	15,000.00	15,000.00	0.00	2,159.00	12,841.00
014-00-62210	Telephone	375.00	375.00	45.22	364.87	10.13
014-00-62220	Internet Access	800.00	800.00	100.96	1,396.94	-596.94
014-00-62410	Advertising	150.00	150.00	0.00	0.00	150.00
014-00-62415	Business Promotion	36,967.00	36,967.00	5,607.50	5,607.50	31,359.50
014-00-62610	Insurance & Bonds	1,439.00	1,439.00	0.00	757.63	681.37
014-00-62740	Electricity	2,850.00	2,850.00	348.31	3,887.68	-1,037.68
014-00-62744	Electricity-Legion Hall	1,500.00	1,500.00	0.00	473.85	1,026.15
014-00-62745	Electricity-Community Bldg	700.00	700.00	147.43	472.66	227.34
014-00-62812	R & M - Battle Rock	2,000.00	2,000.00	223.84	2,799.50	-799.50
014-00-62813	R & M - A-Frame	500.00	500.00	0.00	0.00	500.00
014-00-62814	R & M - Comm. Building	1,000.00	1,000.00	31.98	243.77	756.23
014-00-62817	R & M Visitor Center	2,000.00	2,000.00	74.70	776.61	1,223.39
014-00-62825	R & M - Buffington	4,875.00	4,875.00	817.24	2,143.46	2,731.54
014-00-62827	R & M - American Legion	1,000.00	1,000.00	95.93	1,172.40	-172.40
014-00-62829	R & M - 12th St. Boat Ramp	1,500.00	1,500.00	95.94	533.37	966.63
014-00-62835	Small Tools & Minor Equipment	1,500.00	1,500.00	35.98	1,167.29	332.71
014-00-62836	Comm Bldg S Tools & Minor Equip	2,132.00	2,132.00	0.00	0.00	2,132.00
014-00-62837	Amer Legion S Tools & Minor Eq	8,893.00	8,893.00	0.00	0.00	8,893.00

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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
014-00-62840	Vehicles & Equipment Maint.	1,500.00	1,500.00	0.00	327.20	1,172.80
014-00-62842	Parks Committee Projects	9,663.00	9,663.00	0.00	6,905.00	2,758.00
014-00-62846	Skate Park Committee Projects	436.00	436.00	0.00	0.00	436.00
014-00-62847	Binocular Rent	260.00	260.00	0.00	0.00	260.00
014-00-62930	Custodial Services	15,694.00	15,694.00	1,307.74	16,124.33	-430.33
014-00-62935	Custodial Supplies	0.00	0.00	-83.79	0.00	0.00
014-00-62936	Miscellaneous	100.00	100.00	0.00	0.00	100.00
014-00-62942	Reimbursements / Refunds	0.00	0.00	0.00	483.00	-483.00
014-00-62945	Charge to Parks.	5,538.00	5,538.00	0.00	0.00	5,538.00
014-00-72040	Battle Rock Parks Trails	30,000.00	30,000.00	0.00	3,575.28	26,424.72
014-00-91100	Transfer In/Out	0.00	0.00	0.00	152,903.62	-152,903.62
014-00-98500	Contingency	40,699.00	40,699.00	0.00	0.00	40,699.00
	Expense Total:	260,516.00	260,516.00	11,608.19	251,111.89	9,404.11
	Fund: 014 - PARKS FUND Surplus (Deficit):	0.00	0.00	-11,526.04	60,912.23	
Fund: 020 - PUBLIC SAFETY						
Revenue						
020-00-40100	Prior Year Fund Balance	101,296.00	101,296.00	0.00	73,490.48	27,805.52
020-00-41120	Property Taxes-Prior	8,000.00	8,000.00	0.00	3,031.62	4,968.38
020-00-41130	Public Safety Tax Option	248,059.00	248,059.00	0.00	248,059.00	0.00
020-00-42010	Interest on investments	1,000.00	1,000.00	0.00	-460.93	1,460.93
020-00-43430	Police Grants	0.00	0.00	0.00	215.64	-215.64
020-00-44190	Professional Services	50.00	50.00	0.00	0.00	50.00
020-00-44191	Burning Permit	250.00	250.00	40.00	470.00	-220.00
020-00-45150	Insurance/Reimbursement	100.00	100.00	100.00	220.00	-120.00
020-00-46110	Transfer From General Fund	230,000.00	230,000.00	19,166.74	230,000.00	0.00
020-00-46210	Miscellaneous Receipts	0.00	0.00	273.36	622.30	-622.30
020-00-46886	Donations	0.00	0.00	0.00	500.00	-500.00
	Revenue Total:	588,755.00	588,755.00	19,580.10	556,148.11	32,606.89
Expense						
020-00-51100	Overtime	8,000.00	8,000.00	559.87	13,832.85	-5,832.85
020-00-51120	On Call Pay	6,240.00	6,240.00	741.00	9,216.75	-2,976.75
020-00-51520	Police Chief	67,288.00	67,288.00	5,733.76	67,199.63	88.37
020-00-51740	Police Sergeant	0.00	0.00	4,860.30	37,738.81	-37,738.81
020-00-51755	Police Officer #2	51,671.00	51,671.00	4,755.70	52,024.38	-353.38
020-00-51756	Traffic Officer	56,202.00	56,202.00	0.00	14,178.74	42,023.26
020-00-51757	Police Officer #3	53,201.00	53,201.00	4,425.10	53,332.06	-131.06
020-00-51850	Police Officer #4	0.00	0.00	2,023.73	21,923.74	-21,923.74
020-00-52010	Social Security	19,030.00	19,030.00	1,728.23	20,062.29	-1,032.29
020-00-52020	PERS Retirement	72,715.00	72,715.00	6,719.66	78,696.17	-5,981.17
020-00-52030	Worker's Comp./Disability Ins.	12,571.00	12,571.00	7.92	6,440.90	6,130.10
020-00-52040	Health, Dental, Life Ins.	51,662.00	51,662.00	3,638.27	46,212.42	5,449.58
020-00-53020	Charge to Public Safety	27,117.00	27,117.00	0.00	0.00	27,117.00
020-00-55800	Vacation Expense	0.00	0.00	-17,025.66	-20,394.28	20,394.28
020-00-61210	Office & Operating Supplies	2,000.00	2,000.00	65.01	1,990.04	9.96
020-00-61260	Uniforms	3,900.00	3,900.00	170.00	792.50	3,107.50
020-00-61270	Reserves Uniforms	500.00	500.00	0.00	0.00	500.00
020-00-61340	Fuel (Equip & Vehicles)	12,000.00	12,000.00	1,520.81	14,271.10	-2,271.10
020-00-62110	Auditing & Accounting	2,100.00	2,100.00	0.00	5,357.60	-3,257.60
020-00-62140	Computer Services	0.00	0.00	0.00	109.00	-109.00
020-00-62175	Legal Services	250.00	250.00	0.00	0.00	250.00
020-00-62210	Telephone	5,500.00	5,500.00	442.73	4,969.80	530.20
020-00-62230	Postage	300.00	300.00	11.61	307.19	-7.19
020-00-62343	Travel & Training / Meetings	3,500.00	3,500.00	0.00	100.00	3,400.00
020-00-62410	Advertising	150.00	150.00	0.00	0.00	150.00
020-00-62610	Insurance & Bonds	11,193.00	11,193.00	0.00	5,864.61	5,328.39
020-00-62835	Small Tools & Minor Equipment	2,000.00	2,000.00	245.62	1,068.57	931.43
020-00-62840	Vehicles & Equipment Maint.	5,000.00	5,000.00	247.70	4,986.31	13.69
020-00-62910	Investigation Expense	100.00	100.00	0.00	0.00	100.00

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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
020-00-62920	Dues & Memberships	550.00	550.00	0.00	204.15	345.85
020-00-62936	Miscellaneous	200.00	200.00	0.00	0.00	200.00
020-00-63215	Justice System	6,900.00	6,900.00	0.00	6,132.00	768.00
020-00-63216	King's Online	900.00	900.00	75.00	713.40	186.60
020-00-63223	Lexipol	1,750.00	1,750.00	0.00	2,224.00	-474.00
020-00-74020	Police Cruisers	70,000.00	70,000.00	0.00	48,969.17	21,030.83
020-00-91100	Transfer In/Out	0.00	0.00	0.00	73,490.48	-73,490.48
020-00-98500	Contingency	34,265.00	34,265.00	0.00	0.00	34,265.00
	Expense Total:	588,755.00	588,755.00	20,946.36	572,014.38	16,740.62
	Fund: 020 - PUBLIC SAFETY Surplus (Deficit):	0.00	0.00	-1,366.26	-15,866.27	
Fund: 030 - WATER ENTERPRISE FUND						
Revenue						
030-00-40100	Prior Year Fund Balance	164,086.00	164,086.00	0.00	0.00	164,086.00
030-00-42010	Interest on Investments	1,000.00	1,000.00	0.00	604.79	395.21
030-00-43438	Hubbards Creek Watershed Grant	0.00	0.00	0.00	1,429.00	-1,429.00
030-00-43440	ARAP Grant	256,000.00	256,000.00	0.00	0.00	256,000.00
030-00-44109	Designated for Reserves	63,266.00	63,266.00	6.84	60,990.17	2,275.83
030-00-44110	Water Usage	416,580.00	416,580.00	9.63	365,345.41	51,234.59
030-00-44111	Door Hanger Fees	2,200.00	2,200.00	15.00	1,340.00	860.00
030-00-44112	Past Due Fees	13,000.00	13,000.00	675.00	11,640.00	1,360.00
030-00-44113	Contractor Water Usage	300.00	300.00	0.00	66.13	233.87
030-00-44114	Reconnect Fee	1,000.00	1,000.00	0.00	1,972.49	-972.49
030-00-44116	Curtailment Fees	0.00	0.00	0.00	1,887.93	-1,887.93
030-00-44210	Water Connection Fees	4,014.00	4,014.00	0.00	5,352.00	-1,338.00
030-00-45010	Irrigation Meters	196.00	196.00	0.00	1,100.00	-904.00
030-00-45500	Restricted Cash-Deposits	2,000.00	2,000.00	0.00	-100.00	2,100.00
030-00-46210	Miscellaneous Receipts	500.00	500.00	-478.60	-226.24	726.24
030-00-46261	Transfer From Water SDC	150,000.00	150,000.00	0.00	0.00	150,000.00
030-00-46880	Reimbursements	1,000.00	1,000.00	0.00	1,120.00	-120.00
030-00-46885	Bad Debt Received	0.00	0.00	0.00	38.27	-38.27
	Revenue Total:	1,075,142.00	1,075,142.00	227.87	452,559.95	622,582.05
Expense						
030-00-51100	Overtime	8,000.00	8,000.00	1,198.91	19,042.16	-11,042.16
030-00-51120	On Call Pay	0.00	0.00	618.00	3,993.00	-3,993.00
030-00-51210	City Administrator	19,550.00	19,550.00	1,366.13	15,081.73	4,468.27
030-00-51300	Office Clerk	17,870.00	17,870.00	940.98	17,237.09	632.91
030-00-51350	Accounting Assistant	6,425.00	6,425.00	452.74	4,580.62	1,844.38
030-00-51400	Accountant	11,058.00	11,058.00	0.00	5,480.82	5,577.18
030-00-51505	PW Superintendent	63,123.00	63,123.00	3,122.28	35,962.01	27,160.99
030-00-51600	WWTP Operator	1,502.00	1,502.00	92.00	748.00	754.00
030-00-51800	Maintenance Worker #1	21,801.00	21,801.00	2,013.88	22,352.17	-551.17
030-00-51801	Utility Worker #3	34,055.00	34,055.00	2,992.39	33,158.97	896.03
030-00-51810	Maintenance Worker #2	14,962.00	14,962.00	1,332.16	14,269.83	692.17
030-00-51900	Utility Worker #2	24,748.00	24,748.00	0.00	0.00	24,748.00
030-00-52010	Social Security	15,329.00	15,329.00	1,040.60	12,590.24	2,738.76
030-00-52020	PERS Retirement	51,178.00	51,178.00	3,682.17	40,396.66	10,781.34
030-00-52030	Worker's Comp./Disability Ins.	9,262.00	9,262.00	5.54	4,706.83	4,555.17
030-00-52040	Health, Dental, Life Ins.	56,883.00	56,883.00	3,489.68	46,302.42	10,580.58
030-00-52050	Unemployment Insurance	10,000.00	10,000.00	0.00	0.00	10,000.00
030-00-55800	Vacation Expense	0.00	0.00	-8,222.06	-9,096.16	9,096.16
030-00-61210	Office & Operating Supplies	3,000.00	3,000.00	17.85	1,640.86	1,359.14
030-00-61212	Water Purification Supplies	15,000.00	15,000.00	0.00	9,815.51	5,184.49
030-00-61220	Office Equip. Leases	1,129.00	1,129.00	0.00	1,129.32	-0.32
030-00-61230	Software Maintenance	3,189.00	3,189.00	331.25	4,003.07	-814.07
030-00-61260	Uniforms	500.00	500.00	0.00	19.99	480.01
030-00-61340	Fuel (Equip & Vehicles)	4,000.00	4,000.00	468.66	3,637.42	362.58
030-00-62100	Bank Charges	3,500.00	3,500.00	574.98	4,455.15	-955.15
030-00-62110	Auditing & Accounting	7,300.00	7,300.00	0.00	18,751.61	-11,451.61

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
030-00-62121	Engineering	500.00	500.00	0.00	11,487.25	-10,987.25
030-00-62160	Contract Services	7,800.00	7,800.00	1,940.00	7,940.00	-140.00
030-00-62210	Telephone	7,100.00	7,100.00	524.80	6,232.64	867.36
030-00-62220	Internet Access	720.00	720.00	89.99	529.93	190.07
030-00-62230	Postage	2,180.00	2,180.00	148.50	2,968.82	-788.82
030-00-62343	Travel & Training / Meetings	1,500.00	1,500.00	0.00	0.00	1,500.00
030-00-62610	Insurance & Bonds	8,591.00	8,591.00	0.00	4,910.56	3,680.44
030-00-62740	Electricity	35,000.00	35,000.00	2,600.13	28,840.10	6,159.90
030-00-62811	Repairs/Maint-WTP	10,000.00	10,000.00	1,626.55	24,623.16	-14,623.16
030-00-62816	Repairs & Maintenance Pump St	15,000.00	15,000.00	337.58	21,545.18	-6,545.18
030-00-62830	Repairs & Maint.-Water Lines	16,000.00	16,000.00	437.50	1,192.00	14,808.00
030-00-62835	Small Tools & Minor Equipment	5,000.00	5,000.00	114.62	830.21	4,169.79
030-00-62840	Vehicles & Equipment Maint.	10,000.00	10,000.00	62.07	3,389.43	6,610.57
030-00-62844	Meter Repairs	10,000.00	10,000.00	0.00	6,066.22	3,933.78
030-00-62845	Repairs/Maint.(Test Equipment)	0.00	0.00	0.00	2,758.13	-2,758.13
030-00-62912	Dues & OR Statutes	1,000.00	1,000.00	0.00	528.60	471.40
030-00-62925	Permits	3,000.00	3,000.00	0.00	2,789.39	210.61
030-00-62936	Miscellaneous	150.00	150.00	0.00	0.00	150.00
030-00-62943	Reimbursements / Deposits	2,000.00	2,000.00	0.00	0.00	2,000.00
030-00-62980	Lab Equipment & Supplies	2,800.00	2,800.00	0.00	378.13	2,421.87
030-00-62990	Testing	5,000.00	5,000.00	90.00	5,100.42	-100.42
030-00-63010	Hubbards Creek Watershed Grant	0.00	0.00	0.00	1,429.90	-1,429.90
030-00-63110	Bad Debt Expense	0.00	0.00	0.00	136.34	-136.34
030-00-73030	Deady Street North	406,000.00	406,000.00	0.00	0.00	406,000.00
030-00-73031	Improvements-Water	0.00	0.00	0.00	12.99	-12.99
030-00-73033	Coast Guard Hill System	0.00	0.00	0.00	5,504.08	-5,504.08
030-00-73034	Equipment Replacement	0.00	0.00	3,837.91	6,857.37	-6,857.37
030-00-73035	WTP-Improvements	0.00	0.00	0.00	3,265.55	-3,265.55
030-00-73038	Hubbard Creek Impoundment	0.00	0.00	0.00	4,429.00	-4,429.00
030-00-97031	Transfer to Water Capital Reserves	52,670.00	52,670.00	0.00	0.00	52,670.00
030-00-97045	Transfer to Equip. Replace. Fu	10,000.00	10,000.00	0.00	0.00	10,000.00
030-00-98500	Contingency	39,767.00	39,767.00	0.00	0.00	39,767.00
030-00-99000	Unappropriated Reserves	20,000.00	20,000.00	0.00	0.00	20,000.00
	Expense Total:	1,075,142.00	1,075,142.00	27,327.79	464,004.72	611,137.28
	Fund: 030 - WATER ENTERPRISE FUND Surplus (Deficit):	0.00	0.00	-27,099.92	-11,444.77	
Fund: 031 - WATER CAPITAL RESERVES						
Revenue						
031-00-40100	Prior Year Fund Balance	30,338.00	30,338.00	0.00	30,364.61	-26.61
031-00-42010	Interest on Investments	400.00	400.00	0.00	151.82	248.18
031-00-46130	Transfer from Water Enterprise	52,670.00	52,670.00	0.00	0.00	52,670.00
	Revenue Total:	83,408.00	83,408.00	0.00	30,516.43	52,891.57
Expense						
031-00-91100	Transfer In/Out	0.00	0.00	0.00	30,364.61	-30,364.61
031-00-98999	Reserved for Future Expenditures	83,408.00	83,408.00	0.00	0.00	83,408.00
	Expense Total:	83,408.00	83,408.00	0.00	30,364.61	53,043.39
	Fund: 031 - WATER CAPITAL RESERVES Surplus (Deficit):	0.00	0.00	0.00	151.82	
Fund: 035 - SEWER ENTERPRISE FUND						
Revenue						
035-00-40100	Prior Year Fund Balance	389,769.00	389,769.00	0.00	0.00	389,769.00
035-00-42010	Interest on Investments	2,500.00	2,500.00	0.00	1,405.39	1,094.61
035-00-44115	Designated for Reserves	68,198.00	68,198.00	4.96	68,120.53	77.47
035-00-44120	Sewer Usage	567,186.00	567,186.00	71.44	508,446.23	58,739.77
035-00-44213	Sewer Connection Fees	1,400.00	1,400.00	0.00	4,632.00	-3,232.00
035-00-45500	Restricted Cash-Deposits	2,000.00	2,000.00	0.00	-100.00	2,100.00
035-00-46210	Miscellaneous Receipts	800.00	800.00	0.00	280.00	520.00
035-00-46236	Transfer from Sewer Capital Reserves	190,000.00	190,000.00	0.00	0.00	190,000.00
035-00-46262	Transfer From Sewer SDC	100,000.00	100,000.00	0.00	0.00	100,000.00

