

Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chambers
22451 Highway 62, Shady Cove, Oregon
Thursday, April 2, 2020
6 PM

This meeting will be held telephonically in light of current health conditions.

Attendees will call
1-844-855-4444

We will publish the access code as it gets closer to the date.

I. Call to Order

- A. Roll Call
- B. Pledge of Allegiance
- C. Announcements by Presiding Officer

- 1. This meeting is being digitally recorded.
- 2. The next regularly scheduled meeting of the City Council will be April 16, 2020, at 6 PM in the Council Chambers.
- 3. The next regularly scheduled meeting of the Planning Commission will be April 9, 2020, at 6 PM in the Council Chambers.
- 4. The next meeting of the Parks and Recreation Commission will be April 7, 2020, at 6 PM in the Council Chambers.
- 5. Public may comment on agenda items - Public must state name, address and standing to discuss an issue. Issues must have a City-wide impact and not be personal issues. Depending on number of comments and time constraints, Council may limit the amount of time to 3 minutes per speaker.
- 6. These meeting dates are subject to change by the circumstances related to COVID-19.

II. Declaration of Emergency – COVID-19

III. Consent Calendar

- A. Regular Meeting Minutes of March 5, 2020
- B. Special Meeting Minutes of March 11, 2020

IV. Written Communication

None

Shady Cove City Council Regular Meeting

April 2, 2020

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IV. Staff Reports

- A. Bills Paid Report, 2/25/20 - 3/5/20 - \$ 12,873.51
- B. City Administrator
- C. Jackson County Deputy (CSO)
- D. Fire Chief Winfrey

V. Old Business

- A. Ordinance #295 - Second Reading - Amending the Comprehensive Plan and Changing the Zoning Map
- B. Resolution # 20-03, City Council Rules of Government
- C. Shady Cove Waterworks update

VI. New Business

- A. Emergency Management Commission Appointments
- B. Resolution # 20-02, Fee Schedule
- C. Amending Ordinance #251, Defining Nuisances and Offenses and Declaring an Emergency

VII. Public Comment on Non-Agenda Items

VIII. Council Comments on Non-Agenda Items

- A. Mayor Richardson – RVCOG
- B. Councilor Mitchell - RVACT & Parks Commission
- C. Councilor McGregor - SOREDI
- D. Councilor Hohenstein - Planning Commission
- E. Councilor Tarvin

IV. Adjournment

ADMINISTRATIVE ORDER
March 19, 2020
By the Mayor of the City of Shady Cove

Declaring a State of Emergency

The Mayor of the City of Shady Cove finds that:


- a. On March 8, 2020 Governor Kate Brown declared a State of Emergency due to the COVID-19 (Executive Order No. 20-03). Governor Brown also issued guidelines regarding group gatherings and social distancing to alleviate possible impacts of COVID-19 (Executive Order No. 20-5). On March 13, 2020 President Donald Trump declared a National Emergency concerning COVID-19.
- b. COVID-19 requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible.
- c. The unknown duration of the COVID-19 may have a significant financial impact on the community.
- d. The primary focus at the City is to keep the community safe while maintaining the health of our workforce so the City can continue to provide crucial City services, and to alleviate impacts to residents and business owners within the City of Shady Cove.
- e. Pursuant to ORS 401.309(1), the governing body of a City may declare, by ordinance or resolution, that a state of emergency exists within the city.
- f. Pursuant to the City of Shady Cove Emergency Operations Plan adopted by the City Council of Shady Cove in May of 2012, section 3.2.1.1, confirms that power of the Mayor.

Now, therefore, based on the above findings, the Mayor of the City of Shady Cove declares an emergency.

1. This Declaration of Emergency is effective immediately and shall remain in effect until April 30, 2020 but may be extended in two-week increments.
2. To protect the health and safety of City employees, I have and will direct the City Administrator to develop emergency policies and guidance on the use of sick leave, vacation leave, telecommuting, meeting protocol, identification of essential and non-essential staff for ongoing presence at City facilities, and other policies that will be in effect for the duration of the emergency.

3. To protect the health and safety of City employees, I have and will direct the City Administrator, at his discretion, to determine whether closing certain City facilities and cancelling public meetings may be necessary.
4. The City will take all necessary steps authorized by law to coordinate the response and recovery of this emergency, including but not limited to, requesting assistance from the State of Oregon and Jackson County.
5. To protect the health and safety of City employees, elected officials and the public, and reduce the number public meetings, the City Council shall consider the ratification of the Declaration of a State of Emergency at its next Council meeting on April 2, 2020 rather than via a separate emergency meeting.

Dated this 19th day of March, 2020



Lena Richardson, Mayor
City of Shady Cove, Oregon

Ratified by City Council action on April 2, 2020

Thomas J. Corrigan, City Administrator
City of Shady Cove, Oregon

City of Shady Cove
City Council Regular Meeting Minutes
Thursday, March 5, 2020

CALL TO ORDER

Mayor Richardson called the Regular City Council Meeting to order at 6:00 PM in the City Council Chambers.

Council Present: Mayor Richardson, Councilor Mitchell, Councilor McGregor - absent, Councilor Tarvin, and Councilor Hohenstein

Staff Present: Thomas J. Corrigan, City Administrator

ANNOUNCEMENTS

The Mayor led the audience in the Pledge of Allegiance and made the announcements on the agenda.

PUBLIC COMMENT

None.

CONSENT CALENDAR

Special Meeting Minutes of February 19, 2020 and Regular Meeting Minutes of February 20, 2020.

Motion to Accept the Minutes of the Special Council Meeting February 10, 2020 and Regular Meeting Minutes of February 20, 2020

Motion: Councilor Mitchell Second: Councilor Hohenstein

All Ayes. Motion carried 4-0

Motion to Accept the Bills Paid Report for February 11-24, 2020 in the amount of \$10,554.85

Motion: Councilor Hohenstein Second: Councilor Mitchell

All Ayes. Motion carried 3-0 Councilor Tarvin - abstained

WRITTEN COMMUNICATION

Applications for Emergency Management Commission

STAFF REPORTS

ODOT work done on Hwy 62, under bridge, and some of the blackberries at motel Park pre-construction proceeding, posting of notices, partial closures, future park work, branding work will take place in work session

Apps for Emer Mgt Comm coming in, will be on next agenda

Sanitizer hard to find, have for employees, spraying City Hall at nights, CIS update on Coronavirus

Best Practices – Asking again for all Councilors to do online training schedule

Tree outside of CH not going to make it. Plant Oregon assisting with replacement

We have asked Pacific Power for use of bucket truck, ours out for certification and repairs

Teamster negotiations – another next round next week

Great Earthquake Training at CIS Conference

A few ordinances to be brought back to Council for update, including Fee schedule
Website updates done
Drought declaration – Klamath County
CSOs have started, Intro

OLD BUSINESS

A. Ordinance #295 – First Reading – Amending the Comprehensive Plan and Changing the Zoning Map

Discussion ensued.

B. Rules of Government

Discussion ensued

C. Hiland Water Notice

Discussion ensued. Councilor McGregor gave an update.

Motion to Exercise 5% Fee Immediately

Motion: Councilor Tarvin

Second: Councilor Mitchell

Ayes: Motion carried 4-0

NEW BUSINESS

A. Authorization for Parks Funding Letter

Discussion ensued.

Motion to Authorize Letter for Parks Funding

Motion: Councilor Hohenstein

Second: Councilor Mitchell

Ayes: Motion carried 3-1

Councilor Tarvin - No

B. Resolution #20-01 – Budget Plan of Action

Discussion ensued.

Motion to Approve Resolution #20-01 Budget Plan of Action

Motion: Councilor Mitchell

Second: Councilor Tarvin

Ayes: Motion carried 4-0

C. Award ADA Ramp Project

Discussion ensued.

Motion to Award ADA Ramp Project to Upper Rogue Excavating, Inc. for \$76,422.96

Motion: Councilor Hohenstein

Second: Councilor Tarvin

Ayes: Motion carried 4-0

PUBLIC COMMENTS

Art Stirling, 101 Jane Dr., spoke about the overnight camping issue from Planning Commission perspective, would like to keep momentum moving forward.

COUNCIL COMMENTS

Mayor Richardson – attended CIS convention with City Administrator, cyber-crimes becoming more aggressive, Steven Everland teaching earthquake preparedness, ADA compliance. March 10 is Jackson County Sheriff's Office Public Forum at URCC. April 14 parking standards. May 12 Social Engineering by Pacific Power.

Councilor Mitchell – RVACT March 10, RVCOG Eric Guyer discussed service and sanctions, unable to attend Parks and Rec Meeting – covered by Chair Nuckles: Music in the Park pre-events, etc. to encourage city-wide participation, memorial ordinance under discussion, narrowing down branding. Restrooms need volunteer assist with maintenance.

Councilor McGregor – absent

Councilor Hohenstein – Planning Commission reelected Chair Stirling, reflects his service to the Commission; Vice Chair Barnes elected; study program suggested; noted cost of postage regarding notices; Coronavirus mentioned.

Councilor Tarvin – Commented on revenue for traffic citations. Towing company issue reported. Unable to attend special meeting for duration.

ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the regular meeting at 8:15 PM

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

City of Shady Cove
City Council Special Meeting Minutes
Wednesday, March 11, 2020
9 AM

CALL TO ORDER

Mayor Richardson called the Special City Council Meeting to order at 9:03 AM in the City Council Chambers.

Council Present: Mayor Richardson, Councilor Mitchell, Councilor McGregor, Councilor Hohenstein, Councilor Tarvin (left at 9:36am)

Staff Present: Thomas J. Corrigan, City Administrator

ANNOUNCEMENTS

The Mayor led the audience in the Pledge of Allegiance and made announcements on the agenda.

DISCUSSION

A. Parking and Traffic Standards – Discussion ensued

Recessed at 10 AM

Reconvened at 10:09 AM

ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the special meeting at 11:16am.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

Check Issue Date	Check	Payee	Description	Amount
03/05/2020	44679	Avista Corporation	Natural Gas 4941620000	149.41
03/05/2020	44680	Charles Brandt	Utility Billing Refund	154.96
03/05/2020	44681	City of Shady Cove - Utilities	#1538.01 22451 Hwy. 62	46.00
03/05/2020	44681	City of Shady Cove - Utilities	#1539.01 2501 Indian Creek Rd.	44.00
03/05/2020	44681	City of Shady Cove - Utilities	#2300.01 1008 Celtic Circle/City Shop	46.00
03/05/2020	44682	CPM Real Estate Services, Inc.	Utility Billing Refund	65.00
03/05/2020	44683	Cristopher Bertheisen	Utility Billing Refund	69.49
03/05/2020	44684	David Christian	Radio Programming, 6 hrs.	90.00
03/05/2020	44685	Ewing Irrigation	Park Maintenance - 95944	112.31
03/05/2020	44686	Garry Petrich	Utility Billing Refund	65.01
03/05/2020	44687	Greenway Spray, LLC	City Hall - Facilities	250.00
03/05/2020	44687	Greenway Spray, LLC	Aunt Caroline's Park - Maintenance	175.00
03/05/2020	44687	Greenway Spray, LLC	Streets - Maintenance	1,250.00
03/05/2020	44688	J & J Tree Service, LLC	Tree Removal	1,650.00
03/05/2020	44689	KAS & Associates, Inc.	Private Project Review - Pass Through	165.66
03/05/2020	44689	KAS & Associates, Inc.	Cleveland Street Storm Drain Impr	460.60
03/05/2020	44689	KAS & Associates, Inc.	Hwy 62. & Indian Creek Rd.	3,763.58
03/05/2020	44689	KAS & Associates, Inc.	Private Project Review - Pass Through	120.00
03/05/2020	44689	KAS & Associates, Inc.	Cleveland Street Storm Drain Impr	275.00
03/05/2020	44690	Pacific Power	Aunt Caroline's Park 32847641-005	94.94
03/05/2020	44690	Pacific Power	City Hall 32847641-007	188.58
03/05/2020	44690	Pacific Power	Nork Lane 32847641-009	301.24
03/05/2020	44690	Pacific Power	street Lights 32847641-002	759.65
03/05/2020	44691	Penny Mac Loan Svcs, LLC	Utility Billing Refund	6.72
03/05/2020	44692	Perfection Cleaning	Cleaning Services	375.00
03/05/2020	44693	Personnel Source, Inc.	Temporary Laborer-Office Support	651.00
03/05/2020	44693	Personnel Source, Inc.	Temporary Laborer-Office Support	840.00
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	6.99
03/05/2020	44694	Shady Cove Hardware, LLC	City Hall - Facilities	3.59
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	2.74
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	77.06
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	18.58
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	4.99
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	24.32
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	33.57
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	57.56
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	7.93
03/05/2020	44694	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	8.59
03/05/2020	44695	Southern Oregon Sanitation	City Hall 088054	40.22
03/05/2020	44695	Southern Oregon Sanitation	Nork lane 088070	40.22
03/05/2020	44695	Southern Oregon Sanitation	aunt Caroline's Park 088094	58.50
03/05/2020	44696	Thomas J. Corrigan	Mileage Reimbursement	241.50
03/05/2020	44696	Thomas J. Corrigan	Per Diem	47.00
03/05/2020	44697	TouchPoint Networks, LLC	Computer Services	31.00
Grand Totals:				12,873.51

After recording, return to:
City of Shady Cove
22451 Highway 62
PO Box 1210
Shady Cove OR 97539

City of Shady Cove

Ordinance No. 295

**AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON AMENDING
THE COMPREHENSIVE PLAN AND CHANGING THE ZONING MAP OF
THE CITY OF SHADY COVE**

Whereas, the City of Shady Cove received an application for a Comprehensive Plan Amendment from Commercial to Low Density Residential and a Zoning Map Change from AC (Airpark Commercial) to R-1-20 (Low Density Residential), referred to as ZC19-01 and located at 6673 Rogue River Drive; and

Whereas, a Public Hearing was convened before the Council of the City of Shady Cove on January 16, 2020, to consider a recommendation for approval from the Shady Cove Planning Commission; and

Whereas, the Council of the City of Shady Cove determined, based on the hearings record and the approved findings, that the request for a Comprehensive Plan Amendment and Zone Change is consistent with the applicable criteria and approved the request.

**THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS
FOLLOWS:**

The Comprehensive Plan Map Amendment and Zoning Map Change are approved as follows:

Section 1: Title This Ordinance shall be known as the amended Comprehensive Plan and Zoning Map Ordinance of the City of Shady Cove, Oregon.

Section 2: Description A map, attached as Exhibit B, identifies the property which is referenced as Tax Lot 100 on the Jackson County Assessor's Map No. 34-1W-21BA.

Section 3: Amendment The Shady Cove Comprehensive Plan Map is amended from Commercial to Low Density Residential and the Zoning Map is amended to change the zoning of Tax Lot 100 on Jackson County Assessor's Map No. 34-1W-21BA from AC (Airpark Commercial) to R-1-20 (Low Density Residential).

Section 4: The City Council adopts as its own, and incorporates by reference, the findings attached as Exhibit A.

PASSED AND APPROVED by the City Council of the City of Shady Cove this ____ day of _____, 20__.

Approved:

Lena Richardson
Mayor

Attest:

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

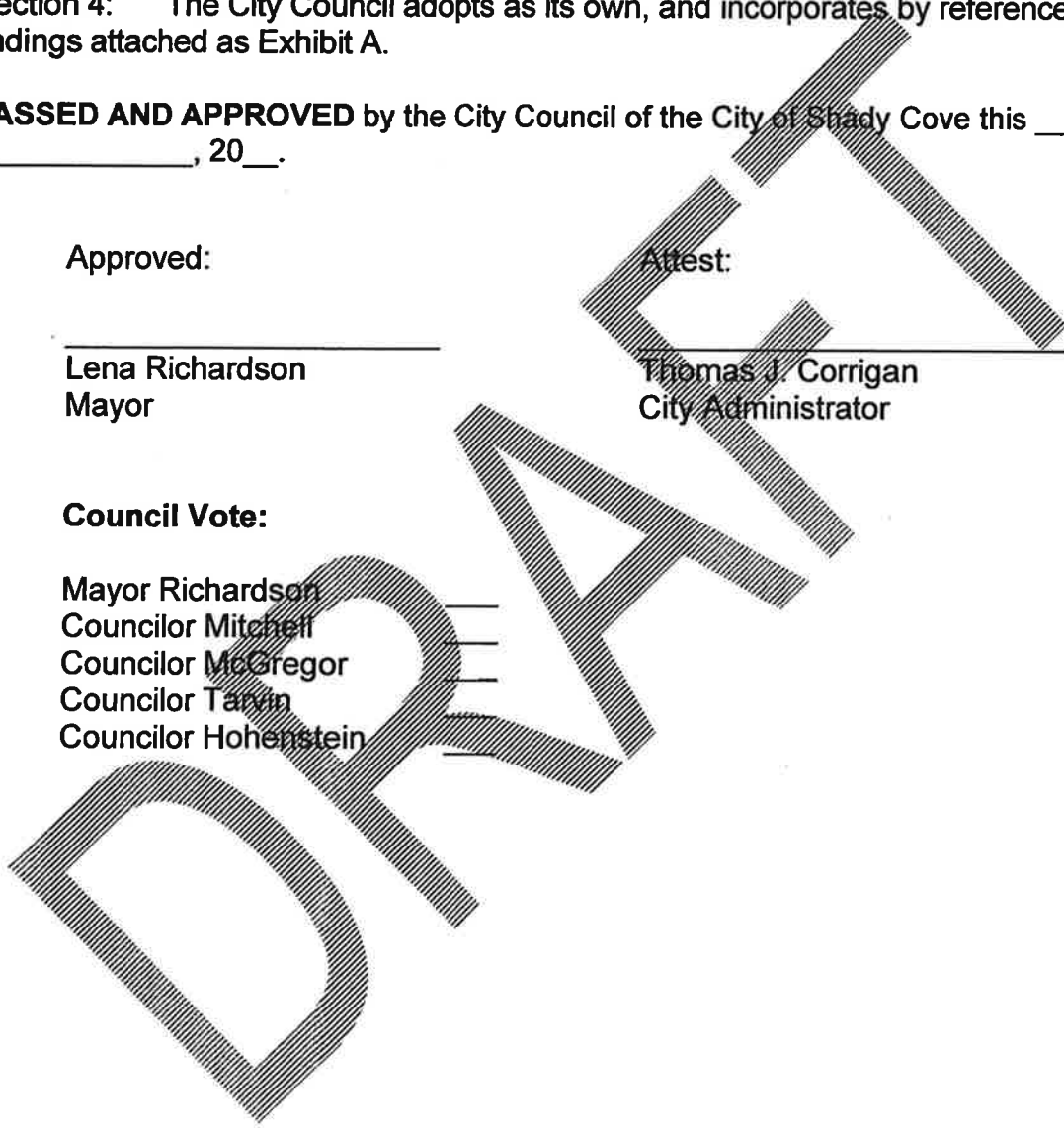


EXHIBIT A



**Type IV Staff Report
Comprehensive Plan Amendment and Zone Change**

Date: December 4, 2019

Application No: ZC 19-01

Owner / Applicant: Matthew Prince

Proposal: Comprehensive Plan Amendment from Commercial to Low Density Residential and a Change of Zone from AC (Airpark Commercial) to R-1-20 (Low Density Residential).

Address: 6673 Rogue River Drive, Shady Cove, OR 97539

Legal Description of Property: 34-1W-21BA, Tax Lot 100

Acreage: .33 acres

Zoning: Airpark Commercial

The City of Shady Cove planner has reviewed an application for Comprehensive Plan Amendment and Zone Change to permit residential uses on the property described above.

Section 154.439 establishes the following criteria:

1. The proposal shall be consistent with the City's adopted goals and policies pertaining to land use, growth, and development.

Pertinent policies identified by the applicant and staff are as follows (Letters and numbers are not chronological because they reflect the format of the Comprehensive Plan):

C. Economic Development

Policy #3: the City of Shady Cove shall continue to review and refine its Land Use Regulations to ensure that they are reasonably and accurately reflect the goals and objectives of the community.

Policy #5: The City of Shady Cove shall work with landowner and developers through the Site Plan Review process to ensure that Plan concepts and actual development plans are in accordance with the City's Plans and Zoning.

EXHIBIT A

Policy #9: New commercial and industrial development shall be supported by an adequate transportation system.

Finding: The property is zoned Airpark Commercial, reflecting its unique former use as the site of the Cable Television Utility Operations Building, a commercial building. “The purpose of the Airpark Commercial District is to provide the city a commercial-light industrial area not requiring a large amount of public exposure with airport related uses being of primary concern.” Now that the cable company no longer operates in Shady Cove, the current comprehensive plan and zoning designations are not appropriate. The proposed residential designation allows the existing structure to be retrofitted to allow residential occupation and will align more fluidly with the surrounding properties which are entirely R-1-20 zoned. The property is located along Rogue River Drive and is currently accessed via an existing driveway. The current zoning designation was approved due to a unique situation with an existing cable utility structure. The lot is not contiguous to the larger Airpark Commercial District and is problematic when considering future allowed uses in the AC zone. This is a small lot surrounded by residential properties and heavier commercial uses would likely be problematic with buffering, access, and parking limitations. The existing building appears to easily be retrofitted to accommodate low density residential uses and the site appears appropriately sized to accommodate associated low density residential use.

F. Public Facilities and Services

Policy #1: The City of Shady Cove will continue improving its wastewater disposal system, consistent with recommendations in the June 1998 Wastewater Collection and Treatment System Facility Update Plan prepared by Carollo Engineers.

Finding: The City completed updates to its wastewater treatment plant and collection system to accommodate future growth. The present treatment plant can accommodate approximately 2,597 EDUs. Rogue Valley Sewer Services provided no concerns about the proposed zone change.

Policy #3: The availability and quality of public services, especially streets, sewers, and water, will be considered in approval or denial of comprehensive plan amendments, zoning map changes, and land partitioning.

Finding: Chapter 7 of the Local Street Network Plan includes several policies and strategies for improving transportation systems in Shady Cove. Those that pertain to the application are listed here.

Implementation Strategy 2.3.D Identify and minimize conflict points between transportation modes (pedestrians, bicycles and vehicles) and

EXHIBIT A

vehicle purposes (commercial vehicles, traffic operating on residential streets and through traffic).

Policy 4.4 Protect current transportation systems and accommodate future transportation needs by balancing transportation systems with land uses. Land use ordinances and zoning codes shall reflect the purpose of the adjoining transportation system.

Implementation Strategy 4.4.A Ensure that development proposals assess and mitigate the direct and cumulative impacts of a project on the transportation system.

Finding: The current application is for a comprehensive plan amendment and zone change. The property fronts and has access off of Rogue River Drive, a County Road. Jackson County Roads provided comment to include; they may require engineered storm drain calculations for further development of the site, applicant shall obtain all required county permits, a Road Approach Permit is required prior to any driveway approach improvement, and also voiced concern related to sight line issues with the current driveway. The applicant may contact Jackson County Roads with any questions.

H. Land Use

Policy #3: *Zoning regulations will include clear and objective standards for the review of conditional uses, site plans and variances.*

Finding: The R-1-20 zone contains several standards for new development. Any new development will be subject to findings of compliance with Development Review and Site Design Review standards in Section 154.038 and Section 154.200 of the Code of Ordinances.

Policy # 6: *The availability and quality of public services, especially streets, sewers, storm drains, and water, will be considered in approval or denial of comprehensive plan amendments, zoning map changes.*

Finding: See finding under Public Facilities element.

Policy # 8: *In areas designated commercial or public, new developments, substantial modifications, or changes of use will be subject to site plan review.*

Finding: Site review may be required for new or modified uses of the property.

Policy #11: *The zoning regulations will contain specific requirements for off-street parking.*

EXHIBIT A

Finding: The site appears large enough to accommodate the two parking spaces required in Section 154.337 of the Code of Ordinances.

2. *The proposal shall be consistent with all applicable statewide planning goals.*

- **Goal 6: Air, Water and Land Resources Quality:** The purpose of this goal is to ensure that discharges from development do not 1) exceed the carrying capacity of air, water and land resources; 2) degrade such resources; or 3) threaten the availability of such resources.

Finding: Runoff from the property will be strictly controlled and must be designed to not exceed pre-development flows.

- **Goal 11: Public Facilities and Services:** The Goal is to plan and develop a timely, orderly and efficient arrangement of public facilities to serve as a framework for urban and rural development.

Finding: Agencies providing public facilities and services were notified of the proposal.

3. *A conceptual or specific development plan shall accompany the application to show how the site will be developed and to show that property facilities, services and utilities can be provided by the developer or other provider to serve the site needs.*

Finding: The site is developed and the applicant is proposing to remodel the building to meet all residential building code and to meet zoning standards of Shady Cove. The site has adequate area to provide parking and landscaping to increase the aesthetics of the site.

