



CITY COUNCIL AGENDA
April 13, 2015, 6:30PM
Regular Meeting
 CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

Call to order: _____ **Time:** _____

1. The pledge of allegiance

2. Roll Call:

	Present	Absent
Mayor Karl Popoff		
Council Position #1 Melinda McVey		
Council Position #2 Larry Brennan		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
STARTING VOTE		
City Administrator Jodi Fritts		
Student Liaison VACANT		

3. Special Orders of Business:

- a. Proclamation Child Abuse Prevention & Awareness Month
- b. Presentation from Sheriff John Ward regarding law enforcement levy
(Support Resolution prepared by Councilor Kaufman included with packet)
- c. Interview potential Budget Committee member

4. Consent Calendar:

Minutes: April 14, May 27, June 9, 2014, January 26, February 9, 2015

5. Citizens Comments

As presented to the Mayor at the beginning of the meeting

6. Public Hearing

None Scheduled

7. Citizen Requested Agenda Items

None scheduled

8. Public Contracts and Purchasing

- a. Discussion with Public Works Superintendent Newdall RE: need for 8th Street waterline replacement

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community

9. **Ordinances & Resolutions**
 - a. Resolution R1415-11 Budget Committee Appointments
 - b. Resolution R1415-12 Support for Sheriff's Levy (*prepared by Councilor Kaufman*)
 - c. Resolution R1415-13 Muni Judge Pro-Tem
 - d. Resolution R1415-14 Enterprise Zone amendment
 - e. First Reading of Ordinance 653, road vacation

10. **Miscellaneous Items (including policy discussions and determinations)**
 - a. Draft Sign Code Amendment-Ordinance 655
 - b. Abatement of Dangerous Building 94223 1st Street—removal notice FYI only

11. **City Administrator's Report**
To be presented at the meeting

12. **Mayor and Council Member Comments**
 - a. Mayor Karl Popoff
 - b. Councilors
 - 1) Melinda McVey
 - 2) Larry Brennan
 - 3) Becky Campbell
 - 4) Doug Brand
 - 5) Tamie Kaufman
 - c. Student Liaison, Vacant

13. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting

14. **Executive Session**
None scheduled

The next scheduled meeting of the Gold Beach City Council is **Monday, April 27, 2015, at 5:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon. **This will be the first budget hearing for the FY 15-16 budget.**

15. **Adjourn Time:** _____

The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call 541-247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of discrimination should be sent to: USDA, Attention Director, Office of Civil Rights, Washington, D.C. 20250-9419

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SPECIAL ORDERS OF BUSINESS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **3.a.**
Council Hearing Date: April 13, 2015

**TITLE: Proclamation for Child Abuse Prevention &
Awareness Month**

SUMMARY AND BACKGROUND:

Jackie Antunes from the Curry Child Abuse Intervention Center respectfully requested that the Mayor follow the lead of President Obama and declare April as Child Abuse Prevention & Awareness Month in the City of Gold Beach.

A copy of the proclamation is attached.



Proclamation

Whereas, nearly five children die every day in America from abuse and neglect; and

Whereas, a high number of children ages 0-17 in Curry County, Oregon are victims of neglect and abuse each year; and

Whereas, President Barack Obama has proclaimed the month of April as National Child Abuse Awareness and Prevention Month; and

Whereas, the victory over child abuse and neglect will not be achieved without the support of the entire community and recognition of the importance of awareness raising to decrease incidents of abuse and to support child abuse victims and their families; and

Whereas, each April Curry County's **Curry Child Abuse Center** and other supporters of the Child Advocacy & Abuse Prevention Movement ask the community to join the outreach efforts to reduce and prevent child abuse.

Now, Therefore, I Karl Popoff, Mayor of the City of Gold Beach, hereby proclaim April 2015 to be

Child Abuse Prevention and Awareness Month

In the City of Gold Beach, and encourage all citizens to join in a national effort to raise awareness and help prevent child abuse and neglect.

Karl Popoff, Mayor

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **3. b./9. b.**
Council Hearing Date: April 13, 2015

TITLE: Resolution R1415-12 Support of Sheriff's Levy

SUMMARY AND BACKGROUND:

Councilor Kaufman prepared a resolution if the Council decides to formally support the Sheriff's Levy, Measure 8-81.

Staff is prohibited from advocating for a candidate or measure. Attached are draft resolutions sent to me by Brookings Mayor, Ron Hedenskog.