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
035-00-46885	Bad Debt Received	0.00	0.00	0.00	145.02	-145.02
	Revenue Total:	1,321,853.00	1,321,853.00	76.40	582,929.17	738,923.83
	Expense					
035-00-51100	Overtime	3,000.00	3,000.00	0.00	0.00	3,000.00
035-00-51200	City Administrator	21,138.00	21,138.00	1,479.96	16,338.54	4,799.46
035-00-51300	Office Clerk	17,870.00	17,870.00	941.01	17,237.15	632.85
035-00-51350	Accounting Assistant	7,049.00	7,049.00	500.23	5,062.36	1,986.64
035-00-51400	Accountant	11,938.00	11,938.00	0.00	5,937.57	6,000.43
035-00-51505	PW Superintendent	6,394.00	6,394.00	765.84	8,820.85	-2,426.85
035-00-51600	WWTP Operator	48,102.00	48,102.00	4,370.00	35,529.96	12,572.04
035-00-51800	Maintenance Worker #1	3,598.00	3,598.00	292.93	3,251.27	346.73
035-00-51801	Utility Worker #3	4,877.00	4,877.00	506.41	5,611.61	-734.61
035-00-51810	Maintenance Worker #2	7,731.00	7,731.00	666.08	7,134.92	596.08
035-00-52010	Social Security	10,460.00	10,460.00	691.50	7,656.15	2,803.85
035-00-52020	PERS Retirement	34,828.00	34,828.00	2,481.45	16,206.00	18,622.00
035-00-52030	Worker's Comp./Disability Ins.	4,597.00	4,597.00	3.86	2,436.91	2,160.09
035-00-52040	Health, Dental, Life Ins.	40,003.00	40,003.00	2,986.05	26,777.37	13,225.63
035-00-52050	Unemployment Insurance	5,000.00	5,000.00	0.00	0.00	5,000.00
035-00-55800	Vacaton expense	0.00	0.00	-2,463.67	-3,842.31	3,842.31
035-00-61210	Office & Operating Supplies	3,000.00	3,000.00	0.00	1,856.26	1,143.74
035-00-61220	Office Equip. Leases	1,129.00	1,129.00	0.00	1,129.32	-0.32
035-00-61230	Software Maintenance	3,188.00	3,188.00	331.25	4,003.08	-815.08
035-00-61260	Uniforms	300.00	300.00	0.00	110.60	189.40
035-00-61340	Fuel (Equip & Vehicles)	3,500.00	3,500.00	398.04	3,324.24	175.76
035-00-62100	Bank Charges	3,500.00	3,500.00	574.98	4,705.15	-1,205.15
035-00-62110	Auditing & Accounting	4,800.00	4,800.00	0.00	12,391.78	-7,591.78
035-00-62121	Engineering	2,000.00	2,000.00	0.00	0.00	2,000.00
035-00-62160	Contract Services	7,800.00	7,800.00	400.00	11,900.00	-4,100.00
035-00-62210	Telephone	3,700.00	3,700.00	340.60	3,273.25	426.75
035-00-62220	Internet Access	1,500.00	1,500.00	69.99	1,281.47	218.53
035-00-62230	Postage	2,600.00	2,600.00	148.50	2,797.78	-197.78
035-00-62343	Travel & Training / Meetings	2,500.00	2,500.00	0.00	270.00	2,230.00
035-00-62610	Insurance & Bonds	8,208.00	8,208.00	0.00	4,321.29	3,886.71
035-00-62740	Electricity	33,000.00	33,000.00	2,441.13	27,017.33	5,982.67
035-00-62816	Repairs & Maint-Pump Station	15,600.00	15,600.00	224.14	12,009.20	3,590.80
035-00-62818	Repairs & Maint. - Sewer Lines	5,000.00	5,000.00	39.99	1,619.96	3,380.04
035-00-62821	Repairs & Maint-STP	20,000.00	20,000.00	767.68	25,429.44	-5,429.44
035-00-62835	Small Tools & Minor Equipment	2,000.00	2,000.00	85.11	583.39	1,416.61
035-00-62840	Vehicles & Equipment Maint.	2,000.00	2,000.00	41.38	1,295.10	704.90
035-00-62845	Repairs/Maint.(Test Equipment)	1,550.00	1,550.00	0.00	206.84	1,343.16
035-00-62912	Dues & OR Statutes	250.00	250.00	0.00	80.00	170.00
035-00-62925	Permits	3,000.00	3,000.00	0.00	3,479.00	-479.00
035-00-62936	Miscellaneous	500.00	500.00	0.00	1,238.12	-738.12
035-00-62943	Reimbursements / Deposits	2,000.00	2,000.00	0.00	0.00	2,000.00
035-00-62980	Lab Equipment & Supplies	3,500.00	3,500.00	0.00	13,543.60	-10,043.60
035-00-62990	Testing	2,000.00	2,000.00	0.00	6.99	1,993.01
035-00-63110	Bad Debt Expense	0.00	0.00	0.00	168.88	-168.88
035-00-74070	Equipment-Sewer System	440,000.00	440,000.00	5,647.06	5,647.06	434,352.94
035-00-74085	Replacement Equipment	0.00	0.00	100.25	100.25	-100.25
035-00-81210	Bond Principal	26,432.00	26,432.00	0.00	25,294.00	1,138.00
035-00-81222	Rev. Bond III Principal	49,081.00	49,081.00	0.00	47,080.00	2,001.00
035-00-82210	Bond Interest	22,484.00	22,484.00	0.00	23,622.00	-1,138.00
035-00-82222	Rev. Bond III Interest	84,171.00	84,171.00	0.00	86,172.00	-2,001.00
035-00-97036	Transfer to Sewer Capital Reserves	51,763.00	51,763.00	0.00	0.00	51,763.00
035-00-97045	Transfer to Equip Replace Fund	10,000.00	10,000.00	0.00	0.00	10,000.00
035-00-98500	Contingency	68,443.00	68,443.00	0.00	0.00	68,443.00
035-00-98600	Bond Reserve - USDA 1996	48,916.00	48,916.00	0.00	0.00	48,916.00
035-00-98700	Bond Reserve-Revenue Bonds 04	133,252.00	133,252.00	0.00	0.00	133,252.00

Income Statement

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
035-00-99000	Unappropriated Reserves	22,601.00	22,601.00	0.00	0.00	22,601.00
	Expense Total:	1,321,853.00	1,321,853.00	24,831.75	480,115.73	841,737.27
	Fund: 035 - SEWER ENTERPRISE FUND Surplus (Deficit):	0.00	0.00	-24,755.35	102,813.44	
Fund: 036 - SEWER CAPITAL RESERVES						
Revenue						
036-00-40100	Prior Year Fund Balance	201,596.00	201,596.00	0.00	201,618.25	-22.25
036-00-42010	Interest on Investments	2,000.00	2,000.00	0.00	1,004.91	995.09
036-00-46135	Transfer from Sewer Enterprise	51,763.00	51,763.00	0.00	0.00	51,763.00
	Revenue Total:	255,359.00	255,359.00	0.00	202,623.16	52,735.84
Expense						
036-00-91100	Transfer In/Out	0.00	0.00	0.00	201,618.25	-201,618.25
036-00-91135	Transfer to Sewer Enterprise	190,000.00	190,000.00	0.00	0.00	190,000.00
036-00-98999	Reserved for Future Expenditures	65,359.00	65,359.00	0.00	0.00	65,359.00
	Expense Total:	255,359.00	255,359.00	0.00	201,618.25	53,740.75
	Fund: 036 - SEWER CAPITAL RESERVES Surplus (Deficit):	0.00	0.00	0.00	1,004.91	
Fund: 040 - STREET FUND						
Revenue						
040-00-40100	Prior Year Fund Balance	89,795.00	89,795.00	0.00	99,335.65	-9,540.65
040-00-41230	State Highway Tax	85,238.00	85,238.00	0.00	76,432.33	8,805.67
040-00-42010	Interest on Investments	500.00	500.00	0.00	365.36	134.64
040-00-43418	ODOT Grants	0.00	0.00	0.00	75,047.85	-75,047.85
040-00-44360	Street Use Fees/Deposits	2,400.00	2,400.00	0.00	0.00	2,400.00
	Revenue Total:	177,933.00	177,933.00	0.00	251,181.19	-73,248.19
Expense						
040-00-51505	PW Superintendent	1,237.00	1,237.00	1,178.20	13,570.39	-12,333.39
040-00-51750	Seasonal Maint. Worker	9,451.00	9,451.00	0.00	5,208.14	4,242.86
040-00-51800	Maintenance Worker #1	10,570.00	10,570.00	952.02	10,566.44	3.56
040-00-51801	Utility Worker #3	8,767.00	8,767.00	874.69	9,692.54	-925.54
040-00-51810	Maintenance Worker #2	9,539.00	9,539.00	832.60	8,918.59	620.41
040-00-52010	Social Security	3,335.00	3,335.00	283.22	3,539.14	-204.14
040-00-52020	PERS Retirement	7,526.00	7,526.00	1,000.07	11,140.35	-3,614.35
040-00-52030	Worker's Comp./Disability Ins.	2,676.00	2,676.00	1.46	1,416.56	1,259.44
040-00-52040	Health, Dental, Life Ins.	18,641.00	18,641.00	985.52	11,640.54	7,000.46
040-00-52050	Unemployment Insurance	5,000.00	5,000.00	0.00	0.00	5,000.00
040-00-53040	Charge to Streets	16,470.00	16,470.00	0.00	0.00	16,470.00
040-00-55800	Accrued Sick Leave	0.00	0.00	-2,904.55	-2,539.80	2,539.80
040-00-61210	Office & Operating Supplies	250.00	250.00	0.00	0.00	250.00
040-00-61260	Uniforms	20.00	20.00	0.00	0.00	20.00
040-00-61340	Fuel (Equip & Vehicles)	3,000.00	3,000.00	401.33	3,217.75	-217.75
040-00-62121	Engineering	1,000.00	1,000.00	0.00	0.00	1,000.00
040-00-62610	Insurance & Bonds	5,649.00	5,649.00	0.00	2,974.40	2,674.60
040-00-62740	Electricity	1,500.00	1,500.00	0.00	1,058.90	441.10
040-00-62820	Repairs/Maintenance-Shop Yard	1,000.00	1,000.00	129.00	2,289.24	-1,289.24
040-00-62835	Small Tools & Minor Equipment	500.00	500.00	0.00	2,690.23	-2,190.23
040-00-62840	Vehicles & Equipment Maint.	2,500.00	2,500.00	0.00	1,224.01	1,275.99
040-00-62851	R & M - Streets	5,000.00	5,000.00	1,450.00	4,722.20	277.80
040-00-62936	Miscellaneous	200.00	200.00	0.00	0.00	200.00
040-00-62942	Reimbursements / Refunds	2,400.00	2,400.00	0.00	0.00	2,400.00
040-00-73031	Improvements - Streets	20,000.00	20,000.00	0.00	73,871.96	-53,871.96
040-00-91100	Transfer In/Out	0.00	0.00	0.00	99,335.65	-99,335.65
040-00-98500	Contingency	41,702.00	41,702.00	0.00	0.00	41,702.00
	Expense Total:	177,933.00	177,933.00	5,183.56	264,537.23	-86,604.23
	Fund: 040 - STREET FUND Surplus (Deficit):	0.00	0.00	-5,183.56	-13,356.04	
Fund: 042 - STREETS CAPITAL IMPROVEMENT						
Revenue						
042-00-40100	Prior Year Fund Balance	4,406.00	4,406.00	0.00	4,345.30	60.70
042-00-42010	Interest on Investments	200.00	200.00	0.00	21.69	178.31

Income Statement

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
042-00-46110	Transfer from General Fund	27,845.00	27,845.00	0.00	0.00	27,845.00
	Revenue Total:	32,451.00	32,451.00	0.00	4,366.99	28,084.01
	Expense					
042-00-91100	Transfer In/Out	0.00	0.00	0.00	4,345.30	-4,345.30
042-00-98999	Reserved for Future Expenditures	32,451.00	32,451.00	0.00	0.00	32,451.00
	Expense Total:	32,451.00	32,451.00	0.00	4,345.30	28,105.70
	Fund: 042 - STREETS CAPITAL IMPROVEMENT Surplus (Deficit):	0.00	0.00	0.00	21.69	
	Fund: 045 - EQUIPMENT REPLACEMENT FUND					
	Revenue					
045-00-40100	Prior Year Fund Balance	93,084.00	93,084.00	0.00	82,333.80	10,750.20
045-00-42010	Interest on Investments	800.00	800.00	0.00	463.90	336.10
045-00-46030	Transfer from Water Enterprise	10,000.00	10,000.00	0.00	0.00	10,000.00
045-00-46035	Transfer from Sewer Enterprise	10,000.00	10,000.00	0.00	0.00	10,000.00
	Revenue Total:	113,884.00	113,884.00	0.00	82,797.70	31,086.30
	Expense					
045-00-74020	Service Vehicle	100,000.00	100,000.00	0.00	0.00	100,000.00
045-00-91100	Transfer In/Out	0.00	0.00	0.00	82,333.80	-82,333.80
045-00-98999	Reserved for Future Expenditures	13,884.00	13,884.00	0.00	0.00	13,884.00
	Expense Total:	113,884.00	113,884.00	0.00	82,333.80	31,550.20
	Fund: 045 - EQUIPMENT REPLACEMENT FUND Surplus (Deficit):	0.00	0.00	0.00	463.90	
	Fund: 061 - WATER SYSTEM DEVELOPMENT					
	Revenue					
061-00-40100	Prior Year Fund Balance	485,806.00	485,806.00	0.00	494,993.65	-9,187.65
061-00-42010	Interest on Investments	4,000.00	4,000.00	0.00	2,573.28	1,426.72
061-00-44350	System Development Charges	26,757.00	26,757.00	0.00	36,384.00	-9,627.00
	Revenue Total:	516,563.00	516,563.00	0.00	533,950.93	-17,387.93
	Expense					
061-00-91100	Transfer In/Out	0.00	0.00	0.00	494,993.65	-494,993.65
061-00-91130	Transfer to Water Enterprise	150,000.00	150,000.00	0.00	0.00	150,000.00
061-00-98999	Reserved for Future Expenditures	366,563.00	366,563.00	0.00	0.00	366,563.00
	Expense Total:	516,563.00	516,563.00	0.00	494,993.65	21,569.35
	Fund: 061 - WATER SYSTEM DEVELOPMENT Surplus (Deficit):	0.00	0.00	0.00	38,957.28	
	Fund: 062 - SEWER SYSTEM DEVELOPMENT					
	Revenue					
062-00-40100	Prior Year Fund Balance	322,003.00	322,003.00	0.00	327,115.49	-5,112.49
062-00-42010	Interest on Investments	3,000.00	3,000.00	0.00	1,715.82	1,284.18
062-00-44351	SDC Reimbursement Fees	13,503.00	13,503.00	0.00	27,540.00	-14,037.00
062-00-44361	SDC Improvement Fees	1,383.00	1,383.00	0.00	2,820.00	-1,437.00
	Revenue Total:	339,889.00	339,889.00	0.00	359,191.31	-19,302.31
	Expense					
062-00-91100	Transfer In/Out	0.00	0.00	0.00	327,115.49	-327,115.49
062-00-91136	Transfer to Sewer Enterprise	100,000.00	100,000.00	0.00	0.00	100,000.00
062-00-98999	Reserved for Future Expenditures	239,889.00	239,889.00	0.00	0.00	239,889.00
	Expense Total:	339,889.00	339,889.00	0.00	327,115.49	12,773.51
	Fund: 062 - SEWER SYSTEM DEVELOPMENT Surplus (Deficit):	0.00	0.00	0.00	32,075.82	
	Total Surplus (Deficit):	0.00	0.00	-83,840.88	346,356.01	

Income Statement

For Fiscal: 2021-2022 Period Ending: 06/30/2022

Group Summary

Account Type	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 010 - GENERAL FUND					
Revenue	929,383.00	929,383.00	22,142.97	922,906.08	6,476.92
Expense	929,383.00	929,383.00	36,052.72	772,284.08	157,098.92
Fund: 010 - GENERAL FUND Surplus (Deficit):	0.00	0.00	-13,909.75	150,622.00	-150,622.00
Fund: 014 - PARKS FUND					
Revenue	260,516.00	260,516.00	82.15	312,024.12	-51,508.12
Expense	260,516.00	260,516.00	11,608.19	251,111.89	9,404.11
Fund: 014 - PARKS FUND Surplus (Deficit):	0.00	0.00	-11,526.04	60,912.23	-60,912.23
Fund: 020 - PUBLIC SAFETY					
Revenue	588,755.00	588,755.00	19,580.10	556,148.11	32,606.89
Expense	588,755.00	588,755.00	20,946.36	572,014.38	16,740.62
Fund: 020 - PUBLIC SAFETY Surplus (Deficit):	0.00	0.00	-1,366.26	-15,866.27	15,866.27
Fund: 030 - WATER ENTERPRISE FUND					
Revenue	1,075,142.00	1,075,142.00	227.87	452,559.95	622,582.05
Expense	1,075,142.00	1,075,142.00	27,327.79	464,004.72	611,137.28
Fund: 030 - WATER ENTERPRISE FUND Surplus (Deficit):	0.00	0.00	-27,099.92	-11,444.77	11,444.77
Fund: 031 - WATER CAPITAL RESERVES					
Revenue	83,408.00	83,408.00	0.00	30,516.43	52,891.57
Expense	83,408.00	83,408.00	0.00	30,364.61	53,043.39
Fund: 031 - WATER CAPITAL RESERVES Surplus (Deficit):	0.00	0.00	0.00	151.82	-151.82
Fund: 035 - SEWER ENTERPRISE FUND					
Revenue	1,321,853.00	1,321,853.00	76.40	582,929.17	738,923.83
Expense	1,321,853.00	1,321,853.00	24,831.75	480,115.73	841,737.27
Fund: 035 - SEWER ENTERPRISE FUND Surplus (Deficit):	0.00	0.00	-24,755.35	102,813.44	-102,813.44
Fund: 036 - SEWER CAPITAL RESERVES					
Revenue	255,359.00	255,359.00	0.00	202,623.16	52,735.84
Expense	255,359.00	255,359.00	0.00	201,618.25	53,740.75
Fund: 036 - SEWER CAPITAL RESERVES Surplus (Deficit):	0.00	0.00	0.00	1,004.91	-1,004.91
Fund: 040 - STREET FUND					
Revenue	177,933.00	177,933.00	0.00	251,181.19	-73,248.19
Expense	177,933.00	177,933.00	5,183.56	264,537.23	-86,604.23
Fund: 040 - STREET FUND Surplus (Deficit):	0.00	0.00	-5,183.56	-13,356.04	13,356.04
Fund: 042 - STREETS CAPITAL IMPROVEMENT					
Revenue	32,451.00	32,451.00	0.00	4,366.99	28,084.01
Expense	32,451.00	32,451.00	0.00	4,345.30	28,105.70
Fund: 042 - STREETS CAPITAL IMPROVEMENT Surplus (Deficit):	0.00	0.00	0.00	21.69	-21.69
Fund: 045 - EQUIPMENT REPLACEMENT FUND					
Revenue	113,884.00	113,884.00	0.00	82,797.70	31,086.30
Expense	113,884.00	113,884.00	0.00	82,333.80	31,550.20
Fund: 045 - EQUIPMENT REPLACEMENT FUND Surplus (Deficit):	0.00	0.00	0.00	463.90	-463.90
Fund: 061 - WATER SYSTEM DEVELOPMENT					
Revenue	516,563.00	516,563.00	0.00	533,950.93	-17,387.93
Expense	516,563.00	516,563.00	0.00	494,993.65	21,569.35
Fund: 061 - WATER SYSTEM DEVELOPMENT Surplus (Deficit):	0.00	0.00	0.00	38,957.28	-38,957.28
Fund: 062 - SEWER SYSTEM DEVELOPMENT					
Revenue	339,889.00	339,889.00	0.00	359,191.31	-19,302.31
Expense	339,889.00	339,889.00	0.00	327,115.49	12,773.51
Fund: 062 - SEWER SYSTEM DEVELOPMENT Surplus (Deficit):	0.00	0.00	0.00	32,075.82	-32,075.82
Total Surplus (Deficit):	0.00	0.00	-83,840.88	346,356.01	

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Planning

ITEM NO: 6 d.

Attached are the new and updated definitions are are being proposed by the planning commission. Along with updated for PDU's and ADU's.

We did discuss vacation rentals and will be working on a draft of the items that the Planning Commission wanted to include in the code. The 1st draft will be at the next planning commission meeting.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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**STAFF REPORT ADDENDUM
PROPOSED CODE AMENDMENTS**

PLANNING COMMISSION MEETING JULY 12, 2022

Proposed additional language is highlighted in gray:

Chapter 16.16

PLANNED UNIT DEVELOPMENT

Sections:

16.16.010	General Provisions.
16.16.020	Tentative plan.
16.16.030	Final Plat.

16.16.010 General Provisions

- A. The purpose of this chapter is to provide the necessary linkage necessary for the subdivision plat to work hand in hand with Chapter 17.28, which addresses the site and the integration of zoning with the physical and cultural features of the property.**
- B. This chapter provides an option for affordable housing development within the Commercial (4-C) zone that does not currently exist within the City of Port Orford. An applicant proposing an affordable housing project within the (4-C) zone may utilize Planned Unit Development criteria as an option to configure an affordable housing project that does not comply with street and lot frontage standards set forth in Title 16 by providing criteria for modifications of such standards.**
- C. A Tentative Plan shall be approved in a consolidated application with Chapter 17.28 of the Port Orford Municipal code whereby the application for a PUD is approved through a Conditional Use Permit.**
- D. Approval of the tentative plan is binding upon the City for purposes of the preparation of the final plan. The Planning Commission may require only such changes as are necessary for compliance with the approval of the tentative plan.**
- E. Final Approval constitutes compliance with all the applicable requirements and conditions of the City and State of Oregon for approval of the PUD. Upon final approval, the approved PUD is identified on the zoning map.**

1616.020 Criteria for affordable housing development in the (4C) zone

- A. Modifications to frontage and street standards may be permitted as part of the Conditional Use Permit application subject to the following criteria:**
- a. Modification to street standards and frontage standards shall be presented by the applicant as part of the approval conditional use permit process with narrative providing the reasoning for the modifications including a description as to how the configurations proposed will contribute to livability and quality of life within the development.**
 - b. Proposed modifications shall be included on the site plan for the development.**
 - c. Modifications shall not compromise security, public safety, or quality of life for residents of the City of Port Orford.**
 - d. Modifications shall be justified by the Planning Commission based upon criteria within this section.**

16.16.030 Tentative plan

- A. The tentative plat or map shall be to the largest practical scale to show the required details and shall be to a scale of one inch to twenty-five (25), fifty (50) or 100 (100) feet.**
- B. The Tentative plan map shall be similar to tentative plat maps included for subdivisions and partitions as contained in Section 16.08.020, with additional items for the PUD application as follows:**
 - a. Any replat, boundary adjustments or partitioning that is necessary for the PUD use.**
 - b. The boundary line of the entire tract to be included within the PUD.**
 - c. Location and dimensions of all proposed structures, and existing structures that will remain on the tract.**
 - d. The name of the PUD.**
 - e. The name and address of any architect, engineer, surveyor and/or landscape architect involved in preparing the application.**
 - f. Legal description, assessor's map numbers**
 - g. Contours with intervals of five feet or less.**
 - h. The names of adjacent subdivisions and partitions.**
 - i. The location, widths, and names of all existing or platted streets or other public ways within or adjacent to the tract.**
 - j. Proposed street patterns and sidewalks in the interior, with widths, grades, and names of all streets within the PUD.**
 - k. The widths and names of streets or public ways that are adjacent to the tract.**

- l. A chart with approved housing density equivalents except where such requirements do not exist in the zoning.
- m. Location and size of all parking areas, including the dimensions of parking spaces.
- n. Any existing wetlands or hazard areas including identified topographic or geologic overlay zones or other features within the PUD tract.
- o. Access approval for the PUD.
- p. Easements, together with their location and purpose.
- q. Metes and bounds description of the PUD lot, with distances to the nearest tenth of a foot and angles to the nearest thirty-second.
- r. Zoning as set forth in the zoning ordinance for the PUD lot.
- s. Location of all monuments found or set in the area.
- t. A plan providing for electrical and other necessary services to the lot, with letters from the appropriate utilities stating that they can serve the lot and the PUD use.
- u. Sidewalks, or trails that are part of the PUD infrastructure.
- v. Landscaping plan and any walls or fencing to be part of the PUD.
- w. Open space and designations of facilities and areas for common use.
- x. Drainage and erosion control plans.
- y. Vicinity map.
- z. Other information that may be required by the City.