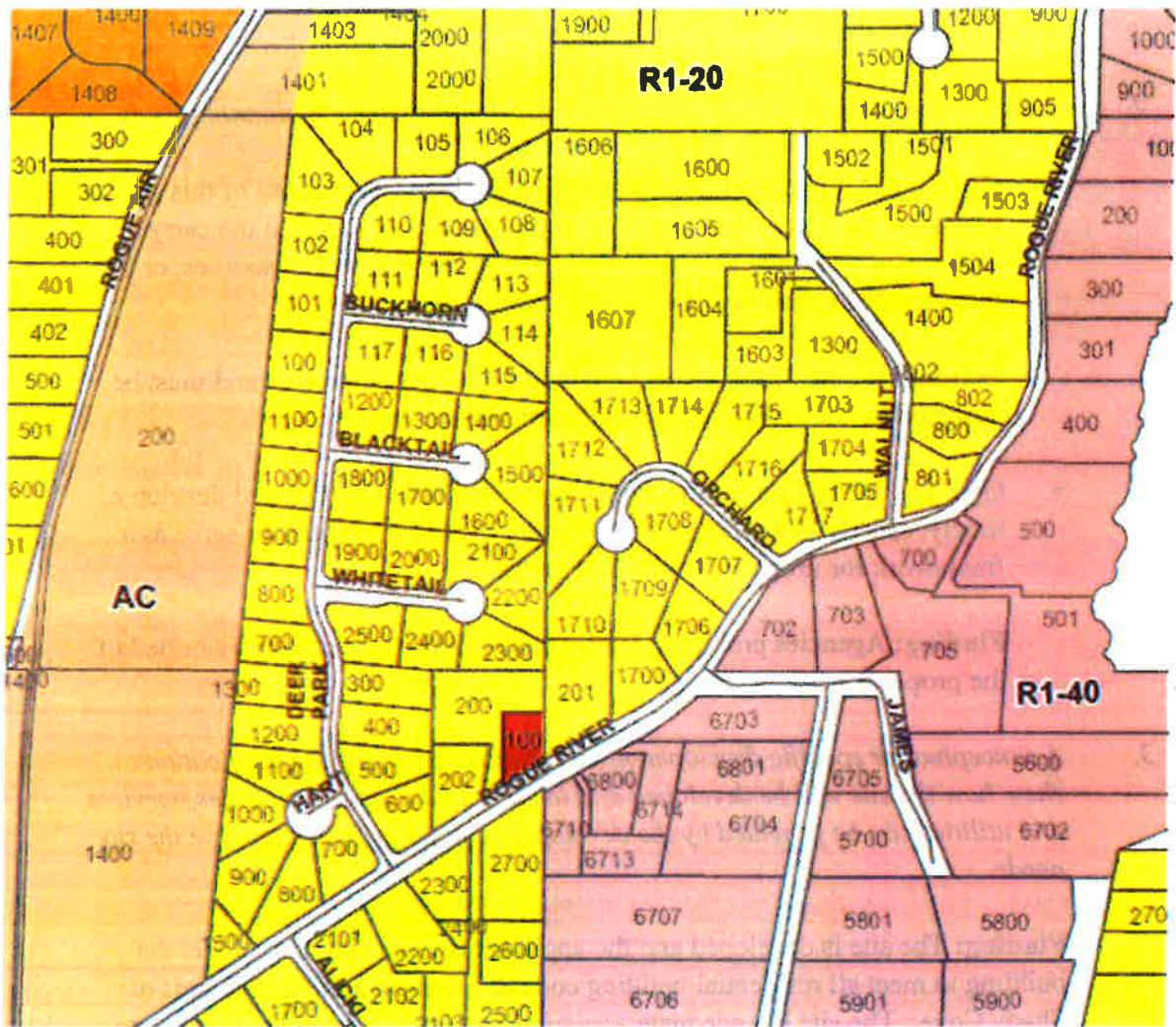
Conclusion: The proposed comprehensive plan and zone change reflect the owner's desire to convert a property previously occupied by a commercial use to one that accommodates low density residential use. The current Airpark Commercial designation no longer applies because the specific use as a cable utility operations center is no longer needed in Shady Cove, and the property appears to support the purposes of the Low Density Residential District.

Staff recommends approval of the proposed Comprehensive Plan Amendment from Commercial to Low Density Residential and a change of zone from AC (Airpark Commercial) to R-1-20 (Low Density Residential).



Ryan Nolan, CFM, City Planner

EXHIBIT B



CITY of SHADY COVE

City Council Rules of Government



Adopted APRIL 2020

City Council

Rules of Government

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CHAPTER 1 – General Governance

I. Rules of Procedure.

- A. Unless otherwise provided by City Charter, ordinance or these rules, the procedure for Council meetings, and any subcommittee of the City Council, shall be guided by Robert's Rules of Order, Newly Revised.
- B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order, Newly Revised when such points will obscure the issues before the Council and confuse members of the public.
- C. The Presiding Officer shall conduct all meeting of the Council in accordance with Robert's Rules of Order, Newly Revised. However, the validity of an act of the Council shall not be affected by failure to observe, Robert's Rules of Order, Newly Revised.
- D. Whenever these rules and Robert's Rules of Order, Newly Revised conflict, these rules shall govern.

II. Quorum.

- A. The Mayor, or in his/her absence, the President of the Council, shall call the meeting to order at the hour designated for the meeting. If a quorum is not present, the Administrator shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required to enable the Council to proceed. If the absent member or members do not appear after the notice, the members present shall adjourn until a specific time or until the next regular meeting.
- B. A majority of the Council constitutes a quorum to conduct business. The Mayor counts as a voting member for the quorum.

III. Presiding Officer.

- A. The Mayor shall preside over all meetings. The Mayor shall retain all rights and privileges of the office of the Mayor as set out in the City Charter when acting in this

capacity.

- B. In the Mayor's absence the President of the Council shall preside over the meeting. The President of the Council shall retain all rights and privileges of the office of the Mayor as set out in the City Charter when acting in this capacity.
- C. If both the Mayor and the President of the Council are absent from the meeting, the following procedure shall be utilized to determine who is the Presiding Officer:
 - 1. The City Administrator or his designee shall call the Council to order and call the roll of the members.
 - 2. Those members of Council present shall elect, by majority vote, a temporary Presiding Officer for the meeting.
 - 3. Should either the Mayor or the president of the Council arrive, the temporary Presiding Officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
 - 4. The Presiding Officer shall retain all rights and privileges of a member of Council when acting in this capacity.

IV. Other Elected and Appointed Positions.

- A. City Administrator or His Designee. The City Administrator shall be the parliamentarian and shall advise the Presiding Officer on any questions of order. Additionally, the City Administrator shall keep the official minutes of the Council. The City Administrator is required to attend all meetings of the Council and is permitted to participate in any discussion; however, the City Administrator has no authority to cast a vote in any decision rendered by the Council.
- B. City Attorney. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.
- C. Council Liaison. The Mayor will appoint a Council Liaison to boards, committees, commissions whether within the City or another local agency. The Liaison's role is not to direct a board, committee, or commission in its activities or work. The Liaison serves as a two-way communication channel between Council and board, committee, or commission

Liaisons shall be appointed at the first meeting of each calendar year, or as soon

thereafter as practicable, and shall serve until the first meeting of the next calendar year; provided, however that Liaisons may be removed or reassigned at any time by the Mayor upon approval of the Council. In addition, a Council Liaison can only be a sitting Council member and upon expiration of any Council member's term, or upon resignation, removal, or death, the Liaison's seat shall be immediately declared vacant, and a sitting Council member appointed as a replacement.

Unless otherwise specified, a majority of the members of a board, commission, or committee shall constitute a quorum. The Liaison shall not be considered a member of a board, commission, or committee.

- V. Agendas.** The City Administrator shall prepare an agenda for every regular meeting, and, if requested by the Presiding Officer, for every special meeting.
- A. Agendas and informational material for meetings shall be distributed to the Council by the Friday before the regular meeting.
 - B. No Council approval shall be required for an agenda of any meeting.
 - C. The City Administrator may place routine items and items referred by Staff on the agenda without Council approval or action.
 - D. The City Administrator may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.
- VI. Order of Business.** The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote:
- 1. Call to order.
 - 2. Roll call.
 - 3. Pledge of Allegiance
 - 4. Announcements/proclamations.
 - 5. Public hearings.
 - 6. Public comment on items on the agenda (other than public hearings).

7. Consent agenda and appointments.
 8. Items removed from the consent agenda.
 9. Staff Reports.
 10. New Business.
 11. Old Business.
 12. Written Communications to Council.
 13. Public comment on items not on the agenda.
 14. Council comments and Liaison reports.
 15. Adjournment.
- A. Call to Order. The Mayor or presiding chair shall call all meetings of the Council to order. The call to order shall note the date, time and location of the meeting so that it may accurately be reflected in the minutes.
- B. Roll Call. The City Administrator shall conduct a roll call to determine which members of the Council are present and which are absent.
1. The attendance shall be properly reflected in the minutes.
 2. If roll call determines that a quorum is not present, the meeting shall be adjourned.
- C. Pledge of Allegiance
- D. Announcements/Proclamations. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Proclamations are awards or recognition of individuals by the Council.
- E. Public Hearings Generally
1. A Public Hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
 2. Persons wishing to speak shall sign the "hearing roster" with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
 3. The City Administrator or designee shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer shall then declare the hearing open.

4. Each person shall, prior to giving testimony, give his or her name, shall give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:
 - a. Staff presentation (15 minutes total).
 - b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
 - c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
 - d. Other interested persons (3 minutes per person).
 - e. Questions of Staff (No time limit).
 - f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).
6. Councilors may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The Presiding Officer may intervene if a Councilor is violating the spirit of this guideline.
7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of Staff. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matter. The Presiding Officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer shall announce any such restrictions

prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the Presiding Officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the City Administrator to note the numbers in the minutes.

9. At the end of public testimony and questions of Staff, the Council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.
10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the City Administrator at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a Councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.
11. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Administrator pursuant to ORS 192.368(1).

F. Public Comment

1. Two periods for public comment will be reserved for every regular meeting of the Council. Each period shall not exceed a maximum of 30 minutes, unless a majority of Councilors present vote to extend the time. Subject to the limitations

contained in subsection E-5(e) of this section, the first period for public comment shall be limited to items placed on the agenda other than public hearings, and the second period of public comment shall be used to comment on any issue of City business, other than agenda items. The Presiding Officer may, unless a member of Council objects, allow a person who desires to make comment on an item not on the agenda to speak during the first comment period.

2. Persons wishing to speak during public comment must sign the "speaker's roster" with the person's name and address and the topic upon which the person wishes to speak, not later than the call to order.
3. Members of the public may speak about any topic during the last period for public comment, except as provided in E-5(d) of this rule.
4. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
5. Speakers are limited to three minutes. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their mailing address. The Presiding Officer may allow additional persons to speak if they have not signed the speaker's roster and sufficient time is left in the 30- minute period.
6. Should there be more speakers than can be heard for three minutes each during either of the 30-minute periods provided for public comment, the Presiding Officer may sort the requests to speak in order to afford the greatest opportunity for each topic to be heard.
7. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The Presiding Officer

may intervene if a Councilor is violating the spirit of this guideline.

G. Consent Agenda. In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
2. Any item on the consent agenda may be removed for separate consideration by any member of the Council.
3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the Staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to Staff on an item, and any item where a member of Council must declare a conflict of interest.
4. Questions related to any items on the consent agenda shall be presented to the City Administrator for resolution 2 days (24 hours) in advance of the Council Meeting.

H. Items Removed From Consent Agenda

I. New Business

J. Old Business

K. Written Communications to Council.

1. Unsolicited communications to the Mayor and/or Council concerning matters on the agenda shall be forwarded to the Council in the agenda packet, but shall not be individually itemized on the agenda.
2. Unsolicited communications to the Mayor and/or Council concerning matters that are not on an agenda shall be forwarded to the Mayor and/or Council but shall not be included in the agenda packet.
3. The City Administrator or designee may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a Staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.

L. Council Comments and Liaison Reports. When necessary, reports can be given to

the Council by boards, commissions committees, elected officials and/or City employees.

1. When appropriate, reports to the Council should include written materials which are provided to the Council at least three days in advance of the meeting.
2. Oral reports to the Council should generally not exceed 10 minutes in length. The Council may ask questions of the presenter upon conclusion of the report being given.

CHAPTER 2 – Meeting Time, Location and Frequency

- I. Regular meetings.** The Council shall meet every first and third Thursday evening, with the exception of designated holidays.
 - A. Meetings shall begin at 6PM.
 - B. Meetings shall adjourn at 8PM, allowing for incremental extensions upon a majority vote of the Council.
- II. Special meetings.** Special meetings may be called by the Mayor, by request of three members of the Council, or by the City Administrator.
 - A. Notice of the special meeting shall be given to each member of the Council, the City Administrator, and posted outside City Hall, on the City's website at www.shadycove.org, and on the local radio station, KSHD.
 - B. Notice of the special meeting shall be given to all members of the Council and the City Administrator via email.
 - C. Special meetings shall be noticed in accordance with Oregon's public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.
- III. Emergency meetings.** Emergency meetings may be called by the Mayor, by the request of three members of Council, or by the City Administrator.
 - A. Notice of the emergency meeting shall be given to each member of the Council, the

City Administrator, and posted outside City Hall, on the City's website at www.shadycove.org, and on the local radio station, KSHD.

- B. Notice of the emergency meeting shall be given to all members of the Council and the City Administrator via email.
- C. Emergency meetings are those meetings called with less than 24 hours' notice and the Council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
- D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

IV. Executive Sessions. Executive sessions may be called by the Mayor, by the request of three members of Council, by the City Administrator.

- A. Only members of the Council, the City Administrator and persons specifically invited by the City Administrator or the Council shall be allowed to attend executive sessions.
- B. Representatives of recognized news media¹ may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation in accordance with applicable laws.

V. Work Sessions. Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.

- A. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
- B. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
- C. Work sessions are to be scheduled by the City Administrator or Mayor.
- D. The City Administrator is to invite any relevant Staff to work sessions so that the

¹ State law requires governing bodies to allow representatives of recognized news media to attend executive sessions except for labor negotiations and litigation where the news media is a party to the litigation. State law does not define the term news media and a decision whether such an individual should be permitted to attend an executive session must be made on a case by case basis

sessions are as productive as possible.