RESOLUTION R 1415-12

(Resolution prepared by Councilor Tamie Kaufman)

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF GOLD BEACH SUPPORTING A BRIDGE TO PERMANENT FUNDING OF SHERIFF'S OFFICE SERVICES THROUGH A SPECIAL LAW ENFORCEMENT DISTRICT

WHEREAS, law enforcement in the City of Gold Beach is dependent on Sheriff's Office Services working with our City Police Department; and

WHEREAS, these services not provided by our City Police Department include: Jail Operations, Dispatch, 911, Criminal Investigations, Search & Rescue, Marine Patrol, Civil Process, Adult Patrol/Probation, and Emergency Services; and

WHEREAS, funding these services through the Curry County General Fund, Federal Timber Payments, or other traditional means is inadequate or no longer exists; and

WHEREAS, a group of concerned citizens (Sheriff's Advisory Board) recommends permanent funding through a Sheriff's Office Special Law Enforcement District; and

WHEREAS, the timing to form a permanent Sheriff's Office Special Law Enforcement District is expected to take up to three years; and

WHEREAS, as recommended by the Sheriff's Advisory Board, the Curry County Board of Commissioners has placed a measure on the May 19, 2015 ballot to provide adequate and stable funding for Sheriff's Office Services through a three year split rate levy, until a Special District can be formed; and

WHEREAS, a split tax rate of \$1.34 per \$1,000 of assessed value within the incorporated cities, including Gold Beach, and \$2.52 per \$1,000 of assessed value in the unincorporated areas (which include Sheriff's Patrol) of Curry County will be levied by this ballot measure for three years, are expected to be similar to those for the future Special District, and will only be used to fund Sheriff's Office functions.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Gold Beach that we support the formation of a Sheriff's Office Special Law Enforcement District and the three year split-rate ballot measure to provide bridge funding for Sheriff's Office services until the Special District can be discussed organized and brought to the voters.

PASSED AND ADOPTED by the Common Council of the City of Gold Beach this 13th day of April, 2015.

Karl Popoff, Mayor

ATTEST:

Candy Cronberger, City Recorder

CITY OF BROOKINGS
State of Oregon
RESOLUTION 15-R-1053

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BROOKINGS SUPPORTING A BRIDGE TO PERMANENT FUNDING OF SHERIFF'S OFFICE SERVICES THROUGH A SPECIAL LAW ENFORCEMENT DISTRICT.

WHEREAS, law enforcement in the City of Brookings is dependent on Sheriff's Office Services working with our City Police Department; and

WHEREAS, these services not provided by our City Police Department include: Jail Operations, Dispatch, 911, Criminal Investigations, Search & Rescue, Marine Patrol, Civil Process, Adult Patrol/Probation, and Emergency Services; and

WHEREAS, funding these services through the Curry County General Fund, Federal Timber Payments, or other traditional means is inadequate or no longer exists; and

WHEREAS, a group of concerned citizens (Sheriff's Advisory Board) recommends permanent funding through a Sheriff's Office Special Law Enforcement District; and

WHEREAS, the timing to form a permanent Sheriff's Office Special Law Enforcement District is expected to take up to three years; and

WHEREAS, as recommended by the Sheriff's Advisory Board, the Curry County Board of Commissioners has placed a measure on the May 19, 2015 ballot to provide adequate and stable funding for Sheriff's Office Services through a three year split rate levy, until a Special District can be formed; and

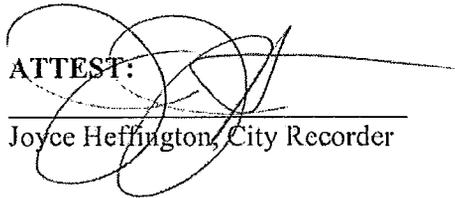
WHEREAS, a split tax rate of \$1.34 per \$1,000 of assessed value within the incorporated cities, including Brookings, and \$2.52 per \$1,000 of assessed value in the unincorporated areas (which include Sheriff's Patrol) of Curry County will be levied by this ballot measure for three years, are expected to be similar to those for the future Special District, and will only be used to fund Sheriff's Office functions;

NOW THEREFOR, BE IT RESOLVED, by the Common Council of the City of Brookings that we support the formation of a Sheriff's Office Special Law Enforcement District and the three year split-rate ballot measure to provide interim funding for Sheriff's Office services until the Special District can be formed.

PASSED AND ADOPTED by the Common Council of the City of Brookings this

23rd day of March, 2015.

ATTEST:



Joyce Heffington, City Recorder



Ron Hedenskog, Mayor

Resolution 15-R-1053 Sheriff's levy

RESOLUTION 2015-07

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD SUPPORTING A BRIDGE TO PERMANENT FUNDING OF SHERIFF'S OFFICE SERVICES THROUGH A SPECIAL LAW ENFORCEMENT DISTRICT

WHEREAS, law enforcement in the City of Port Orford is dependent on Sheriff's Office Services working with our City Police Department; and

WHEREAS, these services not provided by our City Police Department include: Jail Operations, Dispatch, 911, Criminal Investigations, Search & Rescue, Marine Patrol, Civil Process, Adult Patrol/Probation, and Emergency Services; and

WHEREAS, funding these services through the Curry County General Fund, Federal Timber Payments, or other traditional means is inadequate or no longer exists; and

WHEREAS, a group of concerned citizens (Sheriff's Advisory Board) recommends permanent funding through a Sheriff's Office Special Law Enforcement District; and

WHEREAS, the timing to form a permanent Sheriff's Office Special Law Enforcement District is expected to take up to three years; and

WHEREAS, as recommended by the Sheriff's Advisory Board, the Curry County Board of Commissioners has placed a measure on the May 19, 2015 ballot to provide adequate and stable funding for Sheriff's Office Services through a three year split rate levy, until a Special District can be formed; and

WHEREAS, a split tax rate of \$1.34 per \$1,000 of assessed value within the incorporated cities, including Port Orford, and \$2.52 per \$1,000 of assessed value in the unincorporated areas (which include Sheriff's Patrol) of Curry County will be levied by this ballot measure for three years, are expected to be similar to those for the future Special District, and will only be used to fund Sheriff's Office functions.