16.16.030 Final plat

The Final Plat shall comply with the approved tentative plan, subject to Chapter 16.20; the final plat shall also comply with any applicable provisions of ORS 94 Planned Communities, and ORS 100 Condominiums.

STAFF REPORT

To: Krista Nieraeth, Chair; Port Orford Planning Commission Chair

From: Crystal Shoji, AICP; City Planner

Date: July 6, 2022

Subject: **DRAFT Revisions – For Review by Planning Commission July 12, 2022**

- ✓ Language that could be the basis for specifics within the code appear in **BOLD** font.
- ✓ Language that would be removed from our current code is shown with cross outs.
- ✓ Language that exists within our code that addresses housing options with no expectation for change is included with no bold or cross outs.

17.040.30 Definitions

Definitions of housing types:

"Accessory dwelling unit (ADU)" means an interior, attached or detached residential structure with habitable space that provides shelter, cooking facilities, water and sanitary facilities that is accessory to a single-family dwelling. An ADU is not a motor vehicle or recreational vehicle. ADUs include, but may not be limited to the following examples:

- 1) **Cottages that are detached structures. These may be free-standing accessory structures or detached garage conversions.**
- 2) **Apartments that are attached or are part of the primary dwelling such as apartments over a garage, additions to existing dwellings, attic spaces or other conversions.**

"Apartment house." See "Dwelling, multi-family."

"Attached single-family dwellings." See "Rowhouse" or "Townhouse."

"Cottage Cluster residential" means a development technique wherein housing sites or structures are grouped closer together with the remainder of the tract left in its-a natural state or as landscaped open space. It does not necessarily have a mixture of housing types and uses, and is done in a unit, rather than planned phases. Structures can be in-part of a single ownership, be in condominium ownership or other. Cottage Cluster Developments are processed through Chapter 17.28 Planned Unit Development.

"Condominium" means property development submitted under the provisions of ORS ~~are submitted under~~ ORS Chapter 100, **processed in Port Orford through Chapter 16, and Section 17.28 Planned Unit Development.**

"Dwelling, single-family" means a detached building **or portion thereof, constructed on or off site** containing ~~one dwelling unit~~ **an independent living facility for one or more persons with provisions for living, sleeping, eating cooking and sanitation.**

"Dwelling, multi-family" means a building containing three or more dwelling units on an individual lot, including, but not limited to multiplexes and apartments. ~~and condominiums.~~

"Dwelling, two-family" means a building designed for occupancy by two families, living separately, including duplex and semi-detached dwellings. ~~A two family dwelling may also be referenced as a duplex.~~ **containing two independent living facilities with permanent provisions for living, sleeping, eating cooking and sanitation.**

~~"Family" means an individual or two or more persons related by blood, marriage, legal adoption or guardianship, living together in a dwelling unit in which board and lodging may also be provided for not more than four additional persons, excluding servants; or a group of not more than five persons, who need not be related by blood, marriage, legal adoption or guardianship living together in a dwelling unit.~~ **"Household" or "Family" means an individual, or two or more persons living together in a dwelling unit in which shelter, cooking facilities, water and sanitation are available.**

"Guest house" means a small, detached accessory building without cooking facilities that is designed for and used to house nonpaying transient visitors or guests or occupants of the primary dwelling on the lot.

"Manufactured dwelling" means a residential trailer, mobile home, or manufactured home.

"Manufactured dwelling park" means any place where four or more manufactured dwellings or prefabricated structures as defined in ORS 455.010 that are relocatable, and more than eight and one-half feet wide, are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership; the primary purpose is to rent or lease space to any person for a charge or fee paid for the rental or lease or use of facilities, or to offer space free in connection with securing the trade or patronage of such

person, provided that each manufactured dwelling is not located on a single platted lot.

Manufactured home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, intended for human occupancy, ~~that~~ **which** is being used for residential purposes, and **that** was constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

"Mobile home" means a vehicle or structure constructed with wheels for movement on public highways, that has sleeping, cooking and plumbing facilities; is intended for human occupancy and permanent residential purposes and ~~that met the Oregon Mobile Home Law in effect at the time of construction.~~ **that was constructed between January 1, 1962, and June 15, 1976; and met the construction requirements of Oregon mobile home law in effect at the time of construction.** The removal of the wheels does not alter this definition. A mobile home shall only be sited within an established mobile home park.

"Mobile home park" means a place where four or more mobile homes **recreational vehicles, or a combination thereof,** are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such persons. **Mobile home park does not include lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the City of Port Orford.**

"Planned Community" means any subdivision under ORS ~~Chapter 92.010 to 92.190~~ **Chapter 92.010 to 92.190** that results in a pattern of ownership of real property and all the buildings, improvements and rights located on or belonging to the real property and which is created under ORS ~~Chapter 94.550 to 94.783.~~ **Chapter 94.550 to 94.783.**

"Planned unit development" means a single development in which a combination of uses compatible with the comprehensive plan and with neighboring properties is permitted subject to the procedural requirements of this title. ~~Some~~ **An** example ~~s~~ **are** is a planned housing project with **single-family, duplex,** and multiple-family homes, ~~apartment houses, and a shopping center;~~ **or a recreation facilities complex including the principle uses, parking, sanitary facilities and concessions or other similar uses. or other services to support the residential uses.**

"Prefabricated structure" means a building or subassembly which has been in

whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site; but does not include a manufactured structure.

“Recreational vehicle park” means a place where two or more recreational vehicles, ~~camping vehicles or trailers~~ are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose, the renting of space and related facilities for charge or fee, or the provision of space for free in connection with securing the patronage of a person. “Recreational vehicle park” does not mean an area designated only for picnicking or overnight camping; or a manufactured dwelling park or mobile home park.

17.12.010 Residential zone (1-R).

A. Purpose of Classification. The 1-R zone is designed to be applied to residential areas where dwellings are appropriate.

B. Uses Permitted Outright. In a 1-R zone, the following uses and their accessory uses are permitted outright:

1. Single-family dwelling or duplex;
2. Manufactured home, in ~~accordance~~ **compliance** with Section 17.16.040;
3. Private stable where building site is one acre or more;
4. Farming where building site is one acre or more, but not including commercial livestock production;
5. Home occupation;
6. Childcare facility;
7. Residential care home;
8. Residential care facility;
9. **Accessory dwelling unit (ADU) in compliance with Chapter 17.16.**

C. Conditional Uses Permitted. In a 1-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:

1. Church or school;
2. Grange hall or community building;
3. Public use facility or public utility, including, but not limited to, fire stations;
4. **Recreational vehicle temporarily used to relieve a hardship for a period not to exceed 12 months;**
5. Utility facility, including substation or pumping station or private generator;
6. Commercial communications transmitter or receiver antenna;

7. Planned unit development ~~on a lot not less than three acres in compliance with Chapters 16.16 and 17.28.~~

E. Lot Size. Except as provided in Sections 17.20.030 and 17.20.040 in a ~~2-R~~ **1-R** zone:

1. Lot sizes suitable for building shall be dependent on the availability of public water. If the lot is not served by public water system, the lot area shall conform to the State requirements established for on-site water supply.
2. When both a public water and sewage system are available:
 - a. For uses other than a mobile home park, the minimum lot area shall be 5,000 square feet; or
 - b. The minimum lot width shall be 50 feet.

17.12.020 Residential zone (2-R).

A. Purpose of Classification. The 2-R zone is designed to be applied to residential areas where higher density housing is appropriate.

B. Uses Permitted Outright. In a 2-R zone, the following uses and their accessory uses are permitted outright:

1. Single-family dwelling or duplex;
2. Manufactured home, in ~~accordance-~~ **compliance** with Section 17.16.040;
3. ~~Multiple~~ **Multi**-family dwelling;
4. Private stable where building site is one acre or more;
5. Farming where building site is one acre or more, but not including commercial livestock production;
6. Home occupation;
7. Childcare facility;
8. Residential care home;
9. Residential care facility.
10. **Accessory dwelling unit (ADU) in compliance with Chapter 17.16.**

C. Conditional Uses Permitted. In a 2-R zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:

1. **Manufactured dwelling Park Mobile home park in compliance with Section 17.32.050;**

2. Church or school;
3. Grange hall or community building;
4. Public use facility or public utility, including, but not limited to, fire stations;
5. Recreational vehicle temporarily used to relieve a hardship for a period not to exceed 12 months;
6. Utility facility, including substation or pumping station or private generator;
7. Commercial communications transmitter or receiver antenna;
8. Planned unit development on a lot not less than three acres in compliance with Chapters 16.16 and 17.28;
9. Hospital, sanitarium, retirement home, medical or dental clinic.

17.12.030 Commercial zone (4-C).

A. Purpose of Classification. The 4-C zone is designed to apply to areas where more complete commercial facilities are necessary for community convenience.

B. Uses Permitted Outright. In a 4-C zone, the following uses and their accessory uses are permitted outright, provided that such use of operation does not create a nuisance because of odor, noise, dust, smoke, or gas:

1. Single-family dwellings or duplex;
2. **Manufactured home, in compliance with Section 17.16.040;**
- ~~2.~~ ~~3.~~ ~~Multiple Multi-family dwellings;~~
- ~~3.~~ 4. Hotel or motel;
- ~~4.~~ 5. Club or lodge hall;
- ~~5.~~ 6. Hospital, sanitarium, retirement home, medical or dental clinic;
6. 7. Retail or service establishment;
7. 8. Automobile service station;
8. 9. Machinery, farm equipment, marine or automotive sales, service, storage or repair;
9. 10. Building material storage yard;
- ~~10.~~ 11. Plumbing, electrical or paint contractors storage, repair or sales shop;
- ~~11.~~ 12. Tire retreading or vulcanizing shop;
- ~~12.~~ 13. Wholesale, trucking and storage establishment;
- ~~13.~~ 14. Machine shop or cabinet shop;

- 14. ~~15.~~ Manufacturing, repairing, compounding, processing, storage, research, assembling or fabricating activities except those specifically listed in Section 17.12.040(C);
- ~~15.~~ 16. Park playground, fire station, library or museum;
- ~~16.~~ 17. Childcare facility;
- ~~17.~~ 18. Residential ~~care~~ care home;
- ~~18.~~ 19. Residential care facility.

C. Conditional Uses Permitted. In a 4-C zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:

- 1. ~~Mobile home park and/or recreational vehicle park; Manufactured dwelling Park~~ Mobile home park in compliance with Section 17.32.050;
- 2. Planned unit development on a lot of at least three acres in area in compliance with Chapters 16.16 and 17.28.
- 3. Utility facility, including substation or pumping station or private generator;
- 4. Communications transmitter, receiver, antenna or tower;
- 5. Wind generator;
- 6. Prefabricated structure.

17.12.040 Industrial zone (5-I).

A. Purpose of Classification. The industrial zone is generally intended to provide for limited or light industrial uses. Conditional uses in this zone are designed for heavier industrial uses.

B. Uses Permitted Outright. In a 5-I zone, the following uses and their accessory uses are permitted outright:

- 1. Single-family dwellings or duplex;
- 2. ~~Multiple~~ Multi-family dwellings;
- 3. Hotel or motel;
- 4. Club or lodge hall;
- 5. Hospital, sanitarium, retirement home, medical or dental clinic;
- 6. Retail or service establishment;
- 7. Automobile service station;
- 8. ~~Trailer or camping vehicle park; Recreational vehicle park~~ in compliance with the criteria of Oregon Building Codes.

9. Machinery, farm equipment, marine or automotive sales, service, storage or repair;
10. Building material storage yard;
11. Plumbing, electrical or paint contractor's storage, repair or sales shop;
12. Tire retreading or vulcanizing shop;
13. Wholesale trucking and storage establishment;
14. Machine shop or cabinet shop;
15. Manufacturing, repairing, compounding, processing, storage, research, assembling or fabrication activities except those specifically listed in subsection C of this section;
16. Utility facility, including substation or pumping station or private generator;
17. Communications transmitter, receiver, antenna or tower;
18. Childcare facility;
19. Residential care home;
20. Residential care facility.

C. Conditional Uses Permitted. In a 5-I zone, the following and their accessory uses are permitted when authorized in accordance with Chapter [17.32](#):

1. Manufacturing plant, including lumber and plywood mills;
2. Rendering plant or slaughterhouse;
3. Pulp or paper mill;
4. Cement or asphalt plant;
5. Airport or heliport;
6. Church or school;
7. Park, playground, fire station, library or museum;
8. Planned unit development on a lot of at least three acres in area in compliance with Chapters 16.16 and 17.28.

17.12.060 Marine activity zone (7-MA).

A. Purpose of Classification. The marine activity zone is to provide areas suitable for uses which depend upon or are benefitted by a waterfront location, and to reserve such areas for these uses.

B. Uses Permitted Outright. In a 7-MA zone, the following uses and their accessory uses are permitted outright:

1. Boat launching or moorage facilities, marina, boat charter service;
2. Piers, docks, bulkheads, jetties and backfills;
3. Seafood processing, storage and sales;
4. Boat and marine equipment sales, service, storage, rental or repair;
5. Fishing supply storage, manufacturing and sales;
6. Retail sales of water sporting goods or similar commodities;
7. Dredging and fill maintenance;
8. Offices which are related to marine activity;
9. Experimental laboratory for research or marine coastal production or resource;
10. Aquaculture and accessory facilities;
11. Open recreation area ~~and park~~ or recreational facility;
12. **Day use and picnicking.**

C. Conditional Uses Permitted. In a 7-MA zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32:

1. Eating and drinking establishments;
2. Motel or hotel;
3. Gift, novelty, or specialty shops, including the manufacture of such goods;
4. Government structure and use of land;
5. Storage of marine-oriented materials;
6. Public utility or public communication facilities;
7. Small boat manufacturer.

17.12.080 Shoreland overlay zone (9-SO).

A. Purpose of Classification. The purpose of the 9-SO zone is to protect shoreland resources identified in the comprehensive plan and to apply development standards to all uses within the shoreland boundary as applicable.

B. Uses Permitted Outright. In the 9-SO zone, the following uses are permitted outright. If they are conditional uses in the underlying zone, they shall be subject to the conditions referenced in Chapter 17.32.

1. Uses allowed in the underlying zone;
2. Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
3. Water-dependent commercial and recreational developments;

4. Aquaculture;
5. Single-family residences on existing lots or parcels dwelling.
6. Dredged material disposal (DMD), mitigation or restoration on sites designated in the comprehensive plan.

17.12.090 Battle Rock mixed use zone (10-MU).

A. Purpose of Classification. The intent of the Battle Rock mixed use (10-MU) zone is to maintain small coastal town ambiance and small town neighborhood character by enhancing the economic value by identifying its unique features with planning that can systematically organize the development that will occur in the future, to encourage pedestrian friendly tourist commercial uses, and provide opportunities for residents and visitors to enjoy the built and natural environment.

B. Uses Permitted Outright. In the 10-MU zone, the following uses and their accessory uses are permitted outright subject to the conditions within this chapter:

1. Single-family dwelling or duplex;
2. Manufactured home, in accordance with Section [17.16.040](#);
3. ~~Multiple~~ Multi-family dwellings;
4. Home occupations;
5. Hotel, motel or other lodging;
6. Restaurants;
7. Club or lodge hall;
8. Emergency care facilities, medical or dental clinic;
9. Retail use, professional office or service use, including galleries;
10. Light manufacturing;
11. Park playground, fire station, library or museum;
12. Childcare facility;
13. Residential care home or residential care facility;
14. Any permitted use where building footprint exceeds 6,000 square feet, shall be subject to site plan review to comply with the provisions set forth in Chapter [17.33](#), Site Plan Review;
15. Any permitted use where building length exceeds 125 feet shall be subject to site plan review to comply with the provisions set forth in Chapter [17.33](#), Site Plan Review;
16. Day use and picnicking;
17. Overnight camping.

C. Conditional Uses Permitted. In a 10-MU zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32, and subject to the conditions within this 10-MU zone chapter:

1. Manufactured **Dwelling home** park, subject to Section 17.32.050(A) and (E); **17.32.050 Additional standards governing conditional uses.**
2. Planned unit development, ~~planned community, and cluster residential with multiple structures subject to~~ **in compliance with Chapters 16.16 and Section 17.28 on a lot of at least three acres in area, and subject to Section 17.32.050(A);**
3. Utility facility, including substation or pumping station or private generator, subject to Section 17.32.050(A) and (D);
4. Wireless telecommunications facility, subject to building height restriction of zone, and subject to Section 17.32.050(A) and (D);
5. Wind generator, subject to Section 17.32.050(A) and (D);
6. Unified development on a lot of at least one-half acre, or 21,780 square feet, subject to Section 17.32.050(A);
7. Any permitted use with prefabricated structure, subject to Section 17.32.050(A) and (I).

E. Design Standards for All New Development. All new structures and substantial improvements in a 10-MU zone shall conform to the following design standards:

8. Manufactured ~~Home~~ **Dwelling** Park. When manufactured homes within the manufactured ~~home dwelling~~ park are oriented with their back or side yards facing a public right-of-way, the Planning Commission may require installation of fencing and planting of a 10-foot-wide landscape buffer between the right-of-way and the manufactured home park for the privacy and security of residents and the aesthetics of the streetscape.

Chapter 17.16 Supplementary Provisions

17.16.040 Manufactured home placement on individual lots.

*A manufactured home placed on an individual lot shall ~~comply with the following provisions.~~ **C.**—The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the State Building Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the external thermal envelope certification requirement. Additional certification shall not be required.*

A.—The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet.

B.—The manufactured home shall have the hitch, wheels and axles removed and be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the manufactured home is not more than 12 inches above grade.

C.—The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings.

17.16.090 Additional Dwelling Unit (ADU)

The purpose of this clause is to increase housing options within the City of Port Orford. All the following criteria shall apply.

A single ADU with a kitchen is a permitted accessory use to an existing single-family-dwellings on an individual lot within 1-R and 2-R in residential zones subject to all the following:

- a. An ADU is permitted to serve as a long-term rental; An ADU is not permitted to be used for a short-term rental in increments of 30-days or less.**
- b. No ADU shall be permitted on a lot that is less than 5,000 square feet.**
- c. An ADU shall not be advertised or otherwise promoted as a vacation rental.**
- d. An ADU is not permitted on an individual lot where more than one dwelling unit already exists through a permitted duplex, a grandfathered dwelling use, a violation other.**
- e. An ADU is permitted to have a maximum footprint of 750 square feet including enclosed habitable space.**
- f. A guest house that exists on an individual lot may be modified to include a kitchen when there is compliance with all the criteria of Section 17.16.090.**
- g. An ADU shall comply with all the setbacks of the zone.**
- h. An ADU shall have one dedicated parking space in addition to the parking space(s) provided for the single-family dwelling or duplex.**

- i. **Any on-street parking of residents and visitors of the ADU shall not block mailboxes for where there is street delivery of mail**
- j. **An ADU shall obtain separate hookups for sewer and water. from those of the single-family use on the property.**
- k. **An ADU shall comply with all building codes applicable for habitation as a single-family dwelling.**

17.32.050 Additional standards governing conditional uses.

In addition to the standards of the zone in which the conditional use is located and the other standards in this title, conditional uses must meet the following standards:

A. Conditional Uses, Generally.

- 1. **Setbacks.** In a residential zone, yards shall be at least two-thirds the height of the principal structure. In any zone additional yard requirements may be imposed.
- 2. **Limitation on Access to Property and on Openings to Buildings.** The City may limit or prohibit vehicle access from a conditional use to a residential street, and it may limit or prohibit building openings within 50 feet of residential property in a residential zone if the openings will cause glare or excessive noise or will otherwise adversely affect adjacent residential property.
- 3. **The City may require assurances to guarantee development in accordance with the standards established and conditions imposed in granting a conditional use.**

B. Church, Hospital, Nursing Home, Convalescent Home, Retirement Home, Multi-family dwelling unit(s), not including condominiums.