- VI. Holidays.** In the event a regular meeting falls on a holiday recognized by the City, the regular meeting for that week shall be rescheduled.
- VII. Location.** Council meetings shall be held at City Hall or appropriate venue.
- A. In the event City Hall is not available or appropriate for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the City.
 - B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.
 - C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.
 - D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.
- VIII. Notice.** The City Administrator or designee shall provide notice of all meetings in accordance with Oregon's public meeting law.
- IX. Attendance.** Members of the Council shall advise the Mayor if they will be unable to attend any meetings. Under the City Charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Mayor's permission or absent from all meetings of the Council within a 60-day period.

CHAPTER 3 – Ordinances and Resolutions

- I. Ordinances.** All ordinances considered by and voted upon by the Council shall adhere to the rules outlined herein.
- A. Numbering. The City Administrator shall number all ordinances with a consecutive

identification number during each calendar year, in the order of their introduction. Each number shall be preceded by the last two digits of the year in which the ordinance was introduced.

B. Preparation and Introduction.

1. All ordinances shall, before presentation to the Council, have been approved by the City Attorney, or the City Attorney's designee.
2. Ordinances shall be introduced by a member of the Council. Upon the request of the Council, an ordinance may be introduced by the City Administrator or the City Attorney, with a member of the Council moving further action on such ordinance upon completion of the introduction.
3. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.

C. Calendar of Ordinance.

1. An ordinance is introduced for consideration by the Council for presentation for first reading. After introduction, the Council may direct that:
 - a. A public hearing on the ordinance be held;
 - b. Refer the ordinance to committee for review and recommendation;
 - c. Refer the ordinance to the City Administrator for further revision;
 - d. Pass the ordinance to a second reading; or
 - e. Reject the ordinance in whole or in part.
2. All ordinances when introduced for first reading shall be identified by title and number on a calendar of first reading and may be passed to a second reading as a group without further reference.
3. Except as otherwise provided by this section, on second reading all ordinances shall be placed by title and number on a calendar of second reading, and may be passed as a group, provided that the vote is unanimous.
4. Should any member of the Council object to any ordinance at time of second reading, that ordinance shall be considered separately. Ordinances to be considered separately shall be read by title only.

5. No second reading of any ordinance shall occur at the meeting where it is introduced, except by suspension of this section of the rules, and no ordinance shall be passed at a single meeting, except by a unanimous vote for passage by all members of Council present.
6. An affirmative vote of at least three members of the Council shall be necessary to pass an ordinance.

II. Resolutions. All resolutions considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Numbering. The City Administrator shall number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number shall be preceded by the last two digits of the year in which the resolution was introduced.

B. Calendar of Resolution.

1. A resolution is introduced for consideration by the Council for first reading. After introduction, the Council may direct that:
 - a. A public hearing on the resolution be held;
 - b. Reject the resolution in whole or in part.
2. All resolutions when introduced shall be identified by title and number on a calendar of first reading and may be passed without further reference.
3. Except as otherwise provided by this section, all resolutions shall be placed by title and may be passed as a group, provided that the vote is unanimous.
4. Should any member of the Council object to any resolution that resolution shall be removed and considered separately. Resolutions to be considered separately shall be ready by title only.
5. When a resolution which is to be considered separately is placed before the Council for final passage, the City Administrator shall call the roll and enter the ayes and nays in the record.
6. An affirmative vote of a majority of the Council present shall be necessary to pass a resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings.

- A. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.
- B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the City Administrator at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Administrator, it shall not be included in the record for the proceeding.
- C. No person may speak more than once without obtaining permission from the Presiding Officer.
- D. Upon being recognized by the Presiding Officer, any member of the Council, the City Administrator, or the City Attorney may question any person who testifies.
- E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.
- F. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition to rise, and the City Administrator shall note the numbers of such persons for the record in the minutes.

II. Quasi-Judicial Land Use Matters.

- A. Scope of Review. All appeals and Council-initiated review in quasi-judicial land use proceedings shall be new (de novo) and shall be held on the record.
- B. Conflicts of Interest.
 - 1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:
 - a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City Charter.
 - b. The member was not present during the public hearing; provided, however,

the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

2. Members of the Council shall reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. If such contact impairs the member's impartiality, the member shall state this fact and abstain from participation in the matter.

C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's municipal code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
2. The proponent, any opponents, and/or City Staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The City Administrator shall read the land use hearing disclosure statement, which shall include:
 - a. A list of the applicable criteria;
 - b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 - c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
 - d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit

court.

2. Call for ex parte contacts. The Presiding Officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.
3. Call for abstentions. The Presiding Officer shall inquire whether any member of the Council must abstain from participating in the hearing due to a conflict of interest. Any member of the Council announcing a conflict of interest shall state the nature of the conflict, and shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.
4. Staff summary. Planning Staff shall present a summary concerning the proposal.
5. Presentation of the Case.
 - a. Proponent's case. Twenty minutes total.
 - b. Persons in favor. Five minutes per person.
 - c. Persons opposed. Five minutes per person.
 - d. Other interested persons. Five minutes per person.
 - e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
6. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to Staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.
7. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
8. Findings and Order. The Council may approve or reject the proposal.
 - a. The Council shall adopt findings to support its decision.
 - b. The Council may incorporate findings proposed by the proponent, the opponent or Staff in its decision.

- E. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

III. **Legislative Land Use Matters.**

A. **Hearings Procedures.** The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.
2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary concerning the proposal.
3. Presentation of the Case.
 - a. Proponent's case. Twenty minutes total.
 - b. Persons in favor. Five minutes per person.
 - c. Persons opposed. Five minutes per person.
 - d. Other interested persons. Five minutes per person.
4. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to Staff.
5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting

- I. **Motions.** All motions shall be distinctly worded.

A. The following rules shall apply to motions:

1. If a motion does not receive a second, it dies.
 2. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
 3. Any motion shall be reduced to writing if requested by a member of the Council.
 4. A motion to amend can be made to a motion that is on the floor and has been seconded.
 5. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
 6. A motion may be withdrawn by the mover at any time without the consent of the Council.
 7. Amendments are voted on first, then the main motion if voted on as amended.
 8. A member of the Council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
 9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.
 10. A motion that receives a tie vote fails.
 11. The Presiding Officer shall repeat the motion prior to a vote.
 12. A motion to adjourn cannot be amended.
- B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
1. No motion shall be made more than once.

2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the Council.

II. Debate. The following rules shall govern the debate of any item being discussed by the Council:

- A. Every member desiring to speak shall address the Presiding Officer, and, upon recognition by the Presiding Officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
- B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.
- C. The member of the Council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

III. Public Comment. The public shall be entitled to comment on all matters before the Council that require a vote.

- A. Public comment shall occur after the matter up for vote has been presented by City Staff and before the Council takes any formal action on the matter.
- B. Each member of the public is entitled to comment on the matter before the Council for three minutes.
- C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the Council or City Staff.
- D. Each person desiring to give public comments shall provide the Council with his or her name and address prior to giving comment. This information shall be used to insure the minutes of the meeting properly reflect those persons who provided public comment.

IV. Voting. The following rules shall apply to voting on matters before the Council, unless amended in the manner outlined in Chapter 4 of these Rules.

- A. Reports. A majority of a quorum shall be required to approve or accept a report. However, no vote is required if the report is only for informational purposes.

- B. Consent Agenda. The unanimous vote of all members of the Council present is required to approve the matters on a consent agenda.
- C. Resolutions. A majority of Council shall be required to pass a resolution.
- D. Any Ordinance. An ordinance involving a fee or fine shall require a majority of the Council to pass.
- E. Emergency Ordinance. An emergency ordinance shall require the unanimous vote of all members present.
- F. Budget. The budget shall require a majority of Council to pass.
- G. Franchise. A majority of Council shall be required to pass an ordinance granting a franchise.
- H. Suspension of Rules. A unanimous vote of all members of the Council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the City's City Charter shall not be suspended or rescinded.
- I. All votes shall be recorded in the minutes.
- J. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower City body or commission, a tie shall render the lower body's decision approved.
- K. Effective date.
 - 1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.
 - 2. All ordinances shall take effect 30 days² after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date, or if an emergency has been declared, the ordinance can be effective immediately.
- L. Voting Requirements. Every member present when a question is called shall vote either affirmative or negative, unless a member has a conflict of interest under applicable law, in which case an abstention shall be recorded. There shall be no debate during voting.

² Ordinances go into effect 30 days after passage.

CHAPTER 6 – Minutes

I. **General.**

- A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the City Administrator in accordance with the appropriate record retention schedule.
- B. The minutes shall contain the following information:
 - 1. The date, time and place of the meeting;
 - 2. The members present;
 - 3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - 4. The results of all votes and the vote of each member by name;
 - 5. The substance of any discussion on any matter; and
 - 6. A reference to any document discussed at the meeting.

II. **Approval.** The Council shall approve all minutes of any meeting.

- A. All minutes shall be approved within ninety days of the meeting having occurred.
- B. The draft minutes shall be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
- C. Any member of the Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

CHAPTER 7 – Appointments

- I. **Appointments of City Staff.** The Council appoints and can remove those positions identified in the City's City Charter. All appointments require a majority vote of the entire Council.
 - A. Reviews. Any person appointed by the Council shall be subject to an annual review by the Council.
 - B. Removals. All appointed persons may be removed by a majority vote of the entire

Council.

- C. Interference. If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointments of Members to Boards, Commissions and/or Committees.

- A. Unless otherwise mandated by state law, the Council shall appoint the members of any board, commission or committee authorized by the Council.
- B. Removals. All appointed persons may be removed by the Council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

I. Ethics. All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A. Disclosing confidential information.
- B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
- C. Expressing an opinion contrary to the official position of the Council without so saying.
- D. Conducting themselves in a manner so as to bring discredit upon the government of the City.

II. Decorum.

- A. The Presiding Officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.
- B. Members of the Council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules.
- C. Council members shall be recognized by the Presiding Officer before speaking.
Council members shall address any remarks to the council rather than to the

audience unless given permission by the Presiding Officer. Upon recognition and with permission of the Presiding Officer, a person in the audience may address the council, not the audience.

- D. Members of the City Staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.

III. Statements to the Media and Other Organizations

- A. Contact with Media. The City Administrator will provide talking points prior to media contact regarding controversial issues related to the City. The Mayor and Councilors shall contact the City Administrator for talking points prior to speaking to media on issues related to City business.
- B. Personal Opinions. If a member of the Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

IV. Use of Electronic Devices

It is the policy of the Council, in keeping with the intent of the state's open meeting law, that the use of electronic communications devices during Council meetings be limited and shall otherwise comply with rules and laws applicable to proceedings before the Council. Any electronic communications regarding quasi-judicial matter to be considered by the Council is an ex parte contact and shall be disclosed, as required by law.

Definitions –

As used in this section, "electronic communications devices" means laptop computers, smart phones, cell phones, or other similar devices capable of transmitting or receiving messages electronically.

As used in this section, "electronic communications" means e-mails, text messages, social media posts or other forms of communications transmitted or received by

technological means³.

- V. Anonymous Communication** – Anonymous and unsigned communications, whether verbal or written, shall not be introduced in Council meetings.

CHAPTER 9 – Interactions with Staff & City Attorney

- I. Staff.** All members of the Council shall respect the separation between the Council's role and the City Administrator's responsibility by:
- A. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Administrator.
 - B. Refraining from actions that would undermine the authority of the City Administrator or a department head.
 - C. Limiting individual inquiries and requests for information from Staff to those questions that may be answered readily as part of Staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Administrator.
 - 1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.
 - 2. Members of the Council shall normally share any information obtained from Staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.
- II. City Attorney** Inquiries or requests of the City Attorney by the Council must be directed

³ State Law reads – 192.670 Meetings by means of telephonic or electronic communication. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 190.690.

When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where the public can listen to the communications at the time it occurs by means of speakers or other devices. The place provided may be a place where no members of the governing body of the public body are present. (1973 c.172§7; 1979 c.361 §1)

through the City Administrator.

CHAPTER 10 – Censure and Removal

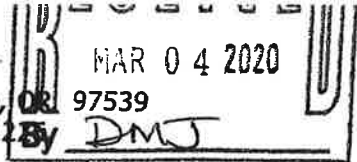
- I. The Council may enforce these rules and ensure compliance with City ordinances, City Charter and state laws applicable to governing bodies. If a member of Council violates the Rules of Government, City Ordinances, the City Charter or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City Charter.
- II. The Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these Rules of Government, local ordinance, the City Charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

- I. **Amendment.** These rules of procedure are subject to amendment by the Council in accordance with the rules noted herein.
 - A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - B. All amendments to these rules require a majority vote.
 - C. Amended rules shall not go into effect until the meeting after the rule was approved.
- II. **Repeal.** These rules of procedure are subject to repeal and replacement by the Council in accordance with the rules noted herein.
 - A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.

- B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
- C. Any repeal and replacement of these rules requires a majority vote.
- D. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.

DRAFT



APPLICATION FOR COMMISSION OR COMMITTEE

PLEASE PRINT

DATE: 3-4-2020 POSITION APPLIED FOR: Emergency Management Commission

APPLICANT INFORMATION

Name: Debbie Glass Collier

Physical Address: 339 Rene Dr.

City: Shady Cove State: OR Zip: 97539

Mailing Address: (same)

City: _____ State: _____ Zip: _____

Home Phone: NA Cell Phone: _____

Email Address: dglass23@gmail.com

Current Occupation: retired healthcare executive
(If retired or unemployed, state your general or past profession.)