NOW THEREFOR, BE IT RESOLVED, by the Common Council of the City of Port Orford that we support the formation of a Sheriff's Office Special Law Enforcement District and the three year split-rate ballot measure to provide

interim funding for Sheriff's Office services until the Special District can be formed.

PASSED AND ADOPTED *by the Common Council of the City of Port Orford* this 19th day of March 2015.

Jim Auburn, Mayor

ATTEST:

Beverley Manes, City Recorder

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **3. c./9. a.**
Council Hearing Date: April 13, 2015

TITLE: Budget Committee Candidate

SUMMARY AND BACKGROUND:

Budget Committee positions #1, #4, and #5 are vacate due to expiration of terms. We have received one application since last meeting. The potential candidate meets the eligibility requirements to serve.

Candidate: Sandra M. Vieira-Ms. Vieira was formerly the Chamber of Commerce Executive Director. She resigned last spring due to health issues. She serves on the Urban Renewal Citizen Advisory Committee.

Information from the application form:

Why do you want to serve: "It is of great interest to me to help and be a part of our community in every capacity possible."

Ms. Vieira has prior budgetary experience with the Chamber of Commerce and a former employer: Anthem Electronics as a Project Manager. She states her "budgetary experience ranges from thousand dollar budgets for events up to multi-million dollar budgets as a corporate manager in Silicon Valley."

Volunteer experience: Ms. Vieira has served on various non-profit boards in the community such as the Ellensburg Theatre Company and the Wild Rivers Coast Alliance.

She is currently the President of the Wild Rivers Coast Partnership, a non-profit tourism promotion consortium. She formerly served on the Wild Rivers Coast Rural Tourism Studio Steering Committee.

Ms. Vieira has a degree in Marine Biology.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

None

REQUESTED MOTION/ACTION:

Decision regarding appointment of the vacant Budget Committee position. The Mayor appoints with majority approval of the present council members. If the Mayor and the majority council are unable to agree on a candidate, then the position remains vacant.

If the Mayor and majority council agree on the candidate, we need a motion approving the appointment. I prepared a resolution for the appointment in case the council decided to appoint Ms. Viera. The resolution is listed in the Resolution and Ordinance portion of the agenda.

SUGGESTED MOTION

I make the motion that we adopt Resolution R1415-01, a resolution confirming appointments to the Budget Committee and setting terms of office.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council

RESOLUTION R1415-11

**A RESOLUTION CONFIRMING APPOINTMENTS TO THE BUDGET
COMMITTEE AND SETTING TERMS OF OFFICE**

WHEREAS: The appointment and term of office procedures are set forth in the Gold Beach Administrative Code Section 1.125(2) & (3) and Oregon Budget Law; and

WHEREAS: Three vacancies exist on the Budget Committee;

WHEREAS: The City Council advertised for interested persons to fill the vacancies;

NOW, THEREFORE, BE IT RESOLVED that the Gold Beach City Council hereby appoints:

Sandra M. Vieira to Position #1, term to expire December 31, 2018, and

Reaffirms the previous appointments of:

Position #2	Bob Derby	expires December 31, 2017
Position #3:	Dave Sanders	expires December 31, 2017
Position #4:	VACANT	expires December 31, 2018
Position #5	VACANT	expires December 31, 2018

The Council members of the Budget Committee:

Position #1: Melinda McVey	Position #2: Larry Brennan
Position #3: Becky Campbell	Position #4: Doug Brand
Position #5: Tamie Kaufman	

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 13th DAY OF APRIL, 2015.

APPROVED BY:

Karl Popoff, Mayor

ATTEST:

Candy Cronberger, City Recorder



CONSENT CALENDAR

Minutes for: April 14, May 27, June 9, 2014, &
January 26, February 9, 2015
Sent separately



PUBLIC CONTRACTS & PURCHASING

Discussion with PW Superintendent Will Newdall
regarding need for waterline replacement on 8th Street



ORDINANCES & RESOLUTIONS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **9 c.**
Council Hearing Date: April 13, 2015

TITLE: Resolution R1415-08 Re-Appointing Municipal Judge

SUMMARY AND BACKGROUND:

Pursuant to the City Charter Chapter V, Section 21, the Council may appoint a Municipal Judge. City Code Section 1.305(2)(b) requires the Council to appoint the Judge annually. Judge James Fallman was reappointed for 2015 at the January meeting.

We currently do not have an official Judge Pro-Tem. This came to light last month when Judge Fallman was unavailable for the March court proceedings. Judge Fallman was under the assumption that Brookings Judge, Richard Harper was our pro-tem. Staff could find no record of the appointment of Harper (or anyone else) as pro-tem judge.