- 1. ~~A church, hospital, nursing home, convalescent home or retirement home may be authorized as a conditional use after consideration of the following factors: Such uses may be authorized by the Planning Commission as a conditional use after presentation of a site plan addressing all of the following factors and findings that the Planning Commission has determined that the use complies with City requirements and will serve the needs of the intended use.~~
 - a. ~~Sufficient area provided for the building, required yards, and off street parking (related structures and uses such as a manse, parochial school or parish house are considered separate principal uses with additional lot area required);~~ **A map of existing features on the property and identified adjacent uses. This map should include but not be limited to topography, wetlands, natural**

hazards, adjacent streets with widths and location of underground and overhead utilities.

- b. ~~Location of the site relative to the service area of the church, hospital or home;~~
Proposed ingress and egress.
- c. ~~Probable growth needs.~~ **Proposed underground and overhead utilities including water and sewer lines and lighting.**
- d. ~~Site location relative to land uses in the vicinity;~~ **and All proposed structures.**
- e. ~~Adequacy of access from principal streets together with the probable effect on traffic volumes of abutting and nearby streets.~~ **Proposed parking spaces with identification of ADA spacing, areas for loading and unloading, and travel lanes with widths and improvements.**
- f. **Proposed sidewalks.**
- g. **Proposed landscaping.**
- h. **Setbacks.**
- i. **Proposed shelters or structures for mechanical equipment and refuse.**

~~2. A church, hospital, nursing home, convalescent home, or retirement home may be built to exceed the height limitations of the zone in which it is located to a maximum height as determined by the State Fire Marshal if the total floor area of the building does not exceed one and one-half times the area of the site and if yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.~~

~~E. Mobile Home Park. Manufactured Dwelling Park~~

~~A mobile home manufactured dwelling park may be permitted as a conditional use provided it meets the requirements of the zoning, Chapter 446 of Oregon Revised Statutes, and the Rules Governing the Construction and Sanitary Operation of Travelers' Accommodations and Trail Parks adopted by the Oregon State Board of Health. and all the following standards:~~

~~2. In addition, the following minimum standards shall apply:~~

- 1. **Oregon State Building Codes has authority for plan review and construction of manufactured dwelling parks and recreational vehicle parks.**
- 2. **Improvements in manufactured dwelling parks shall include paved streets, roads and parking areas with fire hydrants and roadways designed to accommodate the movement of public fire vehicles to provide protection to the entire park.**

3. **3. ~~Parking Space Requirement.~~ A parking space shall be provided for each ~~mobilehome~~ **manufactured home** space on the site. In addition, guest parking spaces shall also be provided ~~in every mobilehome park~~ within two hundred (200) feet of ~~the mobilehome spaces~~ **each manufactured home space** and ~~served~~ at a ratio of one guest parking space for each two ~~mobilehome~~ **manufactured dwelling** spaces. Parking spaces shall have durable and dustless surfaces adequately maintained to **city standards** for all-weather use, ~~and shall be properly drained.~~ **with approved drainage.****
4. **Manufactured dwelling parks shall not be used for transient occupancy stays of less than thirty (30) days).**
5. **Maps showing topography, wetlands, hazards, and other site conditions shall be included on a map and included as an element of any application to the City.**
6. **A site plan drawn to scale shall be provided. The site plan shall show adjacent properties, streets, and street widths, proposed spacing, existing vegetation to be maintained, proposed landscaping including selected plant species, walkways, parking, storage, permanent structures, office space and other information required by this section.**
7. **Utility easements including those for city services, electricity, and other public facilities shall be shown on the site map. Provisions for television and telephone shall be provided. Sewer and water and hookup locations shall be included.**
8. **The perimeter of the property shall have setbacks that comply with the zone; and where the zone has no setback requirements, the setbacks for the use shall be as follows:**
 - a. **The front yard shall be a 'minimum of ten feet.**
 - b. **The side yard shall be a minimum of 10 feet.**
 - c. **The rear yard shall be a minimum of 10 feet.**
9. **Setback areas shall be landscaped with vegetation that is expected to grow to six feet in height at maturity, and thrive within the local climate, without a necessity for ongoing watering. Approved six-foot fencing may be substituted for landscaping on some sides of the property subject to Planning Commission approval. Vegetation, landscaping, and fencing shall be maintained.**
10. **The manufactured dwelling park shall have engineered plans approved for storm and surface water management and erosion prevention and sediment control in compliance with Chapters 17.17 and 17.18.**
11. **Depending upon the size of the manufactured dwelling park, the Planning Commission may require a playground, open space, or other common facilities.**

12. A manufactured dwelling park shall show evidence of City sewer and water or State approved community water and sewer systems.
13. Any locations for accessory buildings to be permitted in the manufactured dwelling park shall be approved as an element of the site plan for the manufactured dwelling proposed for approval by the Planning Commission.
14. Manufactured dwellings in a manufactured dwelling park shall include a water closet, lavatory and bathtub or shower, and a kitchen area containing a sink.
15. In a manufactured dwelling park in which individual lots are separately owned, the same person shall own the manufactured dwelling to be situated thereon, and the owner of the lot shall agree that if the manufactured home is removed from its foundation, the owner shall within 30 days either replace the manufactured home with another approved home, or remove the foundation, manufactured home accessory structures and other structures on the property and disconnect sewer, water and other utilities. The agreement shall further provide that the city may make the removal and disconnection and place a lien against the property for the cost of the work.

Chapter 17.28 Planned Unit Developments

17.28.010 ~~Standards and requirements.~~ General Provisions.

Purpose and Intent

~~The following shall be observed when a planned unit development in a zone in which it is permitted. (Ord. 278 § 5.010, 1977)~~ The PUD conditional use permit process provides an opportunity for the property owner to preserve unusual physical features that are part of the site by providing for equivalent use of the remainder of the property to comply with the intent of the zoning.

Historical, topographical, or other distinctive features of the property may be protected or enhanced through the PUD. A PUD is suitable for condominium development, subdivision development and other development that includes common ownerships by the occupants. This could include, but is not limited to features such as facilities, open space or other, and may include varying housing types. The intent is to develop land and housing in a manner that creates an attractive, healthful, efficient, and stable environment.

17.28.020 Procedures.

Application

~~The following procedures shall be observed is required when a planned unit development proposal is to be submitted for consideration.~~

Procedures and documents to be included for submitting the application are provided within this section:

- A. ~~An applicant shall submit 15 copies of a preliminary development plan to the Planning Commission for study at least seven days prior to the commission meeting at which it is to be considered. The preliminary plan shall include the following information:~~ **A preapplication conference shall be scheduled with the City prior to the filing of any application for a PUD. The applicant is required to address the intent of the PUD and provide draft documents described in this Section. Engineers, planners, architects, or other professionals who will be preparing the application should be included in the preapplication meeting. The City may invite state agency personnel or other stakeholders having an interest in the application.**

- B. **The following documents are to be included in the application:**

~~The preliminary plan shall include the following information:~~

- ~~1. Proposed land uses, building locations and housing unit densities;~~
- ~~2. Proposed circulation pattern indicating the status of street ownership;~~
- ~~3. Proposed open space uses;~~
- ~~4. Proposed grading and drainage pattern;~~
- ~~5. Proposed method of water supply and sewage disposal;~~
- ~~6. Economic and supporting data to justify any proposed commercial and industrial elements in the area not so zoned;~~
- ~~7. Relation of the proposed development to the surrounding area and to the comprehensive plan.~~

~~B. Prior to discussion of the plan and a planning Commission meeting, copies shall be given to the City Engineer and county sanitarian for study and comment.~~

- 1. Existing site maps showing physical features of the site and narrative that addresses the PUD.**
- 2. Proposed land uses, building locations and housing units with density, calculations that comply with the zoning; or explanation of a vision to meet a housing need, with reasons and findings as to any purpose for the development and a proposal to dispense with such density calculations.**
- 3. Description of unusual physical or cultural feature(s) of the property which can be conserved and thus provide the applicant with equivalent use of the property as a result of the PUD process;**
- 4. Proposed circulation pattern indicating the proposed street ownership;**

5. **Proposed open space and common areas including appropriate access with pathways or sidewalks;**
6. **Site maps with topography, culture, or history with and notations of special conditions or objectives that exist to warrant departure from standard zoning requirements;**
7. **Proposed method of water supply and sewage disposal;**
8. **Setbacks around the perimeter of the property that comply with the zoning;**
9. **Proposed landscaping plan that shows landscaping and any fencing; proposed within the perimeter of the site in compliance with the zoning;**
10. **Economic and supporting data to justify any proposed nonresidential elements;**
11. **Lighting to comply with Chapter 15.17 Outdoor Lighting Code;**
12. **Analysis of the proposed development in relationship to the neighborhood and the streets.**
13. **Declaration of Covenants, Conditions, Restrictions and Easements (CC&Rs), articles and bylaws of the homeowner's association (HOA) as applicable.**

~~B. Prior to discussion of the plan and a Planning Commission meeting, copies shall be given to the City Engineer and county sanitarian for study and comment.~~

- C. **The applicant shall submit a consolidated plan that includes all that is required under Municipal Code Chapter 16.16 including submission of a tentative plan in compliance with Section 16.08.020.**
- D. **The applicant shall include analysis of the PUD in relation to adjacent streets and properties to assure that there are not negative aspects due to lack of capacity.**
- E. **The applicant shall provide a timeframe for completion of the project along with explanations or charting of activities to be completed.**
- F. **The City will schedule and provide notice of a Planning Commission's public hearing.**
- G. **Following any approval of the tentative plat, the applicant shall comply with Chapter 16.20 Final Plats.**
- ~~C. In reviewing the preliminary plan, the commission must determine that:

 1. ~~Special physical conditions or objectives or development exist to warrant a departure from standard regulation requirements.~~~~

2.—Resulting development will not be inconsistent with the comprehensive plan objectives or zoning provisions of the area.

3.—The area around the development can be planned to be in substantial harmony with the proposed plan.

4.—The plan can be completed within a reasonable period of time.

5.—Any proposed commercial or industrial development can be justified economically.

6.—The streets are adequate to support the anticipated traffic and the development will not overload the streets outside and adjacent to the planned unit development.

7.—Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

D.—If the Planning Commission finds that the foregoing provisions are satisfied, the proposal shall be processed in accordance with the procedure used for establishing a subdivision. If the Planning Commission finds to the contrary, they may recommend the application be denied or returned to the applicant for revision.

E.—In addition to the requirements of this section, the Planning Commission shall follow the procedure for considering an amendment as required in Chapter ~~17.32~~.

F.—Permits for the construction in a planned unit development shall be issued only on the basis of the approved plan. Any changes in the approved plan shall be submitted to the commission for processing as an amendment to this title.

~~G.—An approved planned unit development shall be identified on the zoning map.
———(Ord. 278 § 5.020, 1977)~~

17.28.050 Criteria for Approval of a PUD

17.28.050 Criteria for Approval of a PUD

- A. Compliance with the Port Orford Comprehensive Plan Goals and Policies.**
- B. Compliance with the Provisions of Chapter 17.28.**
- C. Compliance with Title 16, Chapter 16.16 of the Port Orford Municipal Code, except where the Planning Commission permits deviation and provides findings to allow for a needed housing type that is not addressed within Chapter 16.16.**
- D. Compliance with Chapter 16.08.020 Tentative plans and plats – Contents, and Chapter 16.20 Final Plats.**
- E. Compliance with Municipal Code Chapter 15.17 Outdoor Lighting Code.**
- F. Streets are adequate to support the anticipated traffic.**
- G. Demonstrated ability to complete the plan within the proposed stated timeframe.**
- H. Compliance with Municipal Code, Chapter 17.17 Erosion Prevention and Sediment Control, Chapter 17.18 Storm and Surface Water Management Standards, and other requirements of the code that apply.**

- I. Compliance with the provisions of any applicable overlay zones.
- J. Proposed utilities are adequate for the development.
- K. Compliance with ORS 94 Real Property Development and other Oregon laws which regulate specific uses to be included in the PUD.
- L. The proposed Declaration of Covenants, Conditions, Restrictions and Easements (CC&Rs), articles and bylaws of the homeowner's association (HOA) as provided need to comply with applicable Oregon laws including but not limited to ORS 94 Planned Communities, and ORS 100 Condominiums.

Chapter 16.16

PLANNED UNIT DEVELOPMENTS

Sections:

16.16.010 General provisions.

16.16.020 Tentative plans –

Contents:

16.16.030 Action by the planning director and planning commission.

16.16.010 General provisions.

A. A planned unit development is a development for multiple use of all or a portion of the land and facilities. Examples are a condominium, subdivision type development, where there are common areas such as parks, recreational areas and facilities, etc., for the use of the owners or occupants rather than the general public; trailer or mobile home parks, or private mausoleum or cemetery.

B. The intent of a planned unit development is to develop land for residential, business, commercial, industrial or other uses in a manner which creates an attractive, healthful, efficient and stable environment.

C. No multiple unit structure or structures shall be constructed on one site containing over

three acres unless it is an approved planned unit development.

D. Before any plan or plat of a planned unit development may be made and recorded, the person proposing the same or his authorized agent or representative, shall make an application in writing to the planning commission for approval thereof. Each application shall be accompanied by seven copies of a tentative plan including plats and maps showing the general design.

E. The application shall be filed with the city clerk.

F. Approval of the tentative plan shall not constitute final acceptance, however, approval of such tentative plan shall be binding upon the planning commission for the purposes of the preparation of the final plan and the planning commission may require only such changes as are necessary for compliance with its approval of the tentative plan.

G. Detailed specifications of buildings are not required, however the applicant must furnish

proof that the same comply with applicable building, health, fire and safety codes.

H. Before final approval the applicant must furnish proof of compliance with all applicable

laws pertaining to condominiums and joint ownership and use.

I. Because of varying types and complexities of planned unit developments, the specifications required herein are minimum requirements, and greater detail may be required by the planning director or planning commission.

(Ord. 258 § 7(A), 1974)

16.16.020 Tentative plans Contents

A. The tentative plat or map shall be to the largest practical scale so as to show clearly all

details and shall be to a scale of one inch to twenty five (25), fifty (50) or one hundred (100) feet.

B. The tentative plat or map shall in general follow the requirements for tentative plans and

plats of subdivisions as contained in Section 16.08.020, and, in addition, shall contain the following:

1. Location and dimensions of all proposed first dispose of this. If such disposition is favorable to the applicant, the planning commission shall then proceed with the consideration of the planned unit development in accordance with Section 16.08.040, subsections

D and E. (Ord. 258 § 7(7), 1074)

and existing structures together with the name

and address of any architect, engineer or designer designing the same;

16.04.070

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2. Housing or use densities;

3. Location and size of all parking areas;

4. Landscaping, walls and fences. (Ord. 258

§

7(B), 1974)

16.16.030 Action by the planning director and planning commission.

In general the actions taken by the planning director and the planning commission shall be

the same as stated in Section 16.08.040, pertaining to subdivisions and major partitions.

In the event of a zone change or a conditional use

permit is required, the planning commission shall

Chapter 16.16

PLANNED UNIT DEVELOPMENT

Sections:

- 16.16.010 General Provisions.
- 16.16.020 Tentative plan.
- 16.16.030 Final Plat.

16.16.010 General Provisions

- A. Purpose of this chapter is to provide the necessary linkage necessary for the subdivision plat to work hand in hand with Chapter 17.28, which addresses the site and the integration of zoning with the physical and cultural features of the property.

- B. The Tentative Plan shall be approved in a consolidated application with Chapter 17.28 of the Port Orford Municipal code whereby the application for a PUD is approved through a Conditional Use Permit.**
- C. Approval of the tentative plan is binding upon the City for purposes of the preparation of the final plan. The Planning Commission may require only such changes as are necessary for compliance with the approval of the tentative plan.**
- D. Final Approval constitutes compliance with all of the applicable requirements and conditions of the City and State of Oregon for approval of the PUD. Upon final approval, the approved PUD is identified on the zoning map.**

16.16.020 Tentative plan

- A. The tentative plat or map shall be to the largest practical scale to show the required details and shall be to a scale of one inch to twenty-five (25), fifty (50) or 100 (100) feet.**
- B. The Tentative plan map shall be similar to tentative plat maps included for subdivisions and partitions as contained in Section 16.08.020, with additional items for the PUD application as follows:**
 - a. Any replat, boundary adjustments or partitioning that is necessary for the PUD use.**
 - b. The boundary line of the entire tract to be included within the PUD.**
 - c. Location and dimensions of all proposed structures, and existing structures that will remain on the tract.**
 - d. The name of the PUD.**
 - e. The name and address of any architect, engineer, surveyor and/or landscape architect involved in preparing the application.**
 - f. Legal description, assessor's map numbers**
 - g. Contours with intervals of five feet or less.**
 - h. The names of adjacent subdivisions and partitions.**
 - i. The location, widths, and names of all existing or platted streets or other public ways within or adjacent to the tract.**
 - j. Proposed street patterns and sidewalks in the interior, with widths, grades, and names of all streets within the PUD.**
 - k. The widths and names of streets or public ways that are adjacent to the tract.**
 - l. A chart with approved housing density equivalents.**
 - m. Location and size of all parking areas, including the dimensions of parking spaces.**
 - n. Any existing wetlands or hazard areas including identified topographic or geologic overlay zones or other features within the PUD tract.**
 - o. Access approval for the PUD.**

- p. Easements, together with their location and purpose.
- q. Metes and bounds description of the PUD lot, with distances to the nearest tenth of a foot and angles to the nearest thirty-second.
- r. Zoning as set forth in the zoning ordinance for the PUD lot.
- s. Location of all monuments found or set in the area.
- t. A plan providing for electrical and telephone service to the lot, with letters from the appropriate utilities stating that they can serve the lot and the PUD use.
- u. Sidewalks, or trails that are part of the PUD infrastructure.
- v. Landscaping plan and any walls or fencing to be part of the PUD.
- w. Open space and designations of facilities and areas for common use.
- x. Drainage and erosion control plans.
- y. Vicinity map.
- z. Other information that may be required by the City.

16.16.030 Final plat

The Final Plat shall comply with the approved tentative plan, subject to Chapter 16.20; the final plat shall also comply with any applicable provisions of ORS 94 Planned Communities, and ORS 100 Condominiums.

Watershed Council Report

- * Forest Management Plan is moving forward with Springboard Forestry. The portion for the Wilson/Conservation Fund property will be complete in time for the City to complete Clean Water State Revolving Fund application. The plan for remainder will be completed in early fall.
- * Clean Water State Revolving Fund deadline is August 12 and will require Jessica's time. If that deadline isn't met, December is the next time frame. Jessica and Linda are meeting with DEQ CWSRF folks next week.
- * Linda Tarr walked the TCF Property after the June 20th fire and reported damage to TCF. TCF is waiting to hear from City about what measures, if any, the City wants to pursue for damages. About 1.5-2 acres were impacted.
Of greatest concern is the opening in the canopy where a fire line had to be bulldozed. Gorse prevention needs to begin THIS YEAR on those areas. Damages to the property are the financial responsibility of the neighboring landowner whose fire got out of control.
- * Gorse mowing on the Sorenson happened next week. Hand crews will come back in to work around trees. Significant bear damage to trees in gorse area. Linda walked this property with Erin Minster. No fire impact there.
- * Erin Minster's Fire Prevention Planning process will have a public outreach event in August at fire station on Old Mill Rd and Vista. Date TBD.
- * Morgan Gratz-Weiser from the Governor's office continues to support POWC and WRLT in finding public funding for the **Lee Property**. A meeting with the staff from Business Oregon, DEQ, and Governor's Solutions team determined that there currently is no structural pass through for funding from the Legislative Emergency Board to the City for land acquisition that is not a loan requiring some City funding. This is something that Morgan wasn't aware of when she proposed we ask for funding from EBoard.

* POWC is pursuing 3 other options for public funding for purchase of Lee property:

- Oregon Water Enhancement Board habitat protection.

<https://www.oregon.gov/oweb/grants/Acquisitions/Pages/land-acquisitions.aspx>

- Community Forest program. This is USDA funding for which the Lee property is eligible. <https://www.fs.usda.gov/managing-land/private-land/community-forest>

- Federal funding from Bipartisan Infrastructure Bill.

*Port Orford Watershed Council is collaborating with Parks Commission on Joann Ruoff Trail and Wetland Interpretive area. Repairs are needed on wooden walkway. Bagged trash near walkway requires hazmat precaution.

* POWC did public outreach on July 4th. Received volunteer sign ups for future on-the-ground restoration work. Handed out Water Wise Rain or Shine stickers and yard sign.