How long have you lived in Shady Cove? 2yrs

How long have you lived in Jackson County? 2yrs

Are you available to attend both daytime and evening meetings when necessary? yes

Are you an employee of the City of Shady Cove, an occasional or potential contract employee, or do you have any other real or potential conflict of interest in working or serving in this capacity?
 Yes No

If yes, please describe:

QUALIFICATIONS

I believe that I am qualified for and should be considered for the above position(s) for the following reasons
(continue on next sheet if necessary):

- Extensive hospital-based emergency management experience as ED nurse, manager, COO & CEO, including incident command training
- Participated in regional, multi-agency task force on emergency preparedness
- Written/rewritten multiple hospital disaster plans to make them more useful for staff

Qualifications continued (if necessary):

- co-authored chapter in "Disaster Nursing - Planning, Assessment & Intervention" focused on decision making in the acute care facility

Please use this space to summarize why you are applying for this position:

- Personal interest in emergency preparedness
- Experience & knowledge in emergency management that I think would benefit the commission

Please use this space to add any additional information you would like to share:

By signing this application, electronically or otherwise, I affirm that all information included is true and accurate to the best of my knowledge. I authorize the City of Shady Cove to publically review and discuss the information provided herein and to assist in responding to any questions asked which are relevant to this position.

Signature of applicant

Abbie Glass Collier

Date

2-4-2020

How to Submit:

By email:

SDent@shadycove.org

In person:

City of Shady Cove, City Hall, 22451 Highway 62, Monday through Friday, 8:00 AM to 5:00 PM

By mail:

P.O. Box 1210, Shady Cove, OR 97539

By fax:

541.878.2226

Questions?

Call City Hall at 541.878.2225 or send an email to the email as listed above.

CITY OFFICE USE ONLY	
DATE RECEIVED	INITIALS

The City of Shady Cove is an Equal Opportunity Provider.



CITY OF SHADY COVE
 22451 Highway 62 • P.O. Box 1210 • Shady Cove, OR 97539
 Phone: 541.878.2225 • Fax: 541.878.2226

MAR 04 2020
 DMJ

APPLICATION FOR COMMISSION OR COMMITTEE
 PLEASE PRINT

DATE: 3-4-2020 POSITION APPLIED FOR: Emergency Management Commission

APPLICANT INFORMATION

Name: Bob Collier
 Physical Address: 339 Rene Dr
 City: Shady Cove State: OR Zip: 97539
 Mailing Address: (same)
 City: _____ State: _____ Zip: _____
 Home Phone: NA Cell Phone: _____

Email Address: bc 7484@yahoo.com
 Current Occupation: Retired electrician
(If retired or unemployed, state your general or past profession.)

How long have you lived in Shady Cove? 2yrs

How long have you lived in Jackson County? 2yrs

Are you available to attend both daytime and evening meetings when necessary? yes

Are you an employee of the City of Shady Cove, an occasional or potential contract employee, or do you have any other real or potential conflict of interest in working or serving in this capacity?
 Yes No

If yes, please describe:

QUALIFICATIONS

I believe that I am qualified for and should be considered for the above position(s) for the following reasons (continue on next sheet if necessary):

- prior owner/builder of satellite communication trailers used as mobile command centers in disaster relief
- prior electrical supervisor at Vista Unified School District, working with district officials, police & fire on emergency management plans & response

Qualifications continued (if necessary):

- worked in nuclear power plants with extensive training & drills in disaster management
- worked in hospitals & understand importance of emergency power & back-up generators

Please use this space to summarize why you are applying for this position:

• I think my knowledge & experience would benefit the Commission

Please use this space to add any additional information you would like to share:

By signing this application, electronically or otherwise, I affirm that all information included is true and accurate to the best of my knowledge. I authorize the City of Shady Cove to publically review and discuss the information provided herein and to assist in responding to any questions asked which are relevant to this position.

Signature of applicant

Date

Paul Colli

How to Submit:

- By email: SDent@shadycove.org
In person: City of Shady Cove, City Hall, 22451 Highway 62. Monday through Friday, 8:00 AM to 5:00 PM
By mail: P.O. Box 1210, Shady Cove, OR 97539
By fax: 541.878.2226

Questions?

Call City Hall at 541.878.2225 or send an email to the email as listed above.

CITY OFFICE USE ONLY

DATE RECEIVED

INITIALS

The City of Shady Cove is an Equal Opportunity Provider.



APPLICATION FOR COMMISSION OR COMMITTEE

PLEASE PRINT

DATE: 03/05/2020 POSITION APPLIED FOR: Emergency Mgmt.

Name: <u>BRUCE WILSON</u>		
Physical Address: <u>250 OLD FERRY RD</u>		
City: <u>SHADY COVE</u>	State: <u>OR</u>	Zip: <u>97539</u>
Mailing Address: <u>250 OLD FERRY RD</u>		
City: <u>SHADY COVE</u>	State: <u>OR</u>	Zip: <u>97539</u>
Home Phone:		Cell Phone:
Email Address: <u>brucecarmelwilson@gmail.com</u>		
Current Occupation: (If retired or unemployed, state your general or past profession.) <u>RETIRED, FIRE CAPTAIN</u>		
How long have you lived in Shady Cove? <u>13 YEARS</u>		
How long have you lived in Jackson County? <u>13 YEARS</u>		
Are you available to attend both daytime and evening meetings when necessary? <u>YES</u>		
Are you an employee of the City of Shady Cove, an occasional or potential contract employee, or do you have any other real or potential conflict of interest in working or serving in this capacity? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, please describe:		
I believe that I am qualified for and should be considered for the above position(s) for the following reasons (continue on next sheet if necessary):		
<u>30 YRS EMPLOYMENT FOR THE CITY OF SACRAMENTO AS</u>		
<u>A FIRE CAPTAIN</u>		
<u>SEE ATTACHED RESUME - 2 PAGES</u>		
<u>SEE FIRE INSPECTOR APPLICATION, CITY OF MEDFORD</u>		
<u>JUNE 3, 2008</u>		

Qualifications continued (if necessary):

SEE CERTIFICATES - ATTACHED

Please use this space to summarize why you are applying for this position:

I WANT THE CITY OF SHADY COVE, OR TO BE AS PREPARED AS POSSIBLE FOR EMERGENCIES OF ALL CAUSES. I THINK MY EXPERIENCES AS A FIRE CAPTAIN WOULD HELP.

Please use this space to add any additional information you would like to share:

By signing this application, electronically or otherwise, I affirm that all information included is true and accurate to the best of my knowledge. I authorize the City of Shady Cove to publically review and discuss the information provided herein and to assist in responding to any questions asked which are relevant to this position.

Signature of applicant

Bruce Wilson

Date

MAR 2, 2020

How to Submit:

- By email: SDent@shadycove.org
- In person: City of Shady Cove, City Hall, 22451 Highway 62. Monday through Friday, 8:00 AM to 5:00 PM
- By mail: P.O. Box 1210, Shady Cove, OR 97539
- By fax: 541.878.2226

Questions?

Call City Hall at 541.878.2225 or send an email to the email as listed above.

Bruce Edward Wilson
250 Old Ferry Rd
Shady Cove, OR 97539
Mobile: 916 764-0702
Day Phone: 541 878-2565
Email: bruceandcarmel@embarqmail.com

Country of citizenship: United States of America
Veterans' Preference: 5-point preference based on active duty in the U.S. Armed Forces
Contact Current Employer: Yes

WORK EXPERIENCE **Sacramento City, Department of Fire** **12/1970 - 6/2000**
Sacramento, CA US
Salary: \$72,000 USD Per Year
Hours per week: 56

Fire Suppression Captain

EMT 1, HazMat Emergency Response Tech/ Spec, Emerg. Medical Services Coordinator, Admin. Aide to Staff Officer, Fire Prevention Inspector 2 (AB 2185/87 3777), Haz-Mat Business Plan Coordinator, Underground Storage Tank Coordinator - Fire Prevention Bureau, Residential Speaker - Fire Prevention Bureau, Test proctor and High Rise proctor - Division of Training, and acting Battalion Chief (relief work) for approximately 10 years. (Contact Supervisor: Yes, Supervisor's Name: Ray Jones, Fire Chief, Supervisor's Phone: 916 808-1300)

Sacramento City Department of Fire **12/1970 - 6/2000**
Sacramento, CA US
Salary: \$6000.00 USD Per Month
Hours per week: 56

Fire Captain

Fire Suppression Captain, In charge of a single engine company, one Apparatus Operator and two F/F Paramedics. I also did approximately 10 years of Acting Battalion Chief's relief work.
During my service, I conducted daily roll call and special projects for a Staff officer. I was also the Haz-Mat Business coordinator for AB 2185/87 & 3777 and Underground Storage Tank coordinator supervising new installs as well as safe removal at existing sites. (Contact Supervisor: Yes, Supervisor's Name: Ray Jones, Fire Chief, Supervisor's Phone: 916 808-1300)

EDUCATION

Sacramento Fire Dept. Haz-Mat division
Sacramento, CA US
Certification - 4/1998
Relevant Coursework, Licensures and Certifications:
Hazardous Materials Specialist 1A-1G

Butte Public Service Center
Butte, CA US
Some College Coursework Completed - 4/1998
8.5 Semester Units
Relevant Coursework, Licensures and Certifications:
Hazardous Materials Emergency Response Technician
Hazardous Materials Emergency Response Specialist

The Governor's Office of Emergency Services
San Luis Obispo, CA US
Certification - 5/1992
Relevant Coursework, Licensures and Certifications:
Incident Commander/Scene Manager

University of California, Davis
Davis, CA US
Vocational - 4/1992
Relevant Coursework, Licensures and Certifications:
Handling Hazardous Materials Incidents: Incident Command

National Fire Academy
Sacramento, CA US
Vocational - 9/1986
Relevant Coursework, Licensures and Certifications:
Rescue Systems 1, Fire Arson Detection, Preparing for Incident Command, Commanding the Initial Response.

California State University, Sacramento
Sacramento, CA US
Some College Coursework Completed - 1/1986
42 Semester Hours
Major: Public Administration
Minor: Business
GPA: 3.5 out of 4.0
Relevant Coursework, Licensures and Certifications:
General courses in both Business and Public Administration curriculum.

American River College
Sacramento, CA US
Associate Degree - 6/1974
60 Semester Hours
Major: Fire Science
Minor: Public Administration
GPA: 4.0 out of 4.0
Relevant Coursework, Licensures and Certifications:
Fire Science 61 Firefighting Tactics
FS 62A Hazardous Materials
FS 63 Fire Protection and Equipment
ES 64 Codes and Ordinances
FS 65 Fire Hydraulics
FS 68 Fire Apparatus and Equipment
FS 69 Rescue Practices

JOB RELATED TRAINING

The United States Air Force, Intercept Operator Preparatory Course AQR29222 (Top Secret Defense Clearance.)
Multi Casualty Incident training, Exposures/Ambulance (Sacramento Fire Department, Division of Training.) Urban Search and Rescue, Extrication-ropes. Swiftwater Awareness/Flood Protection, Sacto, F.D.
Emergency Response to Terrorism Self Study, (National Fire Academy.)



CITY OF MEDFORD

Human Resources Department
411 W. 8TH STREET
MEDFORD, OREGON 97501
(541) 774-2010 PHONE
(541) 774-2523 FAX

The City of Medford is an equal opportunity employer and shall not discriminate against an employee or applicant for employment because of race, color, religion, sex, age, marital status, national origin, mental or physical disability, arrest record or any other classification protected under state or federal law.

Directions: Fields marked with a red asterisk (*) are required. Write NA if the question is not applicable. Failure to observe these directions will result in your application not receiving adequate consideration.

Today's Date: Tuesday, June 03, 2008

POSITION TITLE
Fire Inspector

DEPARTMENT
Fire and Rescue

If you have worked for the city before, give dates:

1. Are you able to work at any of the City's sites? Yes No
If No, please explain:

2. Will you accept: (Check work you will accept)
Full Time Part Time Seasonal Shift Work

Can you work multiple shifts? (please explain)
I am willing to work whatever shifts/hours/overtime, that the job requires.

3. Name
Wilson Bruce Edward
*Last Name *First Name Middle Name

4. *Mailing Address
250 Old Ferry Rd.
*Street
Shady Cove OR 97539
*City *State *Zip
(541) 878-2565 (916) 764-0702 n/a
*Home Phone Message Phone Work Phone
bruceandcarmel@emb
E-Mail Address

5. Do you have a legal right to work in this country? yes No Those selected for employment will be required to provide proof of right to work.

6. Have you ever been convicted of or pled guilty or no contest to any crime?

Yes No

If yes, explain below. (Exclude those cases processed in juvenile court and minor traffic violations.) Conviction does not necessarily disqualify you from employment. The type of offense, date of occurrence, and the position sought will be considered.