REQUESTED MOTION/ACTION:

Adopt Resolution R1415-13

SAMPLE MOTION:

I make the motion that we adopt Resolution R1415-13, a resolution appointing a Municipal Judge Pro-Tem.

RESOLUTION R1415-13

A RESOLUTION APPOINTING MUNICIPAL JUDGE PRO-TEM

WHEREAS: Chapter V, Section 21 of the City of Gold Beach City Charter grants the Gold Beach City Council the authority to appoint a Municipal Judge and specify the term and salary for the appointment; and

WHEREAS: Administration Code Section 1.305 2(b) sets a one (1) year term of appointment for of Municipal Judge; and

WHEREAS: The Council re-appointed the current Municipal Judge, James Fallman, in January; and

WHEREAS: The Council and Judge Fallman are desirous to appoint a pro-tem judge in the event that Judge Fallman has a conflict or is absent during regularly scheduled Municipal Court proceedings; and

WHEREAS: Judge Fallman has recommended to the Council that former Judge Pro-Tem, Richard Harper, be appointed as the 2015 Judge Pro-Tem.

NOW THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach hereby appoints Richard Harper as Municipal Judge Pro-Tem.

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, THIS 13TH DAY OF APRIL, 2015.

Karl Popoff, Mayor

ATTEST:

Candy Cronberger, City Recorder

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **9. d.**
Council Hearing Date: April 13, 2015

TITLE: Resolution R1415-14, expansion of the Gold Beach Enterprise Zone map to include former Port Orford EZ

SUMMARY AND BACKGROUND

APRIL UPDATE:

CCD Business Development Corporation, the agent for the Gold Beach Enterprise Zone provided information last month about the proposed amendment to the EPZ. A sample resolution was provided for adoption. However I had some questions on the format. I am attaching a copy of the sample resolution—the final will be available at the meeting on Monday.

FROM MARCH REPORT: CCD Business Development Corporation, zone manager for the Gold Beach Enterprise Zone, has made a request to enlarge the borders of the GB zone to include the former Port Orford EZ. The state terminated the PO EZ early since it had been unutilized for a period greater than 6 years. CCD is seeking a less onerous way to have the zone reinstated. They have spoken with the state and it is possible to expand the border of the Gold Beach EZ to include Port Orford. The reason the request has come to the City is we are one of three sponsors of the GB EZ: the City, Curry County, and the Port of Gold Beach. In order to make the proposed change both the County and City must agree to the map amendment since our agencies were the original sponsors in 2004.

There is no cost to the City of Gold Beach and no staff time needed for the proposed amendment. CCD as the zone manager will make all the necessary changes and handle all the paperwork with the state. They are simply requesting the City's approval to proceed with the map amendment.

I have attached information about the CCD request, what an Enterprise Zone is, and the most recent resolutions from the City, County and Port.

REQUESTED MOTION/ACTION:

I make the motion we adopt Resolution R1415-14, a resolution amending the boundary of the Gold Beach Enterprise Zone.

RESOLUTION R1415-14
(SAMPLE ONLY)

FINDINGS: WHEREAS...

In [year] ____, the _____[, _____] and _____ successfully applied for an enterprise zone, which was designated as the _____ Enterprise Zone by the Director of Business Oregon on _____, _____.

The designation of an enterprise zone does not grant or imply permission to develop land within the Zone without complying with all prevailing zoning, regulatory and permitting processes and restrictions of any and all local jurisdictions; nor does it indicate any public intent to modify those processes or restrictions, unless otherwise in agreement with applicable comprehensive land use plans

This Enterprise Zone and the three- to five-year property tax exemption that it offers for new investments in plant and equipment by eligible business firms are critical elements of local efforts to increase employment opportunities, to raise local incomes, to attract investments by new and existing businesses and to secure and diversify the local economic base

[Because of/In order to _____, the name of the current _____ Enterprise Zone is to be known henceforth as the “ _____ Enterprise Zone”]

[[The] _____” _____ is currently not a sponsoring government of the Enterprise Zone; this proposed change in the zone boundary includes areas with the jurisdiction of [the] _____” _____ is requesting to join the _____ Enterprise Zone as a cosponsor]

Officials of the _____[, _____][, _____, _____] and _____ are agreed in requesting a change in the boundary of the _____ Enterprise Zone that would add the areas indicated in the attached map(s) (Exhibit __) and legal description (Exhibit __), such that the amended Enterprise Zone would be configured according to the attached map and description (Exhibits __ & __)

Special Notification was sent to all affected taxing districts in that zone which were invited to either provide written comment or attend this meeting on May 20 at 10 am to provide input for consideration.

[This change in the boundary of the _____ Enterprise Zone would allow _____, which would benefit the local area through _____

CONCLUSIONS: THEREFORE, BE IT RESOLVED THAT...