* Fundraising event planned for August 13th at Mr. Ed's. Two bands and raffle. Funding to go to Wild Rivers Land Trust to support Lee property acquisition.

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Community Center Project

ITEM NO: 7 a.

Attached is a letter from the Community Center Building Project group. They asked to be on the Agenda to find out the status of what the council would like to do with this project.

I have also attached 4 slides from their presentation discussing the funds needed for the project.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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June 21, 2022

To: Mayor Pat Cox and Council Members
City Manager Jessica Ginsburg

From: John Johnston & Tobe Porter, Co-Chairs
The members of the Port Orford Community Complex Committee

Re: Next Step

We ask that the Port Orford Community Complex project be on the agenda for the July 21, 2022 City Council meeting and that the text below be read aloud at that meeting.

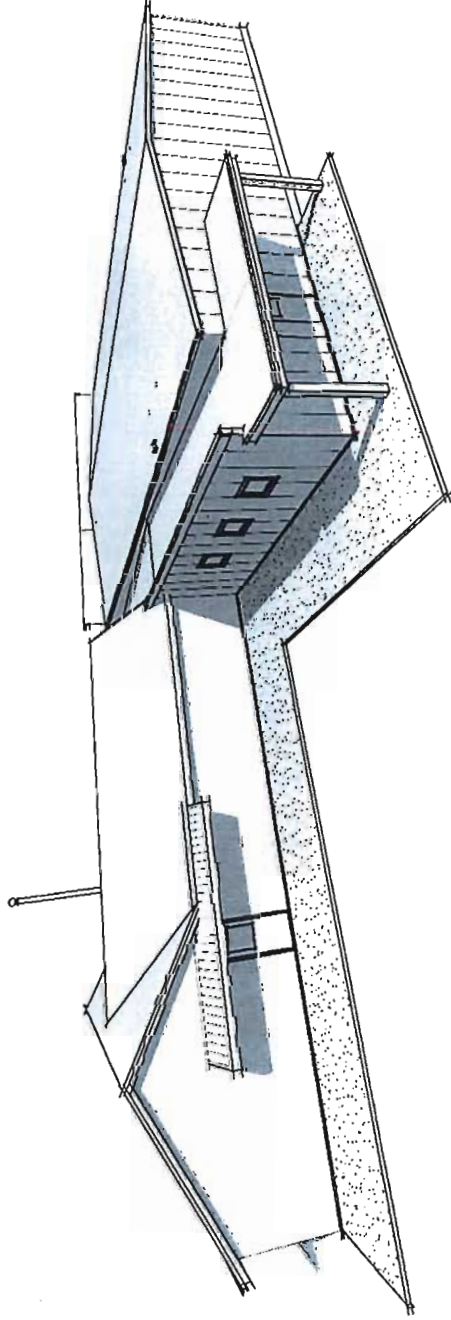
As you know from previous Council meetings and a Council work session, our committee has been working toward raising money to renovate the Community Building and American Legion Hall. The project now carries a price tag of \$1.75 million; we have raised nearly \$140,000. As you also know, there is the possibility of a \$1.5 million federal grant for this project; specifically, a Community Development Block Grant. This grant is absolutely necessary to fund the renovation project. Because the City owns the two buildings, only the City can apply for these funds.

These buildings in the center of town have hosted City-wide events going back to when they were built well over 40 years ago. They form the center of our civic heritage for not only are they a symbol of our past but a beacon of what is to come. They serve as a place to welcome everyone and say goodbye to those who shared a part of their lives with our community. At this point we do not have a viable place for community wide celebrations and it is clear that unless a decision is made it is unlikely we will have such a space again.

The time has come to make that decision: is the City able to apply for this Block grant in a timely fashion? We need, and deserve, a "yes" or "no." If "no" then we will return monies donated to the project and call it done. If "yes" we need to see a realistic plan that includes a timeline. We stand ready to continue our work if you have the resources to apply for the federal monies and commit to doing so. We also stand ready to end the project and return donations.

Please do us the honor of giving us your answer now. Thank you.

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View from Southwest

3
A4.2 SCALE:



DRAWINGS – 3d Concept Renderings

PORT ORFORD COMMUNITY BUILDING & AMERICAN LEGION BUILDING - CONCEPT DESIGN SUMMARY COST ESTIMATE

PORT ORFORD, OREGON

COMMUNITY BUILDING SIZE:

Main Building	50	x	80		4,000	sf
Commons Vestibule					100	
Entry Vestibule Addition					75	
Restroom/Storage Infill					778	
					<u>4,953</u>	sf

Total Building Area

LEGION BUILDING SIZE:

Main Building					2,361	sf
Entry vestibule addition					26	
Commons Vestibules - dedicated to Legion Bldg. (included above)					-	
					<u>2,387</u>	sf

Total Building Area

Total Overall Building Area

7,340 sf



CONCEPT DESIGN ESTIMATE

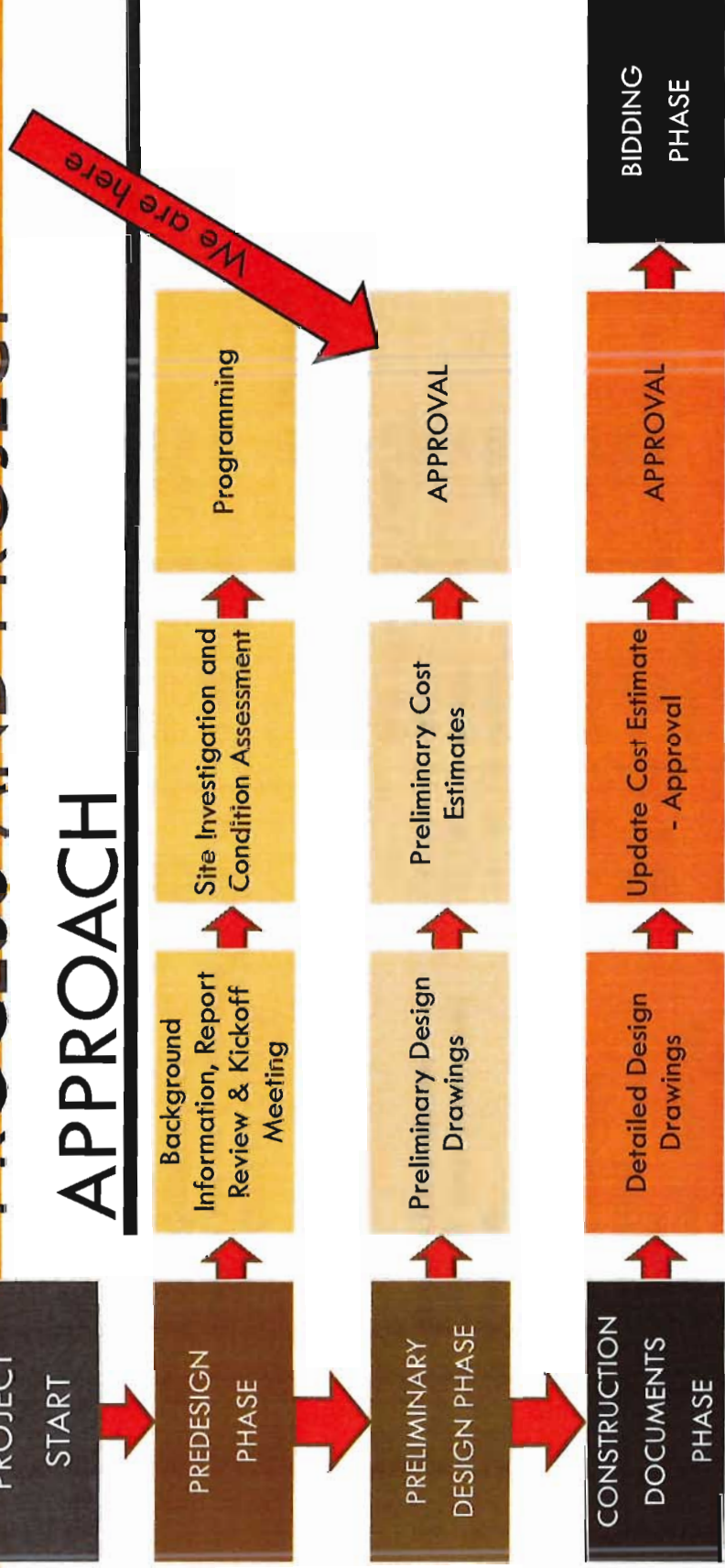
CONSTRUCTION COSTS:					
Site Improvements:				\$	65,900
<u>Community Building Improvements:</u>					
Improvements from Comm. Bldg Needs Assessment Cost Estim:				\$	599,585
Adjustment for work not required from Needs Assessment				\$	(36,625)
Restroom Infill and Vestibule Additions, Platform Replacement				\$	256,250
<u>Legion Building Improvements:</u>					
Kitchen General Remodel	428 sf	\$	125	\$	53,500
Service entry, Storage, Hall			Included above		
Casework	28 lf	\$	300	\$	8,400
Upper cabinets	18 lf	\$	150	\$	2,700
Entry roof replacement	1 ea	\$	12,000	\$	12,000
Entry Vestibule Addition	1 ea	\$	20,000	\$	20,000
Hood connection, exhaust fan, makeup air	1 ea	\$	15,000	\$	15,000
Plumbing, water heater, sinks	1 ls	\$	10,000	\$	10,000
Electrical panel relocate	1 ea	\$	3,000	\$	3,000
			SUB TOTAL	\$	1,009,710
			Contingency 10%	\$	100,971
			SUB TOTAL CONSTRUCTION COSTS	\$	1,110,681
				\$	151
					per sf total
DEVELOPMENT COSTS:					
Furniture, Fixtures & Equipment	\$	10 sf	7,340 sf	\$	73,400
Architect/Engineer Fees		12%		\$	133,282
Permits, Fees		2%		\$	22,214
Special Inspection				\$	5,500
Soft cost contingency		5%		\$	50,486
			Development Cost Subtotal	\$	284,881
					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



City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Ordinance 2023-01 Ziplly Fiber Franchise Agreement

ITEM NO: 7 b.

At the Council meeting in June it was discussed to ask for services from Ziplly for the City. Below is the what I received from ziplly. They sent me a copy of the code that prohibits that from happening.

757.310 Prohibition related to charges for service. (1) A public utility may not charge a customer a rate or an amount for a service that is different from the rate or amount prescribed in the schedules or tariffs for the public utility.

(2) A public utility may not charge a customer a rate or an amount for a service that is different from the rate or amount the public utility charges any other customer for a like and contemporaneous service under substantially similar circumstances.

(3) A difference in rates or amounts charged does not constitute a violation of subsection (2) of this section if the difference is based on:

(a) Service classification under ORS 757.230;

(b) Contracts for services under ORS 757.516; or

(c) An optional schedule or tariff for the provision of energy service that takes into account a customer's past energy usage and provides price incentives designed to encourage changes in the customer's energy usage that correspond to changes in the cost of providing energy. [Amended by 1971 c.655 §78; 1987 c.900 §2; 1993 c.485 §3; 2005 c.594 §1]

757.325 Undue preferences and prejudices. (1) No public utility shall make or give undue or unreasonable preference or advantage to any particular person or locality, or shall subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect.

(2) Any public utility violating this section is guilty of unjust discrimination.

Suggested Motions:

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

I make a motion that the city council adopt the Ziplly Fiber Franchise Agreement Ordinance 2023-01 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 Ziplly Fiber Franchise Agreement Ordinance 2023-01 and approve the first and second readings by title only to take effect 30 days from July 21, 2022 which is August 20,2022.

Motion to have Ordinance adopted in 2 meetings.

I make a motion that the City Council adopt the Ziplly Fiber Franchise Agreement Ordinance 2023-01 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 Ziplly Fiber Franchise Agreement Ordinance 2023-01 for an additional month.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

**ORDINANCE NO.
2023-01**

**AN ORDINANCE GRANTING TO ZIPLY FIBER NORTHWEST, LLC DBA
"ZIPLY FIBER", AN DELEWARE LIMITED LIABILITY COMPANY, A
FRANCHISE TO CONSTRUCT, OPERATE and MAINTAIN A
TELECOMMUNICATIONS NETWORK WITHIN THE CITY OF PORT
ORFORD OREGON,**

WHEREAS: Ziplly Fiber Northwest, LLC dba Ziplly Fiber, a Delaware Limited Liability Company, provides Telecommunications services within the City of PORT ORFORD, Oregon; and

WHEREAS: Franchisee has applied for a Telecommunications Franchise pursuant to local ordinances relating to Telecommunications located in the public rights of way, and the City of PORT ORFORD "City" has reviewed said application and has determined that it meets the requirements of the City's Ordinance subject to the terms and conditions stated herein:

NOW THEREFORE, THE CITY OF PORT ORFORD HEREBY ORDAINS AS FOLLOWS:

Section 1: Definitions.

1.1 Gross Revenues: Shall have the same meaning as ORS 221.515.

1.2 Communication Services:

1.2.1 Telecommunications: the transmission between and among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

1.2.2 Telecommunications Network: infrastructure owned by Franchisee utilizing one or more facilities located within the City's Rights-of-Way, including, but not limited to, lines, poles, anchors, wires, cables, conduit, laterals, and other appurtenances, necessary and convenient to the provision of access to the Internet and Telecommunications service.

1.2.3 Telecommunications Service: the offering of Telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities' uses.

Section 2: Grant of Franchise. There is hereby granted by the City of Port Orford, hereinafter referred to as "City", to Ziplly Fiber Northwest, LLC hereinafter referred to as "Ziplly Fiber", a Delaware limited liability company, authorized to conduct business in Oregon, their successor and assigns, hereinafter each referred to as "Franchisee", the nonexclusive right and privilege to conduct business as a telecommunications carrier as that term is defined in ORS 133.721(8) within the City and to place, erect, lay, maintain and operate in, upon, over and under streets, alleys, avenues, thoroughfares and public highways, places and grounds within the City, poles, wires and other appliance and conductors for all telephone, telegraph and other communication purposes. Such wires and other appliances and conductors may be strung upon poles or other fixtures above ground, or at the option of the Franchisee, its successors or assigns, may be laid underground, and such other apparatus may be used as may be necessary to properly operate and maintain the same. Notwithstanding the foregoing, the City Council or their designee shall have the authority or

prescribe which public ways will be used and the location of the communications facilities within the public was as may be necessary to minimize public inconvenience.

Section 3: Franchise Not Exclusive. The Franchise granted herein (the "Franchise") is not exclusive, and shall not be construed as any limitation upon the right of the City to grant to other persons or corporations, including itself, rights, privileges or authority the same as, similar to or different from the rights, privileges or authority herein set forth, in the same or other Rights-of-Way, by Franchise, permit or otherwise; provided, however, that any such grant shall be done in a competitively neutral and non-discriminatory manner with respect to the rights, privileges and authorities afforded Franchisee.

Section 4: Term and Termination. The term of this Franchise shall be five (5) years, commencing with the effective date of this Ordinance. Thereafter, this Franchise shall continue in full force and effect for an additional five (5) years unless notice is given by either party ninety (90) days before expiration, of its intention to terminate or renegotiate the Franchise. Upon termination or expiration of the Franchise, Grantee shall, within one hundred and eighty days (180), remove all its facilities from the City's Rights-of-Way. Should the Grantee fail to remove its facilities within the one hundred and eighty day period (180), the City may remove.

Section 5: No Limitation of City Authority.

5.1 Nothing in this Franchise shall in any way be construed or interpreted to prevent, or in any way limit, the City from modifying or performing any work in its Rights-of-Way, or granting other franchises for use of Rights-of-Way, or of adopting general ordinances regulating use of or activities in the Rights-of-Way, or of otherwise abrogating or limiting any rights, privileges or property interest the City now has in its Rights-of-Way, whether now owned or hereinafter acquired.

5.2 In the event that any portion of the Franchisee's infrastructure interferes with any present or future use the City desires to make of its Rights-of-Way, Franchisee shall, upon request, and at its sole expense, promptly relocate such infrastructure, and restore the area where such relocation occurs to as good a condition as existed before the work was undertaken, unless otherwise directed by the City.

5.3 Except as otherwise provided by law, nothing in this Franchise shall be construed to give the Franchisee any credit or exemption from any nondiscriminatory, generally applicable business tax, or other tax now or hereafter levied upon Franchisee's taxable real or personal property, or against any permit fees or inspection fees required as a condition of construction of any improvements upon Franchisee's real property and imposed under a generally applicable ordinance or resolution.

5.4 In addition to the reservations contained in this Franchise and existing applicable ordinances, adopt such additional generally applicable regulation for the construction, maintenance, and operation of the Grantee's Facilities as the City find necessary in the exercise of its police powers or for the orderly development of the City (including but not limited to: zoning, land use, historic preservation ordinances, standard specifications, design standards and drawings, other safety or construction standards, and other applicable requirements, or for the protected of City Facilities.

Section 6: Construction, Maintenance and Repair of Infrastructure.

6.1 It shall be lawful for Franchisee to make all needful excavations in any of such streets, alleys, avenues, thoroughfares and public highways, places and grounds in the City for the purpose

of placing, erecting, laying and maintaining poles, or other supports or conduits for said wires and appliances and auxiliary apparatuses or repairing, renewing, or replacing the same. Said work shall be done in compliance with state and federal laws as well as local rules, regulations, ordinances and orders, which may during the continuance of this franchise be adopted from time to time by the City. Franchisee shall obtain from the City all applicable permits, which will require plan submittal, approval, and the payment of fees before work begins. The Franchisee shall file with the City maps showing the location of any constructions, extension, or relocation or any of the facilities of the Franchisee and shall obtain the City's approval of the location and plans prior to the commencement of the work. All transmission and distribution structures, lines and equipment erected by the Franchisee within the City shall be so located as to cause minimum interference with the rights or reasonable convenience of property owners who adjoin any of the streets, bridges, or other public ways or places. Franchisee shall, protect, support, temporarily disconnect or relocate any of its equipment as required to do so by the City by reason of traffic conditions or public safety in a timely manner in order to protect the public. Franchisee shall protect, support, temporarily disconnect or relocate any of its equipment as required to do so by the City by reason of street vacation, highway and street construction, change or establishment of street grade, installation of sewers, drains, water pipes, power lines, signal lines, and tracks, or any other type of structures or improvements by the City. This work shall be completed within 120 days of notice from the City. When any excavation is made by the Franchisee, the Franchisee shall promptly restore the affected portion of the street, bridge, easement area, or public place to the reasonably same conditions in which it was prior to the excavation. The restoration shall be done in compliance with City specifications, requirements, and regulations in effect at the time of such restoration. If the Franchisee fails to restore promptly the affected portion of the street, bridge, or public place to the same condition in which it was prior to the excavation, the City may make the restoration; and the reasonable costs of making the restoration, including the cost of inspection, supervision, and administration shall be paid by the Franchisee.

6.2 In the event emergency repairs are necessary for Franchisee's facilities, Franchisee may immediately initiate such emergency repairs. Franchisee shall give notice to the City's Department of Public Works by telephone, electronic data transmittal or other appropriate means as soon as is practicable after commencement of work performed under emergency conditions. Franchisee shall make such repairs in compliance with applicable ordinances and regulations, and shall apply for any necessary permits no later than the business day next following the discovery of the need for such repairs.

6.3 The City reserves the right to construct, install, maintain, and operate any public improvement, work or facility, to do any work that the City may find desirable on, over, or under any street, bridge or public place, and to vacate, alter or close any street, bridge or public place. Nothing in this chapter shall be construed in any way to prevent the proper authorities of the City from sewerage (sanitary and storm), providing water service, grading, planking, rocking, paving, repairing, altering, or improving any of the streets, alleys, avenues, thoroughfares, and public highways, places and grounds within the City in or upon which the poles, wires or other conductors of Franchisee shall be placed, but all such work or improvements shall be done if possible so as not to obstruct or prevent the free use of said poles, wires, conductors, conduits, pipes, or other apparatus, and the moving of company facilities, where required due to such work by the City, will be done by Franchisee within 120 days of notice by the City without cost to the City. The Franchisee shall furnish maps or drawings to the City or contractor, as the case may be, showing the approximate location of all its structures in the area involved in such proposed work. Any such work done for or at the request of a private individual, entity, developer or development shall be done at the expense of such private individual, entity, developer or development. Franchisee shall construct and maintain its Telecommunications system in such a manner so as to not interfere with

City sewer or water systems, or other City facilities.

Section 7: Abandonment. If the Franchisee goes out of business or withdraws service from the area and as a consequence refuses to renew the agreement, all rights to the use of the connection media revert to the City who may sell, lease or otherwise use the connection media at its sole discretion. The connection media shall be left in working order and not be intentionally cut or destroyed. The City may require the media be removed from all posts and underground conduits by the former Franchisee at its own expense.

Section 8: Insurance.

8.1 General. At all times during the term of this Franchise, Franchisee, at its own cost and expense, shall provide the insurance specified in this section.

8.2 Evidence Required. Within 30 days of the effective date of this Franchise, Franchisee shall provide the City with a certificate of insurance executed by an authorized representative of the insurer or insurers, evidencing that Franchisee's insurance complies with this section.