7. EDUCATION RECORD - if now in school, include present term.

NAME AND LOCATION OF HIGH SCHOOL GRADUATED?
 C.K. McClatchy, H.S., Sacramento, Calif Yes No

IF NOT A HIGH SCHOOL GRADUATE, DO YOU HAVE A CERTIFICATE OF EQUIVALENCY (GED)? Yes No IF YES, DATE RECEIVED: -

Schools attended after high school or special training received.				Fields of Study or Titles of Special Courses	NO OF CREDITS REC'D			Certificates, Degrees, Etc. Earned
NAME AND LOCATION	FROM/TO Mo. Yr.	FULL TIME	PART TIME		Semester Hours or	Qtr. Hours or	Clock Hours	
Sacramento City Colleg	From Sep 62 To May 65			Major: General Education Minor: Psychology	90			n/a
American River College	From Sep 71 To May 74			Major: Fire Science Minor: Music	60			A.A. Fire S
Calif. State University, S	From Sep 74 To Feb 76			Major: Public Administratic Minor:	42			n/a
Firefighter, City of Sacra	From Dec 70 To Apr 76			Major: Minor:				
Apparatus Operator, Cit	From Apr 76 To Nov 79			Major: Minor:				

Fire Captain, City of Sacramento	From	Major:					
	Nov 79						
	To	Minor:					
	Jun 00						

8. List any special training, licenses, certificates, machine skills, office equipment, languages, or other special skills you may have that are pertinent to the position.

EMT 1, Haz-Mat emergency response Technician/Specialist, Emergency Medical Services Coordinator, Administrative Aide to Staff Officer, Fire Prevention Inspector 2 (AB 2185/87, 3777, Haz-Mat Business Plan Coordinator an Underground Storage Tank Coordinator - Fire Prevention Bureau), Residential Speaker (Fire Prevention), Test Proctor and High Rise Proctor (Division of Training), Acting Battalion Chief (10 yrs, approx).

KEYBOARDING SPEED: currently, 30wpm. College - 90 wpm

9. REFERENCES -

List the names of three persons other than relatives or former employers.

NAME	ADDRESS	BUSINESS	TELEPHONE
1) William Pharr	1296 Antelope Rd, White	541-826-0626	541-826-3113
2) Craig Watrous, ret Div	8250 Sunset AV, Fair Oaks	n/a	916-967-8852
3) Ray Jones, Fire Chief,	5770 Freeport Bl, Sacramento	916-808-1300	

This section must be completed. A resume will not be accepted as a substitute.

10. EMPLOYMENT HISTORY - Beginning with your present or most recent job, describe your work experience during the past TEN years. Include all non-paid or volunteer work. Also list any prior work experience related to the duties of the position for which you are applying. If you need more space, please attach additional sheets. Explain gaps in employment.

1) Employing Firm	Address	FULL TIME	Hours per Week	START SALARY	LAST SALARY
City of Sacramento, CA	5770 Freeport Bl, Sacramento, CA. 95822				
Job	Supervisor's Title, Name and Phone Number				
Fire Captain	Battalion Chief, Phillip Nelson, 916-808-1300				
FROM Mo. Yr.	TO Mo. Yr.				
Dec 70	Jun 00	PART TIME	56	\$ \$782.00	\$ \$6000.00

Specific Duties

Fire Suppression Captain, In charge of a single engine company, one Apparatus Operator, and two F/F/Paramedics. I also did approximately 10 yrs of Acting Battalion Chief's relief work.

Reason for leaving

Retirement

CURRENT EMPLOYER

If you still work here, may we contact this employer? Yes

2) Employing Firm

Address

Job

Supervisor's Title, Name and Phone Number

FROM
Mo. Yr.

TO
Mo. Yr.

FULL TIME
PART TIME

Hours per Week

START SALARY
\$

LAST SALARY
\$

Specific Duties

Reason for leaving

3) Employing Firm

Address

Job

Supervisor's Title, Name and Phone Number

FROM
Mo. Yr.

TO
Mo. Yr.

FULL TIME
PART TIME

Hours per Week

START SALARY
\$

LAST SALARY
\$

Specific Duties

Reason for leaving

4) Employing Firm

Address

Job

Supervisor's Title, Name and Phone Number

FROM
Mo. Yr.

TO
Mo. Yr.

FULL TIME
PART TIME

Hours per Week

START SALARY
\$

LAST SALARY
\$

Specific Duties

Reason for leaving

5) Employing Firm

Address

Job

Supervisor's Title, Name and Phone Number

FROM
Mo. Yr.

TO
Mo. Yr.

FULL TIME

Hours per Week

START SALARY

LAST SALARY

■ ■

■ ■

PART TIME

\$

\$

Specific Duties

Reason for leaving

6) Employing Firm

Address

Job

Supervisor's Title, Name and Phone Number

FROM
Mo. Yr.

TO
Mo. Yr.

FULL TIME

Hours per Week

START SALARY

LAST SALARY

■ ■

■ ■

PART TIME

\$

\$

Specific Duties

Reason for leaving

11. State your reason for desiring work with the City of Medford and add any other information pertinent to your application.

I am on a fixed income, and need to supplement that income.

12. I hereby certify that this application contains no misrepresentations or falsifications and that the information given is true and complete to the best of my knowledge and belief. I understand that misrepresentation or omission of facts called for in this application is cause for cancellation of the application and/or dismissal from employment no matter how or when discovered. I understand that if any health conditions have arisen that may hinder the performance of my duties, I will notify you prior to accepting employment. I authorize the City of Medford to make any necessary and appropriate investigations to verify the information contained herein. I authorize the City of Medford to obtain any information relating to my employment history. This information may include, but is not limited to, attendance, achievement, performance, personal attributes, or discipline, and I release any individual from all

liability for damages that may result to me on account of compliance or any attempt to comply with this authorization.

An application signature will be required of selected candidates at the time of interview.

Please note: If you wish to print a copy of this for your own records, click the "Print" button before clicking the "I Agree" button.

Upload your Resume (we accept Word, WordPerfect, PDF or Text files):
upload

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NOV 6, 1975	MINE SAFETY APPLIANCES COMPANY
PR 12, 1983	SFD TRAINING DIVISION COMMAND IA
PR 12, 1983	CAL FIRE SERVICE TRAINING + EDUCATION FIRE COMM IA
NOV 23, 1984	SFD TRAINING DIVISION - HAZ-MAT OFFICER'S TRAINING
NOV 5, 1984	3M BOOTS + COOTS FIRE SEMINAR
6/30, 1984	NATL FIRE ACADEMY - FIRE ARSON DETECTION
7-9, 1986	NO. CAL. CRIMINAL JUSTICE, WRITING EFFECTIVE LETTERS + MEMOS
NOV 1, 1987	ABAG TRAINING INSTITUTE - UNDERGROUND STORAGE TANKS
1992	ICD INCIDENT COMMAND, HANDLING HAZ MAT INCIDENTS
2/26, 1991	CAL FIRE SERVICE TRAINING + ED SYSTEM FIRE COMM 2 E
1/14, 1997	" " " " " " HAZ MAT IA
1-19, 1997	" " " " " " " " IB
1/6, 1998	BUTTE PUBLIC SERVICE CENTER HAZ MAT EMERG RESPONSE TECH
1/6, 1998	CAL FIRE SERVICE TRAINING + ED HAZ MAT ID
1/27, 1998	" " " " " " " IF
1/3, 1998	BUTTE PUBLIC SERVICE CENTER HAZ MAT EMERG RESPONSE SPECIALIST
1/3, 1998	CAL FIRE SERVICE TRAINING + ED SYSTEM - HAZ MAT IS
1/25-4/19/98	SFD CONTINUING ED
1/26, 1999	NATL FIRE ACADEMY - EMERG RESPONSE TO TERRORISM
1/21, 1999	" " " RESCUE SYSTEMS I
1/23, 2014	FEMA ICS 100
1/30, 2014	" ICS 200

City of Shady Cove

Resolution No. 20-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON, REVISING CITY COUNCIL RULES OF GOVERNMENT**

WHEREAS, the City Council of the City of Shady Cove desires to conduct City Council meetings in accordance with all appropriate rules of order in a professional and organized manner; and

WHEREAS, the existing Shady Cove Council Rules of Government were last updated by Resolution 19-01 on February 7, 2019; and

WHEREAS, the City Council now desires to further update the existing Council Rules of Government.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

The Shady Cove City Council Rules of Government, as attached and labeled Exhibit "A", are hereby adopted; and

The effective date of this Resolution shall be April 2, 2020; and

Resolution 19-01 is hereby repealed.

Adopted by the City Council of the City of Shady Cove this 2nd day of April 2020.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

City of Shady Cove

Resolution 20-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON, ESTABLISHING FEES AND CHARGES**

Whereas, it is the policy of the City of Shady Cove to require the recovery of certain City costs from fees and charges levied therefore in providing City services products and regulations; and

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTIONS1: Fees Established

Fees and charges for certain City services, products and regulations are established and set as enumerated in the attached Exhibit "A" incorporated by reference as though fully set forth herein.

SECTION 2: Rates Note Enumerated

Rates for any category, not enumerated in this Resolution, may, from time to time, beset by the City Council.

SECTION 3: Resolutions Repealed

All previous Fee Resolutions are hereby repealed.

SECTION 4: Effective Date

This Resolution shall be effective April 2, 2020

Adopted by the Shady Cove City Council this 2nd day of April 2020

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

Exhibit "A"

Attachment to City of Shady Cove Fee Resolution No. 19-11-20-02

Effective Date: **September 5, 2019**

ADMINISTRATIVE FEE		
Administrative Fee	\$45.00	Per hour, per person, after first 15 minutes.
Copies	\$0.30	Per page.
Copies	\$0.55	Per side for 11x17.
Audio Recording (CD)	\$5.00	Actual cost of CD and staff time to reproduce CD.
Returned Check Fee	\$30.00	Returned Check/ACH Fee.
Debit / Credit Card Transaction Fees		TBD
BUSINESS LICENSE		
Business License	\$85.00	All business licenses. Businesses located in the City, out of City or Home Occupations, etc.
Duplicate Business License	\$10.00	
1 to 30 Day License	\$10.00	One per fiscal year.
License Late Fee	20%	If paid after August 1 a 20% (\$17.00) late fee will be assessed.
License Reinstatement Fee	\$25.00	
Prorated Business License	\$7.00/Month + Next Fiscal Yr.	For a new business beginning after Dec 31 through the end of the fiscal year + full rate of the next fiscal year.
LIQUOR LICENSE		
Change of Ownership	\$35.00	
Renewal	\$35.00	
Temporary/Special Event	\$35.00	
TAXES AND FEES		
Raft Rental Tax	\$3.00	Per raft rental (Ord. 199 & 232).
Transient Occupancy Tax	6%	(Ord. 140, 140-01, & 171)
PLANNING FEES ***		
Access Permit	\$200.00	Road access.
Ancillary - Up to 100 Sq. Ft.	\$75.00	Applies to small outdoor improvements ancillary to existing structures such as decks and stairs.
Appeal	\$300.00	
Conditional Use Permit	\$600.00	
Consulting, Legal and Professional Charges	Admin Fee	Plus \$45.00 per hour, per person after first 15 minutes.
Extensions	\$25.00	
Fence Permits (Non-Floodplain)	\$50.00	
(Floodplain)	\$250.00	
Final Plat	Half Original Fee	
Floodplain - Additional Inspections	\$150.00	
Floodplain Applications: Minor	\$275.00	Minor includes one inspection.
Floodplain Applications: Major	\$700.00	Includes up to three inspections.
Floodplain Minor File Review	\$150.00	No on site inspection.

Floodplain Minor File Review	\$75.00	Tree removal.
Lot Line Adjustment	\$300.00	
Land Partition Minor	\$600.00	No road creation.
Land Partition Major	\$1,200.00	Extension or creation of a road.
Other Inspection Services	Admin Fee	Plus \$45.00 per hour, per person after first 15 minutes.
Planned Unit Development	\$2,000.00	Plus \$50.00 per lot
Pre-Application Conference	\$400.00	\$100 Credit on land use approval application.
Revision to Prior Approval	Half Original Fee	
Sign Permit	\$50.00	Per property.
Land Use Approval	\$175.00	Plus any required engineering cost.
Site Development Review	\$175.00	Resident, Non Floodplain, Plus any required engineering cost.
Site Design Review	\$450.00	Resident, Floodplain & Commercial, Plus any required engineering cost.
Subdivision or Mobile Home Park	\$2,000.00	Plus \$50.00 per lot, Plus any required engineering cost.
Variance	\$500.00	Plus any required engineering cost.
Zone Change Application	\$1,500.00	Plus any required engineering cost.
Zone Change & Comp Plan Amendment	\$2,500.00	Plus any required engineering cost.
Zone Change & Annexation	\$3,000.00	Plus any required engineering cost.
STREET IMPROVEMENTS		
28' with Curb and Gutter	\$120.00 per linear foot	Established by Resolution #99-12
STREET IMPROVEMENTS		
36' with Curb and Gutter	\$136.00 per linearfoot	Established by Resolution #99-12
STORM DRAINAGE		
Excavation and backfill, 18 HDPE, pipe curb inlets	\$60.00 per linear foot	Established by Resolution #99-12
WATER IMPROVEMENTS		
8" C-900 PVC water main, 6" fire hydrant lines, water service lines, excavation and backfill and valves, bends, appurtenances	\$55.00 per linear foot	Established by Resolution #99-12
ENGINEERING / CONTRACT / ADMINISTRATION & SURVEY WORK		
Engineering/Contract/Administration & Surveying	\$40.00 per linear foot	Established by Resolution #99-12
5' Concrete Sidewalk (Optional on Street Improvement)	\$20.00 per linear foot or \$4.00 per square foot	Established by Resolution #99-12
SYSTEM DEVELOPMENT CHARGES (SDC's)		
Ordinance No. 271 & Resolution No. 15-18 - Single Family Residential/ EDU		
Parks: Single Family	\$1,500.00	Established by Resolution 19-04.
Storm Water: Single Family	\$1,500.00	Established by Resolution 19-04.
Transportation: Single Family	\$7,500.00	Established by Resolution 19-04.