1. [The] _____ requests a change in the boundary of the _____ Enterprise Zone as shown in the attached maps and legal descriptions (Exhibits ___ to ___)
2. [[The] _____ requests that the name of the _____ Enterprise Zone be changed to the “_____ Enterprise Zone”]
3. [[The] _____ requests [to be]/[that the _____”_____ be] added to the _____ Enterprise Zone as a cosponsor to the zone]
4. [The _____”_____ makes a binding proposal to provide, within that portion of the _____ Enterprise Zone under its jurisdictions, the enhanced public services and the local incentives and regulatory flexibility to qualified and authorized business firms, as delineated in the attached Exhibit __, in addition to the incentives of the other cosponsors]
5. _____, _____ [Local Zone Manager]_____, is hereby authorized to prepare and submit technical memoranda to the Business Oregon, along with this resolution and other necessary documents, verifying that the requested boundary change to the _____ Enterprise Zone complies with the requirements of ORS 285C.115, so that the request herein may be approved by order of the department’s Director] and
6. [[The] _____ requests that the Director of Business Oregon waive the distance maximum of 25 miles overall and/or 15 miles between separate areas within the _____ Enterprise Zone pursuant to this requested boundary change

Karl Popoff, Mayor

Candy Cronberger, City Recorder



CCD Business Development Corporation
"A Certified Development Company"

522 SE Washington Ave., Ste. 111A
Roseburg, OR 97470
541-672-6728

PO Box 444
North Bend, OR 97459
541-756-4101

RECEIVED

MAR 23 2015

CITY OF GOLD BEACH

March 18, 2015

Jodi Fritts, City Manager
City of Gold Beach
29592 Ellensburg Avenue
Gold Beach, OR 97444

Subject: Boundary Change Amendment to the Gold Beach Enterprise Zone

Dear Jodi,

This letter would inform you of the exciting opportunity available in our region for improving the local economic base, business climate and long-run community development. The Cities of Gold Beach and Port Orford, Curry County, and the Port of Port Orford are seeking to add the area that formerly comprised the Port Orford Enterprise Zone to the Gold Beach Enterprise Zone. A boundary change request will be submitted to Business Oregon for approval.

At its hearing on May 20th at 10 a.m., at the Curry County Annex, the County Commission is expected to consider a resolution requesting the boundary amendment.

The current Gold Beach Enterprise Zone or proposed areas to be added include relevant tax codes, such that the zones could affect future property tax collections in your district. Therefore, you are asked to comment on this proposal, either at the hearing or by sending comments to Margaret Barber at 2455 Maple Leaf, Suite F in North Bend, Oregon 97459 by April 15, 2015.

Please understand that an enterprise zone only exempts new property that a job-creating business might build or install in the enterprise zone at some future time. In addition, an enterprise zone exemption is temporary, usually lasting only three years, after which time the property induced by these incentives is available for assessment. An extension to four or five years in total is possible in some cases if the business meets certain criteria. For rather exceptional investments, longer-term incentives might be available in a rural enterprise zone, but only if our county meets certain criteria; these longer-term incentives may also include a state tax credit, which triggers annual payments to local taxing district by the state government. Both the extension and the long-term incentives need approval from the zone sponsors (Cities of Gold Beach and Port Orford, Port of Port Orford, and Curry County) that sponsor the Gold Beach Enterprise Zone.

Finally, none of these property tax exemptions would be available to just any business. Most commercial/retail operations would not be eligible. Rather, the primary beneficiaries of enterprise zone benefits are manufacturing and other more industrially oriented facilities serving other business, for which new investments have become increasingly rare in our area.

Feel free to contact me by email at m.barber@ccdbusiness.com or by telephone at 541-756-4101 x304.

Sincerely,

Margaret Barber
Community Development Director; Coos and Curry Counties
CCD Business Development Corp.
2455 Maple Leaf, Suite F
North Bend, Oregon 97459

Mission Statement

To create a climate that encourages economic development that will retain existing jobs, create new jobs, diversify local economies, support existing industry and enhance the quality of life for the regions residents, as well as providing an atmosphere for personal growth for the employees.

Jodi Fritts

From: Margaret Barber <m.barber@ccdbusiness.com>
Sent: Thursday, March 19, 2015 12:00 PM
To: Julie Schmelzer; David Brock Smith; Susan Brown (browns@co.curry.or.us); Steve Courtier; David Bassett; Tom Calvanese; Jodi Fritts; Jim Auburn (jauborn@portorford.org); 'Terrie Richards'
Subject: Sample Resolution for EZ Boundary Change Amendment
Attachments: Sample Resolution for Enterprise Zone Boundary Change.docx

Hello all!

I'm attaching a sample boundary change amendment resolution for each of your entities. I sent out the notices to the taxing districts that will be affected by the boundary change today. That means that you can begin bringing resolutions before your various boards/commissions/councils starting 21 days from tomorrow. The earliest a resolution regarding the boundary change amendment could be brought before any of your boards/commissions/councils would be April 13th. As always, let me know if you would like me to be present at any of these meetings, and let me know if you have any questions! ☺

Margaret Barber

CCD Business Development Corp.
Community Development Director: Coos, Curry
2455 Maple Leaf, Suite F
North Bend, Oregon 97459
541-756-4101 x304
(c)541-580-6204
Note new email address: m.barber@ccdbusiness.com

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. **9. e.**
Council Hearing Date: April 13, 2015

TITLE: Ordinance 653 Vacation of the easterly portion of 5th Street

SUMMARY AND BACKGROUND:

APRIL: Vacation order prepared for adoption.