8.3 Notice of Cancellation, Reduction, or Material Change in Coverage. Policies shall include a provision requiring written notice by the insurer or insurers to the City not less than 30 calendar days prior to cancellation. If insurance coverage is canceled, reduced or materially changed, Franchisee shall, prior to the effective date of such cancellation, reduction or material change, obtain the coverage required under this section, and provide the City with documentation of such coverage. Franchisee shall be responsible, to the extent not caused by the City's negligence or intentional misconduct, for the costs of any damage, liability, or injury, which are not otherwise covered by insurance or because of a failure to comply with this section.

8.4 Insurance Required. During the term of this contract, Franchisee shall maintain in force, at its own expense, the following insurance:

(A) Workers' compensation insurance for all subject workers; and

(B) General liability insurance with a combined single limit, or the equivalent, of not less than \$500,000 for each person, and \$2,000,000, for each occurrence of bodily injury and \$2,000,000 for property damage, which coverages shall include contractual liability coverage for the indemnity provided under this contract, and naming the City, its officials, officers, employees and agents as additional insured's with respect to Franchisee's activities pursuant to this Franchise.

Section 9: Transfers and Change in Control.

9.1 Transfer. This Franchise shall not be sold, leased, assigned or otherwise transferred, nor shall any of the rights or privileges herein granted or authorized be leased, assigned, mortgaged, sold or transferred, either in whole or in part, nor shall title hereto, either legal or equitable, or any right, interest or property herein, pass to or vest in any person, except the Franchisee, either by act of the Franchisee or by operation of law, without the consent of the City, expressed, in writing, such consent not to be unreasonably withheld. If the Franchisee wishes to transfer this Franchise, the Franchisee shall give City written notice of the proposed transfer, and shall request consent of the transfer by the City. Any transfer of Franchisee's assets to another carrier which is approved by the Oregon Public Utilities Commission will receive automatic approval by the City.

9.2 Any transfer of ownership affected without the written consent of the City shall render this Franchise subject to revocation. The City shall have 60 days to act upon any request for approval of a transfer. If the City fails to render a final decision on the request within said 60 days, the request shall be deemed granted unless the Franchisee and the City agree to an extension of

time.

9.3 The Franchisee, upon any transfer, shall within 60 days thereafter file with the City a certified statement evidencing the transfer and an acknowledgment of the transferee that it agrees to be bound by the terms and conditions contained in this Franchise.

9.4 The requirements of this section shall not be deemed to prohibit the use of the Franchisee's property as collateral for security in financing the construction or acquisition of all or part of a Telecommunications System of the Franchisee or any affiliate of the Franchisee. However, the Telecommunications System franchised hereunder, including portions thereof used as collateral, shall at all times continue to be subject to the provisions of this Franchise.

9.5 The requirements of this section shall not be deemed to prohibit sale of tangible assets of the Franchisee in the ordinary conduct of the Franchisee's business without the consent of the City. The requirements of this section shall not be deemed to prohibit, without the consent of the City, a transfer to a transferee whose primary business is Telecommunications System operation and having a majority of its beneficial ownership held by the Franchisee, a parent of the Franchisee, or an affiliate, a majority of whose beneficial ownership is held by a parent of the Franchisee.

Section 10: Indemnification.

10.1 The Franchisee shall defend, indemnify, and hold harmless the City, its agents, officers and employees from any and all claims demands, and damages of any kind which may arise, from any negligent act or omissions of the Franchisee, its agents, officers or employees, in connection with the Franchisee's operations pursuant to this franchise.

10.2 In any situation in which the City is found legally liable to Grantee for damage to Grantee's facilities, City's liability shall be limited to the cost of repair or replacement of the damaged facilities, whichever is less. City shall not be liable to Grantee for lost revenue, lost profits, incidental or consequential damages or claims of third parties arising from damage to Grantee's facilities. Grantee covenants that it will not assert any claim against the City for any liability, loss, or damage excluded under Section 8.

Section 11: Compensation.

Franchise Fee. In consideration of permission to use the streets and Rights-of-Way of the City for the construction, operation, and maintenance of a Telecommunications system within the Franchise area the Franchisee shall pay to City during the term of this Franchise an amount equal to seven percent (7%) of the Franchisee's Gross Revenues ("Franchise Fee"). Any net uncollectibles, bad debts or other accrued amounts deducted from Gross Revenues shall be included in Gross Receipts at such time as they are actually collected. Revenue from point to point or multi-point services is based on the pro-rata share of the revenue from those services.

11.1 Modification Resulting from Action by Law. Notwithstanding any provision to the contrary, at any time during the time of this Franchise, City may elect to increase the Franchise fee amount as may then be allowed by State Law. City shall provide Grantee written notice of such increase following the adoption of the change in percentage by City. The increase shall be effective thirty (30) days after City has provided Grantee with such notice.

11.2 Payment of Franchise Fees. Payments due under this provision shall be computed and paid annually for the preceding year payable no later than 45 days after December 31. Not later than the date of each payment, the Franchisee shall file with the City a written statement, in a form satisfactory to the City and signed under penalty of perjury by an officer of the Franchisee, identifying in detail the amount of gross revenue received by the Franchisee, the computation basis and method, for the year for which payment is made.

11.3 The payment of the Franchise fee shall be in addition to, not in lieu of, any local

business license tax, or other taxes and permit fees not within the scope of this Franchise agreement. Grantee shall pay all generally applicable permit or licensing fees for the construction, maintenance, or inspection of street openings or any other Grantee work on its Facilities. Grantee shall not deduct charges and penalties imposed by the City for noncompliance with charter provisions, ordinances, resolutions or permit conditions from the Franchise fee payments required by this section. The Franchise Fee shall not be deemed to be in lieu of or a waiver of any ad valorem property tax which the City may now, or hereafter be entitled to, or to participate in, or to levy upon the property of Franchisee.

11.4 If at any time, Grantee installs infrastructure on a route consistent with serving City Hall and/or the Visitor Center, Grantee will install at no charge to City, two (2) connections to City Hall and one (1) connection to the Visitor's Center.

11.5 In the event that Grantee wishes to add cable services or any other services not listed in this agreement to its list of services, Grantee agrees that it must negotiate an additional agreement with the City, setting forth the terms and conditions governing such services.

11.6 Other than any fees payable due to additional services offered or provided by Grantee in 11.1.6 above, or the generally applicable permit and licensing fees, Grantee shall not be required to pay any additional fee, compensation or consideration to the City for its use of the Right-of-way. However, Grantee shall pay any ad valorem property taxes now or hereafter levied against real or personal property within the City.

Section 12: Extension of City Limits. Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Facilities owned, maintained, or operated by Grantee located within any public Rights-of-Ways of the annexed territory shall be subject to all of the terms of this Ordinance.

Section 13: Right to Inspect Records. In order to manage the Franchisee's use of Rights-of-Way pursuant to this Franchise, and to determine and verify the amount of compensation due to the City under this Franchise, the Franchisee shall provide, upon request, the following information in such form as may be reasonably required by the City: maps of the Franchisee's Telecommunications System; the amount collected by the Franchisee from users of Telecommunications Service provided by Franchisee via its Telecommunications network; the character and extent of the Telecommunications Service rendered therefore to them; and any other related financial information required for the exercise of any other lawful right of Franchisee under this Franchise. The City agrees that such information is confidential and that

the City will use such information only for the purpose of managing its Rights-of- Way, determining compliance with the terms of this Franchise, and verifying the adequacy of Franchisee's Fee payments. The City further agrees to protect such information from disclosure to third parties to the maximum extent allowed by Oregon law.

Section 14: Right to Perform Franchise Fee Audit or Review; Default. In addition to all rights granted under Section 13, the City shall have the right to have performed, a formal audit or a professional review of the Franchisee's books and records by an independent private auditor, for the sole purpose of determining the Gross Receipts of the Franchisee generated through the provision of Telecommunications Services under this Franchise and the accuracy of amounts paid as Franchise Fees to the City by the Franchisee; provided, however, that any audit or review must be commenced not later than 3 years after the date on which Franchise Fees for any period being audited or reviewed were due. The cost of any such audit or review shall be borne by the City. The City agrees to protect from disclosure to third parties, to the maximum extent allowed by State

law, any information obtained as a result of its rights pursuant to this Section, or any compilation or other derivative works created using information obtained pursuant to the exercise of its rights hereunder.

Section 15: Right to Inspect Construction. The City or its representatives shall have the right to inspect all construction or installation work performed pursuant to this Franchise and to make such tests as it shall find necessary to ensure compliance with the terms of this Franchise and other pertinent provisions of law relating to management of the City's Rights-of-Way.

Section 16: Venue. Venue for any proceeding brought to enforce any term or condition of this Franchise shall be the local Circuit Court for the City; provided, however, that should any proceeding be brought in a federal forum, such proceeding shall be brought in the U.S. District Court of Oregon in Eugene, Oregon, with the parties stipulating to trial in Eugene, Oregon.

Section 17: Limitation of Liability. The City and the Franchisee agree that neither shall be liable to the other for any indirect, special, or consequential damages, or any lost profits, arising out of any provision or requirement contained herein, or, in the event this Franchise, or any part hereof, is determined or declared to be invalid.

Section 18: Compliance with Applicable Laws. Franchisee shall comply with all applicable federal, state, and local laws, ordinances, and regulations, whether now in existence or hereinafter enacted. Nothing contained in this Franchise shall be construed as authorizing the Franchisee, its officers, employees or agents, to violate any federal, state or local law, whether now in existence or hereinafter enacted, including, by way of illustration but not of limitation, any provision of Oregon anti-trust law, ORS 646.750-646.836, or the Oregon Unlawful Trade Practices Act, ORS 646.650-646.652. Nothing contained in this section shall be construed as requiring Franchisee to comply with any federal, state or local law that is repealed or otherwise rendered unenforceable subsequent to the adoption of this Franchise.

Section 19: Notice. Any notice provided for under this Franchise shall be sufficient if in writing and (1) delivered personally to the other party or deposited in the U.S. Mail, postage prepaid, certified mail, return receipt requested; (2) sent overnight by commercial air courier; or (3) sent by facsimile transmission, provided receipt of such facsimile is confirmed, in writing, on the first business day following the date of transmission. Notice shall be sent to the following address, or such other address as each party may specify in writing:

Name: City of Port Orford,
 ATTN: Jessica Ginsburg
 Title: City Manager
 Address: P.O. Box 310
 Port Orford, OR 97465
 Phone: (541) 332-3681
 Facsimile: (541) 332-3830

Name: Legal Department
 Title: Ziplly Fiber
 Address: 135 Lake Street South, Suite 155,
 Kirkland, WA 98033
 Phone: (503) 431-0458
 Email: Legal@ziplly.com

Notice shall be deemed effective upon the earliest date of actual delivery; three business days after deposit in the U.S. mail as provided herein; one business day after shipment by commercial air courier; or the same day as transmitted by facsimile, provided transmission of such facsimile is confirmed in writing as provided herein.

Section 20: Captions. The captions to sections of this Franchise are intended solely to facilitate reading and reference of the sections and provisions contained herein, and shall not affect the meaning or interpretation of any section or provision of this Franchise.

Section 21: Severability. If any part of this Franchise becomes or is held to be invalid for any reason, the determination will affect only the invalid portion of this Franchise. In all other respects this Franchise will stand and remain in full force and effect as if the invalid provision had not been part of this Franchise.

Section 22: Waiver.

22.1 The City is vested with the power and authority to reasonably regulate, and manage, its Rights-of-Way in a competitively neutral and non-discriminatory manner, and in the public interest. Franchisee shall not be relieved of its obligations to comply with any provision of this Franchise by reason of the failure of the City to enforce prompt compliance, nor does the City waive or limit any of its rights under this Franchise by reason of such failure or neglect.

22.2 No provision of this Franchise will be deemed waived unless such waiver is in writing and signed by the party waiving its rights. However, if Franchisee gives written notice of a failure or inability to cure or comply with a provision of this Franchise, and the City fails to object within a reasonable time after receipt of such notice, such provision shall be deemed waived.

PASSED by the City Council and approved by the Mayor _____, 2022.

APPROVED: _____
City of Port Orford Mayor, Pat Cox

Approved as to form:

City Recorder. Jessica Ginsburg

Accepted: _____, 2022

ZiPLY Fiber

By _____

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Abatement of Nuisance and Dangerous Housing

ITEM NO: 7 c.

As discussed at the last meeting we have decided to curb the code more towards Port Orford.

I have attached a copy of the Ordinance with the updates that I have completed. There are a few highlighted parts at the end that need some clarification and discussion before the final draft is ready for the City Council to review.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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DIVISION EIGHT **CURRY COUNTY CITY OF PORT ORFORD BUILDING**
CODE

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SECTION 2.08.010 **TITLE**

These regulations shall be known as the "~~Curry County~~City of Port Orford Building Code", may be cited as such and will be referred to herein as "this Code" or "the building Code".

SECTION 2.08.020 **AUTHORITY; PURPOSE**

1. The ~~building code~~Building Code is adopted pursuant to and under the authority of ORS 203.035, 455.150, and 479.855 and OAR chapter 918, division 308, and constitutes the exercise of authority over a matter of ~~city~~county concern.
2. The ~~building code~~Building Code applies ~~to all unincorporated areas within the county and to all areas within the corporate limits of any city that has entered into an intergovernmental agreement with the county that so provides. the City limits of the City of Port Orford~~.
3. Adoption of the ~~building code~~Building Code is necessary for the protection of public health, safety, and welfare.

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SECTION 2.08.030 **ADOPTION; SCOPE**

1. The following Oregon Specialty Codes, Oregon Administrative Rules, and standards, are adopted and incorporated herein as if fully set forth:
 - A. The Oregon Structural Specialty Code, as adopted by and together with OAR chapter 918, division 460, including section 116 and the appendices adopted by the state of Oregon and specifically adopting Appendices G, H and J.
 - B. The Oregon Mechanical Specialty Code, as adopted by and together with OAR chapter 918, division 440.
 - C. The Oregon Plumbing Specialty Code, as adopted by and together with OAR chapter 918, division 750 thru division 780.
 - D. The Oregon One- and Two-Family Dwelling Specialty Code, as adopted by and together with OAR chapter 918, division 480.
 - E. The manufactured dwelling parks and mobile home parks rules, as adopted by and together with OAR chapter 918, division 600.
 - F. The manufactured dwelling installation rules, as adopted by and together with OAR chapter 918, division 500 thru division 520, including the Oregon Manufactured Dwelling Standard.
 - G. The recreational park and organizational camp rules, as adopted by and together with OAR chapter 918, division 650.
 - H. International Existing Building Code, specifically including appendix's A through C.
2. The ~~Building code~~Code shall apply to the construction, reconstruction, alteration, moving, repair, maintenance, and installation of any building or structure except those located in a public way.

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SECTION 2.08.040 **DEFINITIONS**

For the purpose of the ~~B~~building ~~C~~code, the following definitions shall apply:

1. "Building Official" means the person appointed by the ~~Curry County Board of Commissioners~~City of Port Orford City Council to administer the provisions of the ~~B~~building ~~C~~code.

SECTION 2.08.050 FEES

- 1. Fees for permits, inspections, plan checks, site plan review, copy costs, and such other fees that the Curry County Board of Commissioners deems reasonable in order to administer the building code shall be as provided in the Building Division Fee Schedule.
- 1.2. The fees by the building department shall be used for the administration and enforcement of a building inspection program under ORS 455.210(3)G.
- 2.3. The building official may authorize the refunding of fees paid in accordance with the refund policy in effect.
- 3.4. The determination of value or valuation under any provisions of the building code shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

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SECTION 2.08.060 GENERAL POWERS and DUTIES of the BUILDING OFFICIAL

- 1. There is hereby established a building code enforcement agency which shall be under the administrative and operational control of the Building Official.
- 2. The building official is authorized and directed to enforce all the provisions of the building code. For such purposes, the building official shall have the powers of a law enforcement officer.
- 3. The building official shall have the power to render written and verbal interpretations of the building code and to adopt and enforce administrative procedures in order to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformance with the intent and purpose of the building code.

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Commented [RL1]: Who grants this authorization? The Board?

Commented [GT2R1]: Board of Commissioners

SECTION 2.08.070 DEPUTIES

In accordance with prescribed procedures the Building Official may appoint deputies, technical officers, inspectors, and other employees to carry out the functions of the building code enforcement agency.

SECTION 2.08.080 RIGHT of ENTRY

When the Building Official deems it desirable or necessary to make an inspection to enforce the provisions of the building code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to, or in violation of the building code; or which otherwise makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by the building code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises are deemed to be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and for the purpose of requesting entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

SECTION 2.08.090 STOP WORK ORDERS

1. When any work is being **performed** in violation of this Title, the Building Official may issue a stop work order requiring that all work, except work directly related to elimination of the violation, be immediately and completely stopped. If the Building Official issues a stop work order, the responsible party may not resume work until such time as the Building Official gives specific approval in writing. The stop work order will be in writing and will include:
 - A. The date that the order is issued;
 - B. The permit or registration number, where applicable;
 - C. The site address, legal description or project location that is subject to the order;
 - D. A description of the violations that have been observed; and
 - E. The conditions under which the work may resume.
2. The stop work order will be posted by the Building Official at a conspicuous location at the site. In addition, a copy of the order will either be personally delivered to the responsible party, or delivered by Registered or Certified Mail to the responsible party. If the responsible party is not the property owner, a copy of the stop work order will also be sent to the property owner.
3. It is unlawful for any person to remove, obscure, mutilate or otherwise damage a stop work order.
4. A stop work order is effective upon posting.
5. When an emergency condition exists, the Building Official may issue a stop work order orally. The Building Official will then issue a written order as provided under Subsection A.7 above, within one working day.

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SECTION 2.08.100 AUTHORITY TO DISCONNECT UTILITIES IN EMERGENCIES

The ~~building-official~~**Building Official** shall have the authority to disconnect fuel-gas utility service, or energy supplies to a building, structure, premises or equipment regulated by the ~~building-code~~**Building Code** when necessary to eliminate an immediate hazard to life or property. The ~~building-official~~**Building Official** shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or premises of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or premises in writing of such disconnection immediately thereafter.

SECTION 2.08.110 CONNECTION AFTER ORDER to DISCONNECT

No person shall make connections from an energy, fuel or power supply, nor supply energy or fuel to any equipment regulated by this ~~Code~~ which has been disconnected or ordered to be disconnected by the Building Official, or the use of which has been ordered to be discontinued by the ~~building-official~~**Building Official**, until ~~such time as~~ the ~~building-official~~**Building Official** authorizes the reconnection and use of such equipment.

SECTION 2.08.120 OCCUPANCY VIOLATION

Whenever any building, structure or equipment therein regulated by the ~~building-code~~**Building Code** is being used contrary to the provision of this code, the Building Official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be discontinued. Such persons shall discontinue the use within the time prescribed by the ~~building-official~~**Building Official** after receipt of such notice to make the structure, or portion thereof, comply with the requirements of the ~~building-code~~**Building Code**.

SECTION 2.08.130 CODE for the ABATEMENT of DANGEROUS BUILDINGS

1. CURRENTLY ADOPTED EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE.

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Preface. ____The provisions of this code were developed to afford jurisdictions reasonable procedures for the classification and abatement of dangerous buildings.

This **Ccode** is designed to be compatible with the International Existing Building Code. While the housing **Ccode** is applicable only to residential buildings, 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.

If properly followed, the provisions of this code will provide the **building-officialBuilding 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.

2. CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.

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**CHAPTER 1
TITLE AND SCOPE**

SECTION 101 — TITLE

These regulations shall be known as the Code for the Abatement of Dangerous Buildings, may be cited as such, and will be referred to herein as "this **Ccode**."

SECTION 102 — PURPOSE AND SCOPE

102.1 Purpose. It is the purpose of this **Ccode** to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by 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.

The purpose of this **Ccode** is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

102.2 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 jurisdiction.

SECTION 103 — ALTERATIONS, ADDITIONS AND REPAIRS

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of the currently adopted edition of the International Existing Building Code.

**CHAPTER 2
ENFORCEMENT**

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SECTION 201 — GENERAL

201.1 Administration. The **building-officialBuilding Official** is hereby authorized to enforce the provisions of this code.

The **building-officialBuilding Official** shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

201.2 _____ Inspections. The health officer, the fire marshal and the ~~building-official~~Building Official are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this code.

201.3 _____ Right of Entry. When it is necessary to make an inspection to enforce the provisions of this code, or when the ~~building-official~~Building Official or the ~~building-official~~Building Official's authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the ~~building-official~~Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the ~~building-official~~Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the ~~building-official~~Building Official shall have recourse to the remedies provided by law to secure entry.

"Authorized representative" shall include the officers named in Section 201.2 and their authorized inspection personnel.

SECTION 202 — ABATEMENT OF DANGEROUS BUILDINGS

All buildings or portions thereof which are determined after inspection by the ~~building-official~~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.

SECTION 203 — VIOLATIONS

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

SECTION 204 — INSPECTION OF WORK

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~~Building Official in accordance with and in the manner provided by this code and Sections 110 and 1701 of the currently adopted edition of the Oregon Structural Specialty Code and Section R109 of the currently adopted edition of the Oregon Residential Specialty Code.