PUBLIC SAFETY		
Driver License Reinstatement	\$20.00	
Public Safety Surcharge	\$18.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties.
Public Safety Fee - Code Enforcement	\$3.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties.
SEWER MONTHLY RATES		
Residential		
EQUIVALENT DWELLING UNIT (EDU)		
Single Family	\$44.00	
Multiple Family	\$44.00	Per Unit.
Mobile Home Park	\$44.00	Per Space.

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LODGING		
Motel	\$46.00	Plus \$10.00 per unit (21.7% of EDU)*.
R.V. Park	\$46.00	Plus \$10.00 per unit (21.7% of EDU)*. If rented for more than 30 days the full EDU rate (\$46.00) applies.
RESTAURANTS & BARS		
Restaurants & Bars	\$46.00	Plus \$1.75 per seat (3.8% of EDU)*
OTHER COMMERCIAL		
Car Wash	\$46.00	Per Stall.
Laundromat	\$46.00	Plus \$23.00 per washing machine (50% of EDU)*.
Business/Building with 1-5 employees	\$46.00	
Business/Building with 6 + employees	\$92.00	
Fats, Oils, Grease Surcharge (FOG)	\$50.00	1st month out of compliance
Fats, Oils, Grease Surcharge (FOG)	\$100.00	Each additional month out of compliance (with maximum limit of \$1,000.00 per month)
OTHER		
Churches, Other Non-Profit	\$46.00	
Recreation Vehicle Dumping Station	\$92.00	
Service Outside the City	\$66.00	
School	\$46.00	Plus \$0.35 per student and employee (307)**.
Utility Billing Late Fee	1.5% or \$10.00	assessed monthly at 1.5% or \$10.00, whichever is more.
Utility Billing Collection Fee	25%	25% administrative fee added to all accounts turned over to collections.
Vacated Buildings Sewer Maintenance Fee	\$46.00	Full months only. (Commercial)
Vacated Buildings Sewer Maintenance Fee	\$44.00	Full months only. (Residential)
Lien Search	\$25.00	
PARKS AND RIVERHOUSE FEES		
TBD	TBD	
TBD	TBD	
TBD	TBD	
TBD	TBD	
*Percentage will be applied to any subsequent change in EDU rate.		
** Number of students and employees will be validated each year.		
***All Planning Fees may be subject to actual cost of such as; engineer, arborist, County, attorney , surveyor, etc.		

**CITY OF SHADY COVE
RESOLUTION NO. 99-12**

**A RESOLUTION OF THE CITY OF SHADY COVE, OREGON,
ADOPTING STANDARD FOOTAGE COSTS FOR CONSTRUCTION OF
LOCAL ACCESS AND COLLECTOR STREETS.**

WHEREAS, the City Council of the City of Shady Cove has determined that it is necessary to adopt standard footage costs, as estimated by the City Engineer, for construction of local access and collector streets, with these fees to be updated on an annual basis; and,

WHEREAS, this Resolution will be attached as Exhibit "C" to each Deferred Improvement Agreement issued by the City, with the understanding this estimate may change prior to actual construction; and,

THEREFORE, BE IT RESOLVED, the City Council of the City of Shady Cove hereby establishes the following standard footage costs for street construction to be attached to each Deferred Improvement Agreement issued by the City, with the understanding this estimate may change prior to actual construction.

STREET IMPROVEMENT - 28' with Curb and Gutter	
Mobilization, clearing & grubbing, traffic control, excavation, fabric, 4" - 0 Rock (6"), 1" - 0 Rock (3"), Class "C" Asphalt Concrete (3"), curb and gutter, and driveway aprons.	\$120.00 linear foot
STREET IMPROVEMENT - 36' with Curb and Gutter	
Mobilization, clearing & grubbing, traffic control, excavation, fabric, 4" - 0 Rock (6"), 1" - 0 Rock (3"), Class "C" Asphalt concrete (3"), curb and gutter and driveway aprons.	\$136.00 linear foot
STORM DRAINAGE	
Excavation and backfill, 18 HDPE, pipe, curb inlets.	\$60.00 linear foot
WATER IMPROVEMENTS	
8" C-900 PVC water main, 6" fire hydrant lines, water service lines, excavation and backfill and valves, bends, appurtenances.	\$55.00 linear foot
ENGINEERING/CONTRACT/ADMINISTRATION & SURVEY WORK	\$40.00 linear foot
5' CONCRETE SIDEWALK (Optional on Street Improvement)	\$20.00 linear foot or \$ 4.00 square foot



City Administrator

Thomas J. Corrigan

CITY ADMINISTRATOR'S REPORT

MEETING DATE: 031920

ISSUE BEFORE COUNCIL –

Ordinance 251, Nuisances and Offenses, states that May 15 will be the start of the “Noxious Vegetation” deadline. With the onset of additional drought months, more and more cities are beginning to increase this timeline. Medford has gone to a May 1 deadline. Jacksonville is considering April 30. Rogue River has gone to an all-year-round 10” weed and noxious vegetation mandate.

DETAILS –

Ordinance 251 specifically states,

“Noxious vegetation. The presence of vegetation on property or in the right-of-way of a street, alley or sidewalk abutting the property, anytime between May 15 and September 30 of any year including:

1. *Weeds or grass more than 10 inches high.*
2. *Blackberry bushes that extend into a public thoroughfare or across a property line.*
3. *Poison oak or ivy.*
4. *Vegetation that is a health hazard, a fire hazard or other hazard because it is near other combustibles, or a traffic hazard because it impairs the view of the public thoroughfare or otherwise makes use of the thoroughfare hazardous for pedestrians and/or vehicles.*

If high grass is noted after May 15, Staff must send a Notice of Compliance to the owner of the property. Many times these owners are out of state. Once received, the owner has 14 days to abate the issue. Owners can appeal the Notice to the City Council at the next time a meeting agenda is set. After that, if upheld, they would have an additional 14 days to abate the issue. As you can tell, this might very well put the date into the middle of Fire Season. Owners then state they cannot do the work required. Staff may handle literally dozens of violations the very first week and this continues

loaned out at no charge and are allowed to be used at any time during Fire Season. However, some out of state owners say they cannot get to them.

Staff has had to spend a large amount of time handling these violations. One of the main reasons that CSOs were brought into play was for weed abatement. Allowing additional time for citizens to get ready for Fire Season would definitely assist with these violations.

RECOMMENDATION –

Change beginning date from May 15 to May 1 or an earlier date to assist with Fire Season protection.

Direct Staff to put a notice in the local paper noting the earlier dates and the law. Central Point does this every year.

City of Medford –

MEDFORD, Ore-- You should check the length of grass and weeds on your property. The weed abatement start date moved this year to May 1st. Usually it starts around June 1st.

Corporal Randy Jewell with the Medford Police Department works on Special Services like the weed ordinance in Medford. "When May 1st rolls around it gives the property owners an opportunity to get out with their heavy equipment and machinery to take care of the tall grass" said Jewell.

The City of Medford also specifies how the grass should be cut. Here's what it says in the press release:

"Vacant or undeveloped property over 1 acre must be border cut with a minimum 30 foot mowed edge. Vacant or underdeveloped property over 5 acres must also be cross cut within minimum 30 foot fuel breaks in maximum 2-1/2 acre parcels to mitigate the fire hazard. In addition, any properties adjacent to improved subdivisions or improved properties shall provide a minimum 100 foot fuel break along the edge of the improved subdivision/property. Any property less than or equal to one acre must be fully cut."

During fire season there are restrictions like using heavy machinery. Now people in Medford have an extra month to get their lawn or property ready for fire season.

Central Point - 8.08.020 Notice and abatement--Proceedings.

- A. Each year, the city manager may cause to be published in a newspaper of general circulation within the city of Central Point, Oregon, a public notice that conditions prescribed in Section 8.08.010(A) constitute a public nuisance and directing that all growth which would constitute such a nuisance be cut or removed within fifteen days from the date of publication of the notice.

Rogue River - 8.05.300 Noxious vegetation and debris.

No owner or person in control or possession of property may permit weeds or other noxious vegetation to grow upon his property. It is the duty of an owner or person in control or possession of property to cut down or to destroy weeds or other noxious vegetation from becoming unsightly or from becoming a fire hazard or from maturing or going to seed.

A. The term "noxious vegetation" does not include vegetation that constitutes an agricultural crop unless that vegetation is a health hazard or a fire or traffic hazard within the meaning of subsection (B) of this section.

B. The term "noxious vegetation" includes:

1. Weeds more than 10 inches high.
2. Grass more than 10 inches high and not within the exception stated in subsection (A) of this section.

City of Shady Cove

Ordinance No. 251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHADY COVE
DEFINING NUISANCES AND OFFENSES AND PROVIDING FOR
ABATEMENT PROCEDURES AND PENALTIES. AND REPEALING
ORDINANCE NOS. 165 and 166 IN THEIR ENTIRETY.

Whereas, The City Council of the City of Shady Cove desires to consolidate the Nuisances and Offenses Ordinances into one Ordinance; and

Whereas, The City Council of the City of Shady Cove desires to remove obsolete, redundant, and generally update the Ordinances adopted over 10 years ago.

**THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS
FOLLOWS:**

SECTION 1: Oregon Criminal Code Adopted

The provisions of Oregon Revised Statutes, Chapter 161, relating to defenses, burdens of proof, general principles of criminal liability, parties to crime or offense, and general principles of justification and responsibility apply to nuisances and offenses defined and made punishable by this Ordinance.

SECTION 2: Definitions

A. For the purpose of this Ordinance, the following mean:

Abatement. The process of eliminating a condition that adversely affects the health and safety.

Animal husbandry: The keeping or raising of farm animals including, but not limited to horses, cattle, sheep, goats and pigs, except as approved as a Conditional Use Permit, defined in the City's Zoning Ordinance.

Camping. No person shall camp in or on public property that is not specifically designated for such purpose. Camping shall include staying for all or part of a night in the open or in temporary lodging, such as cars, tents, campers, trailers or motor homes.

Re: Nuisances and Offenses

Curfew: No person under the age of 18 shall idle, wander, stroll, or play in or upon the public streets, sidewalks, parks, playgrounds or other unsupervised places, between the hours of 10:00 pm. and 4:00 a.m. unless:

1. The person is accompanied by a parent or legal guardian.
2. The person is engaged in a lawful activity which requires the person's presence after the hours noted above.
3. The person is emancipated pursuant to ORS 419.8.550 to 4198.558.

Dangerous buildings. Buildings in such a condition to affect public health; safety and/or welfare including but not limited to:

1. a structure that, for lack of proper repairs, or because of age and dilapidated condition, or of poorly installed or defection wiring, plumbing, gas, or other utilities, or for any other reason, is liable to cause fire, and which is situated or occupied in a manner that endangers other property or human life;
2. a structure containing combustible or explosive material or inflammable substances liable to cause fire or danger to the safety of the building, premises or to human life;
3. a structure that is in a filthy or unsanitary condition liable to cause the spread of contagious or infectious disease;
4. a structure in such weak, dilapidated or deteriorated condition that it endangers a person or property because of the probability of partial or entire collapse.

Discharge of Weapons. The firing, discharging or use of a gun, weapon, slingshot, crossbow, bow and arrow, or weapon, by any person other than a peace officer, or person(s) designated by a police officer, that propels a projectile by force of pressurized air or gas or gun powder or other explosive, jet or rocket propulsion with the City.

Re: Nuisances and Offenses

Dog Control. The owner or keeper of a dog shall not allow the dog to become a public nuisance. A dog is a nuisance if it:

1. Is not on the premises of its owner or keeper, if not on a leash.
2. Bites, injures or causes injury to a person.
3. Chases or threatens vehicles or persons.
4. Damages or destroys property other than that of its owner or keeper.
5. Scatters garbage.
6. Trespasses onto private property.
7. Disturbs other persons by frequent or prolonged barking or other noises
8. Is rabid.
9. Obstructs the reasonable use of public or private property.

Drinking in Public Places.

- A. No person shall drink or consume alcoholic liquor in or on a motor vehicle, public sidewalk, street, alley, mall, parking lot or structure, school property or other public place unless the place has been licensed for that purpose by the Oregon Liquor Control Commission.
- B. This shall not prohibit the consumption of alcoholic liquor in the above listed public places during special events for which the operators(s) have obtained a special permit from the City and have obtained a special permit from the Oregon Liquor Control Commission.

Exotic animals. The keeping or raising of wild or exotic animals including, but not limited to lions, tigers, other big cats, deer, bear, antelope, wolves, snakes, buffalo, alligators, wild reptiles, dangerous animals or insects.

Illegal Lodging. No person shall lodge in, or occupy a car, outbuilding or other place not intended for that purpose.

Re: Nuisances and Offenses

Lodging in Recreational Vehicles.