REQUESTED MOTION/ACTION:

I make the motion that the Council adopt Ordinance #653, an ordinance vacating an unused portion of 5th Street, by title only.

MARCH REPORT: The Curry Health District approached city staff last summer about the possible vacation of the easterly portion of 5th Street that the hospital currently utilizes for access and parking. Because of the constraints of the property for siting the new hospital facility they requested the additional 40'—which they already utilize.

I discussed the request with Public Works Superintendent Newdall and he was agreeable to the proposal since the south side of the platted roadway is compromised due to excavation many years ago for a driveway on the adjacent Bethany Lutheran property. Additionally, the area of the proposed vacation is already utilized by the hospital for the purpose they intend to use it for the new hospital. After discussion we felt the property would be better utilized by the adjacent owners rather than as roadway that really isn't there.

It was my understanding at the time that the church was agreeable to the vacation since they are the only other adjacent owner. After publishing the notice of the proposed hearing for December, and sending a letter to the church, I was contacted by them and asked to postpone the hearing until they reached an agreement with the hospital about this and another property issue. I was contacted by both the hospital and the church last month that they had reached an agreement about the issues and they were both agreeable to the vacation now.

The proposed area of the vacation is serving the two entities exclusively. There is no connectivity to the east due to topographic conditions. The vacation will not limit any access the public has to either parcel and the proposal is that it will improve parking for both facilities. One sewer manhole is on the western portion of the vacation. The manhole has one sewer service from the southwestern modular building on the hospital property. If the vacation is approved, the hospital will abandon the sewer line in preparation for the new hospital construction and Public Works staff will require the line to be decommissioned per engineering specifications. The City does not own the sewer line. The sewer line to serve the new hospital will be accessed from 4th Street where the current facility accesses. Administrative and Public Works staff recommends approval of the vacation.

A public hearing is required prior to the official vacation. If there are no objections to the vacation an ordinance has been prepared for a first reading at the April meeting.

ORDINANCE NO. 653

**AN ORDINANCE TO VACATE AN UNUSED PORTION OF 5TH STREET
LOCATED WITHIN THE BOUNDARIES OF THE CITY OF GOLD BEACH,
LOCATED IN SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 36, TOWNSHIP 36 SOUTH, RANGE 15 WEST, WILLAMETTE
MERIDIAN, CURRY COUNTY OREGON AND REPEALING ANY ORDINANCES
WHICH MAY BE IN CONFLICT**

RECITALS:

1. The City had determined that the easterly 270' of 5th Street adjacent to Curry General Hospital and Bethany Lutheran Church (tax lots 9700 and 11000) of Assessor Tax Map 3615-36DD is surplus to the needs of the City.
2. The City has determined the 40' X 270' roadway could benefit the adjacent property owners.
3. The City has given notice of the proposed vacation pursuant to the requirements of ORS 271.110 and a public hearing on the vacation was held on March 9, 2015.

NOW, THEREFORE, THE CITY OF GOLD BEACH ORDAINS AS FOLLOWS:

Pursuant to ORS 271.130, and following a public hearing, the City of Gold Beach hereby vacates the easterly portion of 5th Street as shown on the attached EXHIBIT A. The subject property is located within the boundaries of the City and is located in the southeast quarter of the southeast quarter of Section 36, Township 36 South, Range 15 West, Willamette Meridian, Curry County, Oregon.

The title to the vacated alley shall attach to the lands bordering the alley in equal portions. The properties bordering the alley are tax lots 9700, and 11000 of Curry County Assessor Tax Map 3615-36DD and shown on the map attached EXHIBIT A.

All ordinances in conflict herewith are hereby repealed.

PASSED and ADOPTED by the City Council of the City of Gold Beach, State of Oregon, on this _____ day of _____ 2015.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator



EXHIBIT
 FOR A PROPERTY LINE ADJUSTMENT
 IN THE SE 1/4 OF THE SE 1/4 OF SECTION 36,
 T. 36 S., R. 15 W., W.M.,
 CITY OF GOLD BEACH, CURRY COUNTY, OREGON
 DATE: FEBRUARY 19, 2015

U. S. H W Y. 1 0 1

BASIS OF BEARINGS

FIELD NORTH 00°00'00" EAST THROUGH FOUND MONUMENTS
 (IRON RODS WITH 1/2" DIA. CAPS AND 1" IRON PIPE) ALONG
 WEST LINE OF QUARRY/HALL TRACTS AS PER SURVEY 35-572.

NARRATIVE

THE PURPOSE OF THIS EXHIBIT IS TO DEPICT THE EXTENTS OF THOSE
 PROPERTIES OWNED AND BEING ACQUIRED BY CURRY HEALTH DISTRICT
 (HOSPITAL) AND TO DOCUMENT A PROPERTY LINE ADJUSTMENT WITH
 THE CHURCH PARCELS AND THE VACATED PORTION OF 5TH STREET.