SECTION 205 — BOARD OF APPEALS

205.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the ~~building-official~~Building Official relative to the application and interpretations of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The ~~building-official~~Building Official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be ~~appointed by the governing body~~the Port Orford City Council and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the ~~building-official~~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~~ **Building Official**, who shall make them freely accessible to the public.

205.2 ~~_____~~ **Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

**CHAPTER 3
DEFINITIONS**

SECTION 301 — GENERAL

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the Building Code or the Housing Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 1986, shall be construed as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

~~"Building Code" means~~ **is** the currently adopted edition of the International Existing Building Code, as adopted by this jurisdiction.

~~"Dangerous Building" means~~ **DANGEROUS BUILDING is** any building or structure deemed to be dangerous under the provisions of Section 302 of this code.

~~HOUSING CODE is~~ **"Housing Code" means** the currently adopted edition of the International Existing Building Code, as adopted by this jurisdiction.

SECTION 302 — DANGEROUS BUILDING

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.~~ **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.~~ **2-** Whenever the walking surface of any aisle, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- ~~3.~~ **3-** 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 Building Code for new buildings of similar structure, purpose or location.
- ~~4.~~ **4-** 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

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it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.

- ~~5.~~ ~~5.~~ Whenever any portion or member or appurtenance thereof likely to fail, or to become detached or dislodged, or to collapse and hereby injure persons or damage property.
- ~~6.~~ ~~6.~~ 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 Building Code for new buildings of similar structure, purpose or location without exceeding the work stresses permitted in the Building Code for such buildings.
- ~~7.~~ ~~7.~~ Whenever any portion thereof has wracked, 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.
- ~~8.~~ ~~8.~~ 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.
- ~~9.~~ ~~9.~~ Whenever, for any reason, the building or structure, or portion thereof, is manifestly unsafe for the purpose for which it is being used.
- ~~10.~~ ~~10.~~ 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.
- ~~11.~~ ~~11.~~ 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 nonsupporting members, enclosing or outside walls or coverings.
- ~~12.~~ ~~12.~~ 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 as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- ~~13.~~ ~~13.~~ 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 jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
- ~~14.~~ ~~14.~~ Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting 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.
- ~~15.~~ ~~15.~~ 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.
- ~~16.~~ ~~16.~~ Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient ~~fire resistant~~ fire-resistant construction,

faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

~~17. 17.~~ Whenever any building or structure is in such a condition as to constitute a public nuisance known to common law or in equity jurisprudence.

~~18. 18.~~ 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

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SECTION 401 — GENERAL

401.1 ~~_____~~ Commencement of Proceedings. When the ~~building official~~Building Official has inspected or caused to be inspected any building and has found and determined that such building is dangerous building, the ~~building official~~Building Official shall commence proceedings to cause the repair, vacation or demolition of the building.

401.2 ~~_____~~ Notice and Order. The ~~building official~~Building Official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain:

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

~~2. 2.~~ A statement that the ~~building official~~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. 3.~~ A statement of the action required to be taken as determined by the ~~building official~~Building Official as follows:

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~~3.1 3.1~~ If the ~~building official~~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~~Building Official shall determine is reasonable under all of the circumstances.

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~~3.2 3.2~~ If the ~~building official~~Building Official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the ~~building official~~Building Official to be reasonable.

~~3.3 3.3~~ If the ~~building official~~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~~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~~Building Official shall determine is reasonable.

~~4. 4.~~ Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the ~~building official~~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.

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5. ~~6.~~ 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~~ **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~~ **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.

401.3 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~~ **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~~ **Building Official** to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

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401.4 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 their address as it appears on the last equalized assessment roll of the county or as known to the ~~building official~~ **Building Official**. If no address of any such person so appears or is known to the ~~building official~~ **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 receive 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.

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401.5 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 acknowledgment of receipt by certified mail shall be affixed to the copy of the notice and order retained by the ~~building official~~ **Building Official**.

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SECTION 402 — RECORDATION OF NOTICE AND ORDER

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~~ **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~~ **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 no longer dangerous, whichever is appropriate.

SECTION 403 — REPAIR, VACATION AND DEMOLITION

The following standards shall be followed by the ~~building official~~ **Building Official** (and by the board of appeals if an appeal is taken) in ordering the repair, vacation or demolition or any dangerous building or structure:

1. ~~1.~~ Any building declared a dangerous building under this code shall be made to comply with one of the following:

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1.1 ~~1.1~~ The building shall be repaired in accordance with the current ~~building code~~ Building Code or other current code applicable to the type of substandard conditions requiring repair; or

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1.2 ~~1.2~~ The building shall be demolished at the option of the building owner; or

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1.3 ~~1.3~~ If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.

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

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SECTION 404 — NOTICE TO VACATE

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404.1 ~~Posting~~. Every notice to vacate shall, in addition to being served as provided in Section 401.3, be posted at or upon each exit of the building and shall be in substantially the following form:

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DO NOT ENTER
UNSAFE TO OCCUPY

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

Building Official

.....of.....

404.2 ~~Compliance~~. Whenever such notice is posted, the ~~building official~~ Building Official shall include a notification thereof in the notice and order issued under Section 401.2, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain 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 Building Code.

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CHAPTER 5
APPEAL

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501.1 ~~Form of Appeal~~. Any person entitled to service under Section 401.3 may appeal from any notice and order or any action of the ~~building official~~ Building Official under this code by filing at the office of the ~~building official~~ Building Official a written appeal containing:

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1. ~~1.~~ A heading in the words: "Before the ~~board of appeals~~ Port Orford City Council of the of"

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2. ~~2.~~ A caption reading: "Appeal of", giving the names of all appellants participating in the appeal.

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3. ~~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.

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- 4. ~~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. ~~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. ~~6.~~ The signatures of all parties named as appellants and their official mailing addresses.
- 7. ~~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~~ **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~~ **Building Official**.

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501.2 Processing of Appeal. Upon receipt of any appeal filed pursuant to this section, the ~~building-official~~ **Building Official** shall present it at the next regular or special meeting of the ~~board-of~~ **Port Orford City Council**.

501.3 Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the written appeal, the ~~board-of~~ **Port Orford City Council** shall fix a date, time and place for the hearing of the appeal by the ~~board~~ **Port Orford City Council**. Such date shall not be less than 10 days nor more than 60 days from the date the appeal was filed with the ~~building-official~~ **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~~ **City Administrator** of the ~~board~~ **City of Port Orford** 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 the address shown on the appeal.

SECTION 502 — EFFECT OF FAILURE TO APPEAL

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

SECTION 503 — SCOPE OF HEARING ON APPEAL

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

SECTION 504 — STAYING OF ORDER UNDER APPEAL

Except for vacation orders made pursuant to Section 404, enforcement of any notice and order of the ~~building-official~~ **Building Official** issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

**CHAPTER 6
PROCEDURES FOR CONDUCT OF HEARING APPEALS**

SECTION 601 — GENERAL

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601.1 **Hearing Examiners.** The Port Orford City Council board may appoint one or more hearing examiners or designate one or more of its members to serve 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 to the Port Orford City Council board for decision.

601.2 **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 Port Orford City Council board.

601.3 **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 Port Orford City Council board, but shall in no event be greater than the cost involved.

601.4 **Continuances.** The Port Orford City Council 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 the examiner for good cause shown so long as the matter remains before the examiner.

601.5 **Oaths – Certification.** In any proceedings under this chapter, the Port Orford City Council board, any board member, or the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.

601.6 **Reasonable Dispatch.** The Port Orford City Council 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.

SECTION 602 — FORM OF NOTICE OF HEARING

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 Port Orford City Council (the board of appeals or name of hearing examiner) at [location] on the day of, 2....., at the hour, [date + time] 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 of appeals or name of hearing examiner)."

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SECTION 603 — SUBPOENAS

603.1 **Filing of Affidavit.** The Port Orford City Council board or examiners 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 possession or under control. A subpoena need not be issued when the affidavit is defective in any particular aspect.

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~~603.2~~ ~~_____ Cases Referred to Examiner. In cases where a hearing is referred to an examiner, all subpoenas shall be obtained through the examiner.~~

~~603.23~~ _____ Penalties. Any person who refuses without lawful excuse to attend any hearing or to produce material evidence which the person possesses or controls as required by any subpoena served upon such person as provided for herein shall be guilty of a misdemeanor.

SECTION 604 — CONDUCT OF HEARING

604.1 _____ Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

604.2 _____ Oral Evidence. Oral evidence shall be taken only on oath or affirmation.

604.3 _____ 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.

604.4 _____ 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.

604.5 _____ Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

604.6 _____ Rights of Parties. Each party shall have these rights, among others:

- ~~1. 1-~~ To call and examine witnesses on any matter relevant to the issues of the hearing;
- ~~2. 2-~~ To introduce documentary and physical evidence;
- ~~3. 3-~~ To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
- ~~4. 4-~~ To impeach any witness regardless of which party first called the witness to testify;
- ~~5. 5-~~ To rebut the evidence; and
- ~~6. 6-~~ To be represented by anyone who is lawfully permitted to do so.

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604.7 _____ Official Notice.

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604.7.1 _____ 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.

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

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CHAPTER 7
ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL
OR THE BOARD OF APPEALS

SECTION 701 — COMPLIANCE

701.1 General. After any order of the ~~building-official~~Building Official or ~~the-board-of-appeals~~Port Orford City Council 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.

701.2 Failure to Obey Order. If, after any order of the ~~building-official~~Building Official ~~Port Orford City Council 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~~Building Official may (i) cause such person to be prosecuted under Section 701.1 or (ii) institute any appropriate action to abate such building as a public nuisance.

701.3 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. ~~1.~~ The ~~building-official~~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

.....of.....

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

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- 3. ~~3.~~ The ~~building-official~~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.

SECTION 702 — EXTENSION OF TIME TO PERFORM WORK

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Upon receipt of an application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the ~~building-official~~Building Official may 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~~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~~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 the notice and order.

SECTION 703 — INTERFERENCE WITH REPAIR OR DEMOLITION WORK PROHIBITED

No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of this jurisdiction 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 this jurisdiction, 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

SECTION 801 — GENERAL

801.1 Procedure. When any work of repair or demolition is to be done pursuant to Section 701.3, Item 3, of this code, the ~~building official~~ Building Official shall, issue an order therefor to a private contract under the direction of the Building Official and the work shall be accomplished. Plans and specifications therefor may be prepared by said Building Official, or may employ such architectural and engineering assistance on a contract basis as deemed reasonably necessary. If any part of the work is to be accomplished by private contract, standard contractual procedures shall be followed.

801.2 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 legislative body of this jurisdiction shall determine is appropriate.

SECTION 802 — REPAIR AND DEMOLITION FUND

802.1 General. The legislative body of this jurisdiction 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 Building Official to defray the costs and expenses which may be incurred by this jurisdiction in doing or causing to be done the necessary work of repair or demolition of dangerous buildings.

802.2 Maintenance of Fund. The legislative body may at any time transfer to the repair and demolition fund, out of any money in the general fund of this jurisdiction, 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 treasurer of this jurisdiction who shall credit the same to the repair and demolition fund.

CHAPTER 9
RECOVERY OF COST OF REPAIR OR DEMOLITION

SECTION 901 — ACCOUNT OF EXPENSE, FILING OF REPORT

The Building Official shall keep an itemized account of the expense incurred by this jurisdiction in the repair or demolition of any building done pursuant to the provisions of Section 701.3, Item 3, of this code. Upon the completion of the work of repair or demolition, said official shall prepare and file with the admin assistant to the Community Development Department of this jurisdiction a report specifying the work

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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 Section 401.3.

SECTION 902 — NOTICE OF HEARING

The Building Official shall also present the completed report to the legislative body of this jurisdiction for consideration. The legislative body of this jurisdiction shall fix a time, date and place for hearing said report and any protests or objections thereto. The Building Official of this jurisdiction shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in this jurisdiction, and served by certified mail, postage prepaid, addressed to the owner of the property as the owner's name and address appears on the last equalized assessment roll of the county, if such so appears, or as known to the official. Such notice shall be given at least 10 days prior to the date set for the hearing and shall specify the day, hour and place when the legislative body will hear and pass upon the official'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.

SECTION 903 — PROTESTS AND OBJECTIONS

Any person interested in or affected by the proposed charge may file written protests or objections with the administrative assistant to the Community Development Department of this jurisdiction at any time prior to the time set for the hearing on the report of the official. 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 administrative assistant to the Community Development of this jurisdiction shall endorse on every such protest or objection the date of receipt. The Building Official shall present such protests or objections to the legislative body of this jurisdiction at the time set for the hearing, and no other protests or objections shall be considered.

SECTION 904 — HEARING OF PROTESTS

Upon the day and hour fixed for the hearing, the legislative body of this jurisdiction shall hear and pass upon the report of the official together with any such objections or protests. The legislative body may make such revision, correction or modification in the report or the charge as it may deem just; and when the legislative body 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 legislative body of this jurisdiction on the report and the charge, and on all protests or objections, shall be final and conclusive.

SECTION 905 — PERSONAL OBLIGATION OR SPECIAL ASSESSMENT

905.1 _____ **General.** The legislative body of this jurisdiction may thereupon order that said charge shall be made a personal obligation of the property owner or assess said charge against the property involved.

905.2 _____ **Personal Obligation.** If the legislative body of this jurisdiction orders that the charge shall be a personal obligation of the property owner, it shall direct the attorney for this jurisdiction to collect the same on behalf of this jurisdiction by use of all appropriate legal remedies.

905.3 _____ **Special Assessment.** If the legislative body of this jurisdiction 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.

SECTION 906 — CONTEST

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.

SECTION 907 — AUTHORITY FOR INSTALLMENT PAYMENT OF ASSESSMENTS WITH INTEREST

The legislative body of this jurisdiction, in its discretion, may determine that assessments in amounts of \$500.00 or more shall be payable in not to exceed five equal monthly installments. The legislative body's determination to allow payment of such assessments in installments, the number of installments, whether they shall bear interest, and the rate thereof shall be by a resolution adopted prior to the confirmation of the assessment.

SECTION 908 — LIEN OF ASSESSMENT

908.1 _____ **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 property 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.

908.2 _____ **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.

SECTION 909 — REPORT TO ASSESSOR AND TAX COLLECTOR: ADDITION OF ASSESSMENT TO TAX BILL

After confirmation of the report, certified copies of the assessment shall be given to the assessor and the tax collector for this jurisdiction, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

SECTION 910 — FILING COPY OF REPORT WITH COUNTY AUDITOR

If the county assessor and the county tax collector assess property and collect taxes for this jurisdiction, 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.

SECTION 911 — COLLECTION OF ASSESSMENT PENALTIES FOR FORECLOSURE

The amount of the assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment.

If the legislative body of this jurisdiction 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 property 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 property taxes.

SECTION 912 — REPAYMENT OF REPAIR AND DEMOLITION FUND

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 treasurer of this jurisdiction, who shall credit the same to the repair and demolition fund.

SECTION 2.08.140 PLANS and PERMITS

1. The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the ~~building-official~~Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the ~~building-official~~Building Official finds that the work described in application for a permit and the plans, specifications and other data filed therewith conform to the requirements of the ~~building code~~Building Code and other pertinent laws and ordinances, and that the fees have been paid, the ~~building-official~~Building Official shall issue a permit therefore to the applicant.
2. When the ~~building-official~~Building Official issues the permit where plans are required, the ~~building official~~Building Official shall endorse in writing or stamp the plans and specifications. Such approved plans and specifications shall not be changed, modified and altered without authorizations from the ~~building-official~~Building Official, and all work regulated by the ~~building-code~~Building Code shall be done in accordance with the approved plans.
3. The ~~building-official~~Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the ~~building-code~~Building Code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

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SECTION 2.08.150 RETENTION of PLANS

One set of approved plans, specifications and computations shall be retained by the ~~building official~~Building Official for a period of not less than ~~2 years~~90 days from the date of completion of the work covered therein and one set of approved plans and specifications shall be returned to the applicant, and the returned set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

SECTION 2.08.160 VALIDITY of PLANS

1. No permit shall be issued if the parcel of land or the use of the land on which the building, structure, or equipment is to be placed, erected, altered, equipped or used is in violation of any Curry County ordinance or code.

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2. The issuance or granting of a permit or approval of plans, specification and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the ~~building code~~Building Code or of any other Curry County ordinance or code. Permits presuming to give authority to violate or cancel the provisions of the ~~building code~~Building Code or other Curry County ordinance or code shall not be valid.
3. The issuance of a permit based on plans, specifications and other data shall not prevent the ~~building official~~Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of the ~~building code~~Building Code or of any other Curry County ordinance or code.

SECTION 2.08.170 EXPIRATION of APPLICATTIONS, PLANS and PERMITS

1. Applications for which no permit is issued within 180 days following the date of the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the ~~building official~~Building Official. The ~~building official~~Building Official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.
2. Every permit issued by the ~~building official~~Building Official under the provisions of the ~~building code~~Building Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.
3. Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The ~~building official~~Building Official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended without justifiable cause demonstrated in writing.

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SECTION 2.08.180 WORK WITHOUT PERMIT; INVESTIGATION FEES

1. Whenever any work for which a permit is required by the ~~building code~~Building Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.
2. An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the ~~building code~~Building Code nor from any penalty prescribed by law.

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SECTION 2.08.190 PERMITS NOT TRANSFERABLE

A permit issued to one person or firm is not transferable and shall not permit any other person or firm to perform any work thereunder.

SECTION 2.08.200 SUSPENSION; REVOCATION

The ~~building-official~~Building Official may, in writing, suspend or revoke a permit issued under the provisions of the ~~building-code~~Building Code whenever the permit is issued in error on the basis of incorrect information supplied, or in violation of any provision of the ~~building-code~~Building Code.

SECTION 2.08.210 INSPECTIONS

1. It shall be the duty of the permit holder or the permit holder's agent to request all necessary inspections in a timely manner, provide access to the site, and provide all necessary equipment as determined by the ~~building-official~~Building Official. The permit holder shall not proceed with the building construction until authorized by the ~~building-official~~Building Official. It shall be the duty of the permit holder to cause the work to remain accessible and exposed for inspection purposes. Any expense incurred by the permit holder to remove or replace any material required for proper installation shall be the responsibility of the permit holder or the permit holder's agent.
2. Work requiring a permit shall not be commenced until the permit holder or the permit holder's agent has posted or otherwise made available a inspection record card such as to allow the ~~building-official~~Building Official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the ~~building-official~~Building Official.

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SECTION 2.08.220 PUBLIC NUISANCE

The erection, construction, reconstruction, alteration, maintenance, installation or use of any building, structure, manufactured dwelling, or mobile home in violation of the ~~building-code~~Building Code shall be deemed a nuisance and may be enjoined, abated or removed.

SECTION 2.08.230 JURISDICTION

The Circuit Court for the State of Oregon for the County of Curry has jurisdiction over any and all violations of the ~~building-code~~Building Code.

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SECTION 2.08.240 REMEDIES NOT EXCLUSIVE

None of the remedies available to the County as set forth in the ~~building-code~~Building Code are exclusive. Nothing in the ~~building-code~~Building Code shall preclude any remedy otherwise available to the County, either in law or equity.

City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Workshops- Types, Dates and Times

ITEM NO: 7 d.

I have attached calendars for August, September and October for everyone. I have also already filled in the dates and times for other meetings that take place monthly that I attend.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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August 2022

August 2022							September 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	8	9	10	11	12	13	14
8	9	10	11	12	13	14	15	16	17	18	19	20	21
15	16	17	18	19	20	21	22	23	24	25	26	27	28
22	23	24	25	26	27	28	29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jul 31	Aug 1	2 3:30pm Planning Commission Meeting	3 8:00am Signatures for City Council Start Today 1:00pm Curry County Transit Plan Meeting	4 5:00pm Parks Meeting	5	6
		9 5:30pm Emergency Response Committee	10	11	12	13
			17	18 5:30pm City Council Meeting	19	20
			24	25	26	27
21	22	23	24	25	26	27
28	29	30	31	Sep 1	2	3

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September 2022

September 2022							October 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	1	2	2	3	4	5	6	7	8
11	12	13	14	15	15	16	9	10	11	12	13	14	15
18	19	20	21	22	23	30	16	17	18	19	20	21	22
25	26	27	28	29	29		23	24	25	26	27	28	29

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 28	29	30	31	Sep 1	2	3
	5	6	7	8	9	10
	8:00am	3:30pm Planning Commission Meeting	Audit Begin 2022	6:00pm Parks Meeting	4:30pm	
11	12	13	14	15	16	17
		5:30pm Emergency Response Commission Meeting		5:30pm City Council Meeting		
18	19	20	21	22	23	24
25	26	27	28	29	30	Oct 1

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October 2022

October 2022							November 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
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9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Sep 25	26	27	28	29	30	Oct 1
		4 3:30pm Planning Commission Meeting	5	6 6:00pm Parks Meeting	7	8
2	3					
9	10	11 5:30pm Emergency Response Commission	12	13	14	15
16	17	18	19	20 5:30pm City Council Meeting	21	22
23	24	25	26	27	28	29
30	31	Nov 1	2	3	4	5

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City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Grant Writing Companies Update

ITEM NO: 7 e.