- A. The following regulations pertain to recreational vehicles parked outside of recreational vehicle parks, mobile home or manufactured home parks, or other areas that are specifically designated for such vehicles.
1. No person shall occupy a recreational vehicle for sleeping or living purposes on a public street or right-of-way.
 2. No person having ownership, or other responsibility for property in Shady Cove, shall occupy or allow the occupancy of any recreational vehicle upon the premises as a permanent living quarters, unless approved for such use by the Shady Cove City Council.
 3. A recreational vehicle may be parked on private property and used for sleeping and cooking purposes by guests of the residents of the premises for a period not to exceed 30 days within any three month period of the year, provided the vehicle has self contained sewage facilities or the vehicle's occupants are utilizing the facilities in their host's residence, unless approved for a longer period in advance, by the Shady Cove City Council.
 4. Any unoccupied recreational vehicle shall not be stored on any roadway or within any public right-of-way.
 5. A recreational vehicle shall not occupy a space within an approved mobile home park unless that space has been specifically approved by the City for short-term recreational vehicle use.

Re: Nuisances and Offenses

Noxious vegetation. The presence of vegetation on property or in the right-of-way of a street, alley or sidewalk abutting the property, anytime between May 15 and September 30 of any year including:

1. Weeds or grass more than 10 inches high.
2. Blackberry bushes that extend into a public thoroughfare or across a property line.
3. Poison oak or ivy.
4. Vegetation that is a health hazard, a fire hazard or other hazard because it is near other combustibles, or a traffic hazard because it impairs the view of the public thoroughfare or otherwise makes use of the thoroughfare hazardous for pedestrians and/or vehicles.

Nuisances and Offenses. Conditions that adversely affect public health, safety or welfare.

Person: A natural person, firm, partnership, association or corporation, whether acting as an individual for themselves, or as the clerk, servant, employee or agent of another.

Person in charge of property: An owner, agent, occupant, lessee, contract purchaser or other person having possession or control of property or supervision of a construction project.

Person responsible: The owner or the person in charge of the property.

Public Indecency. An act of urination or defecation, except in toilets provided for that purpose.

Temporary Signs: Temporary signs include, but are not limited to election, campaign, and yard/garage sale signs.

Re: Nuisances and Offenses

Unenumerated nuisances and offenses. Nuisances and offenses not specifically enumerated in this Ordinance including a substance or act that is determined to be injurious to public health, safety, or welfare.

Unnecessary Noise. Any unreasonably frequent and prolonged noise which interferes with the health and /or public welfare, including, but not limited to:

1. The keeping of any bird or animal which, by causing frequent or prolonged continuous noise, shall disturb the comfort and repose of any person in the vicinity.
2. The use of a vehicle engine, either stationary or moving, so out of repair, loaded or operated as to create any loud or unnecessary grating, grinding, rattling or other noise.
3. The sounding of a horn or signaling device on a vehicle on a street, or public or private place, except as necessary warning of danger.
4. The use of mechanical devices operated by compressed air, steam or otherwise, unless the noise thereby created is effectively muffled.
5. The use of a gong or siren upon a vehicle, other than police, fire or other emergency vehicle.
6. Noise from construction activities including erection, excavation, demolition, alteration, repair between 6:00 p.m. and 7:00 a.m., except in case of urgent necessity in the interest of the public welfare and safety as determined by the City.
7. The owner of a property may conduct such activities on property occupied by the owner between the hours of 7:00 a.m. and 9:00 p.m. providing such activity does not unnecessarily affect the public health, safety and/or welfare.

Re: Nuisances and Offenses

8. The creation of excessive noise on a street adjacent to a school, institution of learning, church or court of justice while same are in use, or adjacent to a hospital or institution for the care of the sick or infirm, which unreasonably interferes with the operation of such institution, or which unduly disturbs or annoys patients, and clients.
9. The discharge of the exhaust of a steam engine, internal combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises and the emission of annoying smoke.
10. The use or operation of an automatic or electric piano, phonograph, radio, television, loudspeaker or any instrument for sound producing or any sound amplifying device as to disturb person in the vicinity thereof or in such a manner as renders the use thereof a nuisance. Upon application to the City, permits may be granted to responsible persons or organizations for the broadcast or amplification of programs of music, news, speeches or general entertainment as part of a public event, festival or outstanding event of a noncommercial nature. The amplification shall not be audible at a distance of more than 1,000 feet from the source of amplification, and in no event shall a permit be granted where any obstruction to the free and uninterrupted traffic, both vehicular and pedestrian, will result.
11. The conducting, operating or maintaining of a garage within 100 feet of a residential unit in such a manner as to cause loud or disturbing noises between the hours of 9:00 p.m. and 7:00 a.m.
12. The making of a noise by crying, calling or shouting or by means of a whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument or other device for the purpose of advertising goods, wares or merchandise or of attracting attention or inviting patronage of a person to a business.

Re: Nuisances and Offenses

SECTION 3: Nuisances Declared

A. The following conditions are declared to be nuisances affecting public health.

1. Accumulation of debris, rubbish, manure and other refuse that are not removed within a reasonable time.
2. Stagnant water that affords a breeding place for mosquitoes and other insect pests.
3. Pollution of a body of water, well, spring, stream or drainage ditch by sewage, industrial waste or other substance placed in or near the water in a manner that will cause harmful material to pollute the water.
4. Decayed or unwholesome food offered for human consumption.
5. Liquid waste drained from private premises.
6. Mastics, oil, grease or petroleum products allowed to be introduced in the sewer system by a user.
7. Animal carcasses on streets or private or public property.
8. Animals or birds maintained, kept or housed in such a number to create offensive odors or noise.
9. An open vault or privy constructed and maintained within the City, except those constructed or maintained in connection with construction projects in accordance with the Oregon State Board of Health regulations.

B. The following conditions are declared to be nuisances affecting public safety.

1. Woodpiles, wood, lumber, rocks, bricks, blocks or metal within the streets, alleys or sidewalks for a period of time longer than 24 hours of placement of such material without first-obtaining a permit from the City.
2. A container with a compartment of more than one cubic foot of capacity with a door or lid that locks or fastens automatically when closed that cannot be easily opened from the inside, maintained, or left, in a place accessible to children.

Re: Nuisances and Offenses

3. A well, cistern, cesspool, excavation, or other hole of a depth of four feet or more and a top width of 12 inches or more uncovered, not fenced or without a suitable protective construction.
4. Unguarded machinery, equipment or other devices placed or stored in a manner to be appealing, dangerous and accessible to children.
5. Lumber, logs or piling placed or stored in a manner to be appealing, dangerous and accessible to children.
6. Noxious vegetation.
7. The presence of combustible materials stored in such a manner as to constitute a fire hazard.
8. Dumping on public or private property of rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would likely injure a person, animal or vehicle traveling on a public way.
9. Trees, bushes or shrubs on property abutting a street, alley or sidewalk that interfere with vehicle or pedestrian traffic.
 - a. The person in charge of the property shall keep all trees, bushes or shrubs on the premises, including the adjoining parking strip, trimmed so that any overhanging portions are at least 8 feet above the sidewalk, and at least 12 feet above the roadway, public right-of-way, or parking area.
10. Snow, ice or rain water which adversely affects the safety of users and which falls from the building or structure onto a street or public walkway or right-of-way or is allowed to remain thereon.
 - a. The person in charge of the property shall install and maintain in a proper state of repair, adequate drainpipes or drainage systems so that the overflow water accumulating on the roof or about the building is not carried across or on the sidewalk or other property.

Re: Nuisances and Offenses

- C. The following conditions are declared to be nuisances affecting public welfare.
1. Operation of an electrical, mechanical or other device, apparatus, instrument or machine that causes reasonably preventable interference with radio or television reception by a radio or television receiver of good engineering design.
 2. Accumulation of any old or scrap copper, brass, pipe, rope, wire, rags, batteries, paper, plastic, trash, rubber, debris, waste, or junked, dismantled, wrecked, scrapped or ruined appliances, motor vehicles or other vehicles or appliances, motor vehicle or other vehicles parts, iron, steel, or other old or scrap ferrous or nonferrous material, metal or nonmetal materials on private property within the sight of the public.
- D. Unnecessary noise is declared to be a nuisance which affects public health, safety and/or welfare.

SECTION 4: Nuisances and offenses Prohibited.

- A. No person, person in charge of, or person responsible for a parcel of real property shall allow or permit a nuisance or offense to occur on that parcel as defined in this Ordinance.

SECTION 5: Complaint.

- A. Any person who believes a violation of this Ordinance exists may file a complaint with the City. The City of Shady Cove Police Department will investigate and make a determination for complaints of violation, including complaints involving fire hazards and noxious vegetation. A citizen may sign a citation if that individual is willing to testify and present evidence to nuisances and offenses which are not witnessed by an individual with police powers.

Re: Nuisances and Offenses

SECTION 6: Abatement Notice.

- A. When a nuisance or offense is determined to exist, the City will place a notice on the premises in question directing the offending party to abate the nuisance or offense. If the occupant is not the property owner or person in charge of the property, a copy of the notice will be provided to such individual as well as to the property owner, either in person or by certified mail, at the property owner's last known address.
- B. An error in the name or address of the owner or person in charge of the property or the use of a name other than that of the owner or other person or failure of the owner to pick up his or her mail will not make the notice void, and in such case the posted notice will be sufficient. The abatement notice will include:
1. The address or other description of the real property involved.
 2. A description of the nuisance or offense.
 - &- A demand that the nuisance or offense be abated within 14 days or such other period of time as *any enforcement officer the Chief of Polioo* may determine to be appropriate.
 4. Notice that failure to comply may result in the City abating the nuisance or offense at the offending party's expense.
 5. Notice that the offending party has 10 days to file an appeal of the abatement notice, in writing, with the City.

SECTION 7. Abatement by Owner.

- A. The owner, or person in charge of the property, will remove the nuisance or offense in accordance with the abatement notice, or show that no nuisance or offense exists.

SECTION 8. Abatement by the City.

- A. If the nuisance or offense is not abated within the time allowed, the City may authorize abatement by whatever means are appropriate. This action may be enforced by a law enforcement officer. Necessary personnel will have the right, at reasonable times, to enter into, or upon, the involved property.
8. The City will keep an accurate record of the expenses incurred by the City for abatement costs and will add, separately noted, a charge of 25 percent of the expenses for administrativ overhead.

Re: Nuisances and Offenses

SECTION 9. Summary Abatement.

- A. Where an immediate threat to life or property exists, any law enforcement officer, or their agent may cause the nuisance or offense to be abated without written notice.

SECTION 10. Assessment of Costs.

- A. The City will send to the responsible party and involved property owner a notice showing the total cost of abatement, including administrative overhead. The notice will also state that the total amount of the assessment is due to the City within 30 days. If the assessment is not paid on time, it will become a lien on the property, and that unpaid assessments will incur interest at the rate of 1.5 percent per month.

SECTION 11. Appeal.

- A. The owner, or person in charge protesting that no nuisance or offense exists, shall file with the City, a written statement which will specify the basis for the protest. The statement will be referred to the City Council or Municipal Court Judge, as appropriate, as part of the next scheduled meeting or court date. At the time set for consideration of the abatement, the owner or other person may appear and be heard and the Council or Municipal Court Judge, as appropriate will thereupon determine whether or not a nuisance or offense, in fact, exists. If it is determined that it does exist, the owner, or other person shall, within 10 days of that determination complete the abatement.
- B. If the owner, or person in charge of the property, objects to the assessment for abatement, a written objection may be heard by the City Council in the manner described in "A" above.

SECTION 12. Penalties and Damages.

- A. In addition to the cost and assessments provided in this Ordinance, a violation may be prosecuted in the Municipal Court of the City of Shady Cove, and be punished by a fine or not more than \$500.
- B. Each day's violation constitutes a separate violation. The abatement shall not constitute a penalty for violating the Ordinance.

Re: Nuisances and Offenses

- C. The remedies specified herein will not be deemed exclusive and the City may, at its option, seek to enforce the provisions of this Ordinance by exercising its legal or equitable remedies in any court of competent jurisdiction.
- D. When an offense has been committed that results in ascertainable damages to any person, based upon conviction thereof, in addition to any other sentence, the Court may order that the defendant make restitution to the victim.

SECTION 13. Infraction. Neither party shall have the right to a jury trial at the trial of any infraction.

SECTION 14. Severability.

- A. Invalidity of a section or part of a section of this Ordinance will not affect the validity of remaining sections or parts of Sections.

SECTION 15. Repeal.

- A. Ordinance Nos. 165 and 166 are hereby repealed in their entirety.

SECTION 16. Savings Clause.

- A. The repeal of any Ordinance noted in Section 15, will not preclude any action against any person violating this Ordinance prior to the effective date of this Ordinance.

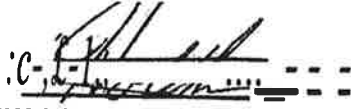
City of Shady Cove
Ordinance No. 251
June 25, 2009; July 23, 2009
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Re: Nuisances and Offenses

Adopted by the City Council of the City of Shady Cove this 23rd day of July, 2009.

Approved:

Attest:



Ron Holthusen
Mayor



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; Recorder

Council Vote:

Councilor Bradburn
Councilor Hayes
Councilor Hughes
Councilor Kyle
Mayor Holthusen