FIELD BOUNDARY AND RIGHT-OF-WAY LINES AS PER CURRY COUNTY
 SURVEY 35-572. THE EAST 270 FEET OF 5TH STREET, WHEN VACATED,
 ENDED EAST OF THE VACATED STREET PARCELS AND APPROXIMATE
 FROM THE CHURCH ALONG WITH SOUTH HALF OF VACATED 5TH STREET.

LEGEND
 ○ FOUND MONUMENT AS NOTED
 ● 5/8" x 30" IRON ROD WITH YELLOW PLASTIC
 CAP MARKED METALIC CONSULTANTS TO BE
 SET UPON CITY VACATION AND PLA APPROVAL.
 ○ FOUND
 IR IRON ROD
 IP IRON PIPE
 W/YHC WITH YELLOW PLASTIC CAP
 OCC. NO. OCCUPANT NUMBER, CURRY COUNTY DEED RECORDS

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**
 JULIE GREGORY
 GARY R. GARDNER
 2434
 REMEAS: 12-31-2015

SURVEYED FOR:
 CURRY HEALTH DISTRICT

SURVEYED BY:
 WESTLAKE CONSULTANTS, INC
 1513 S.W. SEQUOIA PARKWAY, SUITE 150
 TIGARD, OREGON 97224
 (503) 684-0552

SHEET 1 OF 1

EXISTING HOSPITAL PARCELS

4TH STREET

LEITH STREET

5TH STREET

RILEY CREEK APPROXIMATE CENTERLINE

WESTERN extent of vacation

THREE PARCELS BEING PURCHASED BY HOSPITAL

THIS PORTION OF CHURCH SOLD/DONATED TO HOSPITAL

VACATE 5TH STREET FROM HERE TO EAST END

PROPOSED/ADJUSTED LINE

1.35' FROM CORNER

SW CORNER LOT 7, BLOCK 6, PLAT OF SALEY'S SECOND DIVISION TO SDAE BLOCK

DAVID & SARAH CLARK DOC NO. 1989-0189 2208-143

BETHANY EVANGELICAL LUTHERAN CHURCH BOOK 91 PAGES 485-497

AMERICAN LUTHERAN CHURCH BOOK 79 PAGE 11

FOUND MONUMENTS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 9. f.
Council Hearing Date: April 13, 2015

TITLE: Ordinance 654 Bee Keeping Amendment to Zoning Ordinance

SUMMARY AND BACKGROUND:

APRIL REPORT:

After the November hearing, Council directed staff to prepare an ordinance to be reviewed by the bee keepers club for their input. The leader of that group, Jim Sorber, reviewed the proposed ordinance amendment and suggested minor changes. The ordinance is now presented for the Council's review and possible first reading tonight.

If the Council approves the proposed amendment:

Suggested Motion:

I make the motion that the Council adopt Ordinance 654, an ordinance amending the Gold Beach Zoning Ordinance to allow for the keeping of bees for personal use, and approve the first reading by title only.

NOVEMBER REPORT:

At the September meeting I provided some beekeeping ordinances from other cities for the council to review. Councilor Kaufman asked me to prepare a draft amendment based on the City of Bend standards. I prepared that and had it posted to our website for potential comments. Councilor Kaufman has also solicited comments. She provided me with some additional information from a local beekeeper which I have attached to this report. We will have some local bee experts here tonight to answer questions the council may have.

REQUESTED MOTION/ACTION:

After reviewing the draft codes and talking with the bee experts direct staff on how to proceed.

FROM SEPTEMBER REPORT:

Gold Beach Zoning Ordinance

The current zoning ordinance does not specify whether the keeping of bees is permitted or prohibited. Typically if the ordinance is silent on a matter we say the use is prohibited. We (staff) have been asked a lot in the past few years about bee keeping within the City. We are being asked enough that I think we should have a determination by the Council and put it into the definitions section of the zoning ordinance.

If someone owns 5 or more hives within the state they are required to register with the Department of Agriculture.

ORDINANCE NO. 654

**AN ORDINANCE AMENDING ORDINANCE NO. 634,
THE GOLD BEACH ZONING ORDINANCE
ALLOWING FOR THE KEEPING OF BEES FOR PERSONAL USE**

WHEREAS, the City Council received several request to amend the Gold Beach Zoning Ordinance to allow for the keeping of bees for personal use; and

WHEREAS, the current Zoning Ordinance is silent on the prohibition or keeping of bees; and

WHEREAS, several cities have eased restrictions on the keeping of bees for domestic purposes; and

WHEREAS, on November 10, 2014, the City Council discussed proposed regulations to allow the limited, responsible, keeping of bees in residential and commercial use areas and directed staff to prepare an ordinance amendment allowing for the keeping of bees for personal use.