The CCD has a new program to assist us with Grant Writing. I have attached some information about this program. I have a meeting Monday with Brandi about these services and will have an update at the meeting. I have another conversation that JLL also this week after discussions with Brandi so we can weigh all the options that are available to us.

I have also attached the Scope of services from JLL again for your reference.

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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CCD Community Resource Development Program

IDENTIFYING AND SECURING RESOURCES TO MEET COMMUNITY NEEDS

CCD Business Development Corporation (CCD) has been contracted to administer a newly created Community Resource Development Program. Funding for the program was secured through State House Bill 2345 and The Ford Family Foundation. Services are provided free of charge to participants.

Applications will be accepted beginning 07/15/22 and continue through 09/30/23, or until funds have been exhausted. The application will be available at www.ccdbusiness.org.

Eligible Participants:

- Participants must be located in a rural jurisdiction. Rural jurisdictions for these funds are defined as communities with populations of 35,000 or less and not adjacent to or part of an urban or metropolitan area.
- Assistance will be provided to tribes, cities, counties, special districts, school districts, and nonprofit organizations.

Services Offered:

- Project Development
- Resource Prospecting
- Grant Writing
- Grant Administration
- Federal Funding Opportunities Prospect List
- Need-based Mentoring
- Grant Writer Roster
- Grant Readiness Assessment

Contact Information:

Brandi Medeiros

541-672-6728 Ext. 308

b.medeiros@ccdbusiness.com

www.ccdbusiness.org

GRANT CONSULTING SERVICES – Monthly Service Packages

I. Scope of Services & Pricing

Clients elect which services are needed to best support their organization and a corresponding contract will be drafted

1. Grant Research & Prospecting:

- a. Research grant prospects, communicate with potential funders, and advise client on which grant opportunities to approach and how
- b. Develop, maintain, and update annual calendar of available grant opportunities

2. Grant Writing and Proposal Submission:

- a. Work with staff to interpret guidelines, and gather material and information necessary for a strong proposal
- b. Write grant proposals as requested in time to meet deadlines, and prepare the proposal for submission
- c. Create an Organizational Profile document for use as a template for grant submissions

3. Grant Reporting:

- a. Maintain master tracking system for all grants: submitting, pending, approved, declined
- b. Work with staff to complete all reporting requirements for received grants
- c. Maintain monthly oversight touchpoints with client to ensure that proposed grant deliverables and projects are being satisfied per signed grant agreements with funders
- d. Follow-up with any funders on declined applications to garner feedback to improve request in the future
- e. Write monthly board report to be presented at board/stakeholder meetings; timing and required elements to be determined by client

4. Program Development & Evaluation:

- a. Work collaboratively with staff and board to develop new programs/projects
- b. Research successful programs being undertaken by comparable organizations; communicate and garner feedback/insights from these organizations
- c. Build evaluation systems to assist in determining the success of new program/projects (i.e. surveys, focus groups)
- d. Attend meetings necessary to accomplish the required work

5. Marketing Collateral Support:

- a. Draft press releases and other collateral to share news of new grant funding received or new programs/projects being offered to the community by the client
- b. Develop boilerplate language for press releases and other marketing collateral requests to maintain a consistent message
- c. Develop and design annual reports for donor cultivation/annual appeals

6. Other related duties as agreed upon by Client and Consultant

II. Compensation Tiers for Monthly Consulting Packages

1. Grant Consulting Packages (3-month minimum commitment)

- i. 9 hrs/wk (36 hrs/mo) @ \$85.00/hr = Total \$3,060/month
- ii. 6 hrs/wk (24 hrs/mo) @ \$95.00/hr = Total \$2,280/month
- iii. 3 hrs/wk (12 hrs/mo) @ \$105.00/hr = Total \$1,260/month

GRANT CONSULTING SERVICES – A La Carte Services

- I. ***A La Carte Services & Pricing***
(For Clients not participating in Monthly Consulting Packages)
1. **Grant Calendar Package:**
 - i. Detailed research and prospecting package resulting in 7-10 vetted grant funding opportunities that align strongly with organization's funding needs
 - ii. Calendar includes applicable deadlines, funding range available, grant types supported (i.e. general operating, project/program/capacity building), and insights from Consultant
 - iii. Cost: \$1,150.00 total/package
 2. **Organizational Profile Package:**
 - i. Creation of a master Organizational Profile document to be used as a template for grant proposals/letters of intent submissions. This document will contain the following components and is useful for organizations wishing to write and submit their own grant proposals/letters of intent but need professional support to craft language for common elements found in the majority of grant applications.
 - Executive Summary
 - Organizational Information
 - Need Statement
 - Solutions
 - Methodology
 - Evaluation
 - Sustainability
 - ii. Cost: \$1,725.00 total/package
 3. **Grant Proposal Writing Package:**
 - i. Writing, editing, and revising package for a grant proposal of Client's choice
 - ii. \$115.00/hr with time estimate provided to Client before work begins
 4. **Editing Support:**
 - i. Editing and revising support provided by Consultant for an existing grant proposal drafted by Client
 - ii. \$115.00/hr with time estimate provided to Client before work begins
 5. **Consulting Support:**
 - i. Flexible and based on the needs of Client
 - ii. \$115.00/hr with time estimate provided to Client before work begins

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City of Port Orford

CITY COUNCIL AGENDA DOCUMENTATION

Date: 07/21/2022

SUBJECT: Ballot Measure 109

ITEM NO: 8.a.

In November 2020 Ballot Measure 109. This created a license and regulatory framework for production of psilocybin and facilitation of psilocybin services for adults 21 years of age and older. If the City of Port Orford would like to allow the production and/or facilitation of psilocybin then we do not need to do anything and these facilities would be allowed in City limits starting January 2023.

However, if we do not want to allow them we need to send it to the voters in November. We have 2 options

- 1) Out-right ban on them and by doing that we can restrict the time and place that the facility can operate out of
- 2) 2-Year moratorium on these facilities while we figure out what we would like to set in place.

Both of these options need to be sent to the Voters should we decide to do this.

I have included 2 resolutions for approval should it be decided that we need to send for either the outright ban or the 2 year moratorium. I have also included a ballot title and explanatory statement for each option.

Suggested Motions:

Motion to have Resolution 2023-01 passed.(Ban)

I make a motion that the city council pass resolution 2023-01 on the call for Election to Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products

Motion to have Resolution 2023-01 passed.(2 Year Moratorium)

I make a motion that the city council pass resolution 2023-01 on the call for Election to impose a 2 year Moratorium on Psilocybin Service Centers and the Manufacture of Psilocybin Products

SUBMITTED BY:

Jessica Ginsburg

Jessica Ginsburg, City Administrator

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RESOLUTION 2023-01

**A RESOLUTION OF THE *COMMON COUNCIL OF THE CITY OF PORT ORFORD*,
CALLING FOR AN ELECTION WITHIN THE CITY FOR THE PURPOSE OF
BANNING PSILOCYBIN MANUFACTURING AND SERVICE CENTERS WITHIN
THE CITY OF PORT ORFORD**

WHEREAS, In November 2020, Oregon voters approved Measure 109, which directed the Oregon Health Authority to license and regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services.

WHEREAS, Section 128 allows the City of Port Orford the option to prohibit the establishment of psilocybin manufacturers and/or psilocybin service centers licensed under measure 109 from operating in the area subject to the jurisdiction of the City.

WHEREAS, The City finds it would be in the public interest to refer the question of banning psilocybin manufacturers and service centers within City limits to the electors.

NOW, THEREFORE,

BE IT RESOLVED by the *Common Council of the City of Port Orford*, as follows:

A measure election is hereby called for the purpose of submitting to the electors of the City of Port Orford a measure prohibiting the sale and establishment of certain psilocybin activities in the area subject to the jurisdiction of the City, a copy of which is attached hereto as “Exhibit A,” and incorporated herein by reference.

The measure election shall be held in the City of Port Orford on November 8, 2022. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Curry county, according to the procedures adopted by the Oregon Secretary of State.

The City of Port Orford authorizes the City Recorder or her designee, to act on behalf of the City and to take such further action as is necessary to carry out the intent and purpose set forth herein, in compliance with the applicable provisions of law.

The ballot title for the measure set forth as “Exhibit A” to the resolution is hereby adopted.

Upon receiving the ballot title for this measure, the City Recorder shall publish in the next available edition of the newspaper of general circulation in the City a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

The explanatory statement for the measure, which is attached hereto as “Exhibit B,” and incorporated herein by reference, is hereby approved.

The City recorder shall deliver the Notice of Measure Election to the County Clerk for Curry County for inclusion on the ballot for the November 8, 2022 election.

Approved by the *Common Council of the City of Port Orford* and effective this 21st day of July 2022.

Pat Cox, Mayor

ATTEST:

Jessica Ginsburg, City Recorder

Ballot Title

Prohibits psilocybin-related businesses with the City of Port Orford.

Question

Shall the City of Port Orford prohibit psilocybin-related businesses in the City of Port Orford?

Summary

State laws allow operation, manufacture, distribution and possession of psilocybin and psilocin. State law provides that the City of Port Orford Council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities.

Approval of this measure would prohibit the establishment of psilocybin product manufacturers and or psilocybin service center operators within the City of Port Orford.

.....

Explanatory Statement

Approval of this measure would prohibit the establishment and operation of psilocybin-related businesses within the City of Port Orford.

The City of Port Orford City Council may adopt an ordinance prohibiting the establishment of psilocybin related businesses within the City of Port Orford, but the council must refer the ordinance to the voters at a statewide general election.

If approved this measure would prohibit psilocybin-related businesses within the City of Port Orford.

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RESOLUTION 2023-01**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD, CALLING FOR AN ELECTION WITHIN THE CITY FOR THE PURPOSE OF PLACING A 2-YEAR MORATORIAM ON THE PSILOCYBIN MANUFACTURING AND SERVICE CENTERS WITHIN THE CITY OF PORT ORFORD**

WHEREAS, In November 2020, Oregon voters approved Measure 109, which directed the Oregon Health Authority to license and regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services.

WHEREAS, Section 128 allows the City of Port Orford the option to prohibit the establishment of psilocybin manufacturers and/or psilocybin service centers licensed under measure 109 from operating in the area subject to the jurisdiction of the City.

WHEREAS, The City finds it would be in the public interest to refer the question of placing a 2 year moratorium on psilocybin manufacturers and service centers within City limits to the electors.

NOW, THEREFORE,

BE IT RESOLVED by the *Common Council of the City of Port Orford*, as follows:

A measure election is hereby called for the purpose of submitting to the electors of the City of Port Orford a measure of placing a 2 year moratorium on the sale and establishment of certain psilocybin activities in the area subject to the jurisdiction of the City, a copy of which is attached hereto as "Exhibit A," and incorporated herein by reference.

The measure election shall be held in the City of Port Orford on November 8, 2022. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Curry county, according to the procedures adopted by the Oregon Secretary of State.

The City of Port Orford authorizes the City Recorder or her designee, to act on behalf of the City and to take such further action as is necessary to carry out the intent and purpose set forth herein, in compliance with the applicable provisions of law.

The ballot title for the measure set forth as "Exhibit A" to the resolution is hereby adopted.

Upon receiving the ballot title for this measure, the City Recorder shall publish in the next available edition of the newspaper of general circulation in the City a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

The explanatory statement for the measure, which is attached hereto as "Exhibit B," and

incorporated herein by reference, is hereby approved.

The City recorder shall deliver the Notice of Measure Election to the County Clerk for Curry County for inclusion on the ballot for the November 8, 2022 election.

Approved by the *Common Council of the City of Port Orford* and effective this 21st day of July 2022.

Pat Cox, Mayor

ATTEST:

Jessica Ginsburg, City Recorder

Ballot Title

2 Year Moratorium on psilocybin-related businesses with the City of Port Orford.

Question

Shall the City of Port Orford impose a 2 Year Moratorium on psilocybin-related businesses in the City of Port Orford?

Summary

State laws allows operation manufacturer, distribution and possession of psilocybin and psilocin. State laws provides that the City of Port Orford Council may adopt an ordinance to be referred to the voters to impose a 2 Year Moratorium the establishment of any of those registered or licensed activities.

Approval of this measure would impose a 2 Year Moratorium the establishment of psilocybin product manufacturers and or psilocybin service center operators within the City of Port Orford.

.....

Explanatory Statement

Approval of this measure would impose a 2 Year Moratorium the establishment and operation of psilocybin-related businesses within the City of Port Orford.

The City of Port Orford City Council may adopt an ordinance impose a 2 Year Moratorium the establishment of psilocybin related businesses within the City of Port Orford, but the council must refer the ordinance to the voters at a statewide general election.

If approved this measure would impose a 2 Year Moratorium psilocybin-related businesses within the City of Port Orford.

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PUBLIC HEALTH DIVISION
Oregon Psilocybin Services

Oregon Psilocybin Services Section

Oregon Psilocybin Services is a new section housed within the Oregon Health Authority Public Health Division's Center for Health Protection.

The OPS team has been designed around three program areas:

- **Policy and Engagement**
- **Licensing**
 - Local Government and Law Enforcement Liaison position
- **Compliance**

Each program will center on health equity, including outreach to partners and communities and working to ensure access to services.

Ballot Measure 109: The Oregon Psilocybin Services Act

In November of 2020, Ballot Measure 109, the Oregon Psilocybin Services Act was passed by voters in Oregon. The ballot measure is now codified as ORS 475A.

M109 created a license and regulatory framework for production of psilocybin and facilitation of psilocybin services for adults 21 years of age and older and created the Oregon Psilocybin Advisory Board that makes recommendations to OHA.

M109 does not:

- Create a consumer market for psilocybin
- Allow for export or import of psilocybin
- Allow licensees to interact with unregulated markets

License Types

Manufacturer License

- Cultivates fungi and manufactures psilocybin products
- Cannot cultivate outdoors
- Premise must have defined boundaries
- Cannot exceed production quantities established in rule
- Product tracking system required to track manufacturing, sale and transfer of psilocybin products to prevent diversion, ensure accurate accounting, ensure accurate reporting of lab testing results

Laboratory License

- All psilocybin products must be tested by a licensed lab prior to sale.
- Labs must be accredited by the Oregon Environmental Laboratory Accreditation Program
- Testing results must be entered in the product tracking system

License Types (cont'd)

Facilitator License

- Supervises sessions where clients consume psilocybin.
- Must complete **OHA approved training program** as a condition of licensure.
- Must pass exam approved or administered by OHA

Service Center License

- Cannot be located within 1000 feet of a school
- Must have defined boundaries
- Transfers psilocybin products to client for use during administration session

Psilocybin Services

Psilocybin will only be administered to persons 21 years or older in licensed service center settings under the supervision of trained and licensed facilitators.

Psilocybin Services may include:

- Preparation Session
- Administration Session
- Integration Session (optional)

Product tracking system required to track manufacturing, sale and transfer of psilocybin products to:

- Prevent diversion
- Ensure accurate accounting
- Ensure accurate reporting of lab testing results

Local Government Issues

Local Government Opt-Out:

- Local governments (cities and counties) may adopt ordinances that prohibit Manufacturers and Service Centers
- Ordinances must be referred to voters at the next general election

Local Government Time Place and Manner Regulations

- Local governments may adopt reasonable regulations on hours, location, and operation of licenses

Land Use Compatibility Statements (LUCS)

- Applicants for Service Center and Manufacturer licenses are required to request a LUCS from their local government before submitting a license application

Site Requirements

Service Centers:

- GIS mapping tool for school proximity
- Cannot be located on public land; must have defined boundaries
- Cannot be located within a residence
- Cannot be located in an area within city limits that is zoned exclusively for residential use

Manufacturers:

- Cannot be located on public land; must have defined boundaries
- Outdoor cultivation is prohibited
- Landlord must consent to use

TPM:

- OPS will not track local time place and manner regulations

License and Application Fees, Taxes

License and Application Fees

- License and application fees will be set in rule later this year
- Oregon Psilocybin Services will be a fee-based program and fees must cover the costs associated with the agency's work

Taxes

- Service Centers collect a 15% tax on the sale of psilocibin products payable to Oregon Department of Revenue
- Local taxes and fees are prohibited
- Psilocybin services are not taxed

OHA Key Dates

- **November 24, 2021:** Preliminary recommendations from OPAB
- **December 2021:** Public Listening Sessions
- **January 1, 2022:** Community Interest Survey
- **May 13, 2022:** Effective Date for Expedited Rules.
- **June 1, 2022:** OHA begins accepting applications for training programs
- **June 30, 2022:** Recommendations for Remaining Rules
- **July 2022:** Public Listening Sessions
- **September 2022:** RAC for Remaining Rules
- **November 1-21, 2022:** Public Comment for Remaining Rules
- **December 30, 2022:** Effective Date for Remaining Rules
- **January 2, 2023:** OHA begins accepting applications for licensure

Thank You!

Please visit our website:

<https://www.oregon.gov/psilocybin>

Jessica Ginsburg

From: Chief Hank Hobart <hhobart@portorford.org>
Sent: Tuesday, July 12, 2022 8:30 PM
To: 'Jessica Ginsburg'
Subject: Psilocybin info from neighbor
Attachments: Daily Courier 07-12-22 Psilocybin article.docx

Attached news article of our hemispherical neighboring city debating this same issue.

I must say that I tend to agree with the Grants Pass City PD chief's take.

Specifically, if there is any kind of therapeutic benefit to product(s) produced from said mushrooms, then having the final therapeutic product(s) shipped here for medical use by any of our citizens in need would eliminate the likelihood of production abuse and the accompanying criminal enterprises said production would likely invite.

I'm betting measure 109 would simply be a re-do of the failures associated w/ it's sister measure, # 110...

h

Hank Hobart, Chief of Police
Port Orford Police Department
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Front Page News

Last Update Tuesday, July 12th, 2022

Councilors offer mixed reviews on county's possible psilocybin measure

By Lauren Bishop of the Daily Courier

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The Grants Pass City Council didn't make it apparent whether it would support or oppose the manufacture or use of therapy-based psilocybin during its Monday workshop.

The council said it would continue discussions on whether to join Josephine County in its proposal to ask voters in the Nov. 6 election if processing or using psilocybin in "service centers" should be allowed in the county and its two incorporated cities.

The council did not express a consensus on whether it would later vote to include itself in the county proposal, but one councilor noted a divergence between the county's stance on the use of psilocybin, also known as magic mushrooms, and the handling of the coronavirus pandemic.

"I find it ironic that the county commissioners would want to essentially prevent people from potentially using these therapies, because this is an issue between someone and their doctor," Councilor Rob Pell said, adding, "We've heard the county commissioners on the issue of mandated COVID vaccines or vaccine education that they

didn't want to stand in the way between people's doctor and their patient, and yet here this is exactly what they are supporting doing."

State voters in 2020 approved the supervised use and regulated production and manufacture of psilocybin as a treatment for a host of mental problems.

County voters voted 53.7% against Measure 109, but it passed statewide with 55.75% of the vote.

Last month, Dr. Kelley Burnett, chief medical officer for AllCare Health, spoke to the county commissioners about the likely benefit of psilocybin in treatment for people with mental health disorders, with doses given in a controlled, supervised environment.

"The studies that have been done are very exciting and ... a number of these studies have been done in our veteran's populations, with just tremendous results," Burnett said last month.

During the COVID-19 pandemic — which has killed 348 people in Josephine County as of Monday, according to the Oregon Health Authority, the second-highest per capita death rate among the state's 36 counties — the three commissioners refused to encourage vaccinations that have been proven to lower one's chance of dying from the disease, and instead repeated that the decision was between an individual and their medical provider. The vaccine has been widely available now for 16 months.

At Monday's workshop, Councilor Vanessa Ogier said there can be a religious component for psilocybin use, and said, "It's particularly interesting that the government is getting in the way of a religious practice as well."

The council asked the head of city law enforcement what his feelings were about allowing the manufacture and use of psilocybin mushrooms in Grants Pass, and he echoed the sentiment of Josephine County Sheriff Dave Daniel, who said last month that he did not want the drug in the county.

Grants Pass Police Chief Warren Hensman said he was concerned about the production of magic mushrooms in Grants Pass because of the threat of black market production making its way to the city.

"As your police chief I would be concerned of an adjacent criminal enterprise moving into town," Hensman said. "I think we have enough mind-altering chemicals available to the community that we're struggling to manage, and now we would have another one."

Councilor Curt Collins said he understood Hensman's concern, but service centers would not be "a wild free-for-all," and that he would consider prohibiting production and manufacture of mushrooms, but not prohibiting the controlled environment in which patients would be able to use the hallucinogen.

"Let somebody else produce it and bring it here for the service centers," Collins said. "Then we're allowing the therapy but not the overproduction."

Unlike marijuana, no retail sales or personal crops of psilocybin mushrooms would be permitted under state law.

Reach reporter Lauren Bishop at 541-474-3806 or lbishop@thedailycourier.com.