**NOW THEREFORE, THE CITY OF GOLD BEACH, OREGON, ORDAINS AS
FOLLOWS:**

The keeping of bees for personal use is permitted outright, subject to the conditions listed below, in the following Residential and Commercial Zones:

Residential Zone (1-R)	Section 2.020 (8)
Residential Zone (2-R)	Section 2.120 (7)
Residential Zone (3-R)	Section 2.220 (9)
Commercial Zone (4-C)	Section 2.320 (22)

Bees. The keeping or maintaining of bees, bee colonies, bee hives, combs, or containers of any kind or character wherein bees are hived is subject to the following:

1. Registration with the city is required to keep beehives within the city limits and the City Administrator shall provide a beekeeping registration process.
2. No more than three (3) bee colonies shall be kept or maintained on properties of less than one acre.
3. No more than five (5) bee colonies shall be kept or maintained on properties of one acre or greater.
4. Bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

5. For each colony permitted to be maintained under this ordinance, there may also be maintained upon the same property, one nucleus colony in a hive structure not to exceed one standard 9-5/8 inch depth 10-frame hive body.

6. In each instance where a colony is kept less than twenty five (25) feet from a property line, a flyway barrier at least six (6) feet in height shall be maintained parallel to the property line for a minimum of ten (10) feet in either direction from the hive. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that bees will fly over rather than through the material to reach the colony.

7. A constant supply of fresh water shall be provided for the colonies on site within fifteen (15) feet of each hive.

8. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the property. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect proof container.

9. If the beekeeper serves the community by removing a swarm or swarms of honey bees from locations where they are not desired, the beekeeper shall be permitted to temporarily house the swarm on the property for no more than 60 days from the date acquired.

10. Africanized bees are prohibited.

11. The sale of surplus honey or bee's wax produced on site shall be permitted on the property where the keeping of bees is permitted provided the property owner meets the general Home Occupation standards in Section 3.050.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon, on the _____ day of _____, 2015.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: April 13, 2015

Second Reading: May 11, 2015



MISC. ITEMS

**Including policy discussions
and determinations**

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. **10. a.**
Council Hearing Date: April 13, 2015

TITLE: DRAFT Ordinance 655 Sign Code Amendment for Lighted/Animated Reader Boards

SUMMARY AND BACKGROUND:

The Council has had several discussions in the past few years about Lighted/Animated Reader Boards. At the December meeting, Council directed staff to prepare an amendment to allow for the electronic signs.

I have prepared a DRAFT for review. Various sections of the current sign code are referenced in the ordinance. Below are the specific citations:

(1) Lighted/animated reader boards shall meet all the standards for Electric Signs in Section 4.420.

4.420 Electric Signs.

(1) Electric signs shall be constructed of noncombustible materials, except as otherwise allowed by this Code.

(2) The enclosed shell of electric signs shall be watertight, except that service holes fitted with covers shall be provided into each compartment of such signs.

(3) Installation. Electrical equipment used in connection with display signs shall be installed in accordance with local and state codes and Gold Beach Codes or Ordinances regulating electrical installation.

(4) Erector's Name. Every electric sign projecting over any street or alley or public place shall have painted on the surface of the sign the name of the sign erector and date of erection. Such name and date shall be of sufficient size and contrast to be readable from a reasonable distance. Failure to provide such name and date shall be grounds for rejection of the sign by the City Official.

(2) Lighted/animated reader boards shall be no greater than XX(Need a figure) square feet in size.

(3) Lighted/animated reader boards shall meet the property line setbacks regulations of the underlying land use zone and any setbacks requirements of the Uniform Building Code, whichever is greater.

(4) Lighted/animated reader boards shall meet the Design & Construction standards of Section 4.370.

4.370 Design and Construction.

(1) Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this section. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as to not overstress any of the elements thereof.

(2) Signs will be designed and constructed to the following load standards:

(a) Wind Loads. Signs and structures shall be designed and constructed to resist wind forces as specified in Section 23 of the Uniform Building Code.

(b) Seismic Loads. Signs and sign structures shall be designed and constructed to resist seismic forces as specified in Chapter 23 of the Uniform Building Code.

(c) Combined Loads. Wind and seismic loads need not be combined in the design of signs or sign structures, only that loading producing the larger stresses need be used. Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind and seismic loads.

(3) Allowable Stresses. The design of wood, concrete, steel or aluminum members shall conform to the requirements of Chapters 25, 26, 27 and 28 of the Uniform Building Code. Loads, both vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified in Chapter 29 of the Uniform Building Code. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners. Working stresses for seismic loads combined with dead loads may be increased as specified in Chapter 23 of the Uniform Building Code.

(4) Construction. Signs shall be constructed to the following standards:

(a) The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of this Code.

(b) Materials. Materials of construction for signs and sign structures shall be of the quality and grade as specified for buildings in the Uniform Building Code. In all signs and sign structures the materials and details of construction shall, in the absence of specified requirements, conform with the following:

(i) Structural steel shall be of such quality as to conform with UBC Standard No. 27-1. Secondary members in contact with or directly supporting the display surface may be formed of light gauge steel, provided such members are designated in accordance with the specifications of the design of light gauge steel, as specified in UBC Standard No. 27-9, and in addition shall be galvanized. Secondary members, when formed integrally with the display surface, shall not be less than No. 24 gauge in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be No. 12 gauge. The

minimum thickness of hot-rolled steel members furnishing structural support for signs shall be 1/4 inch, except that, if galvanized, such members shall not be less than 1/8 inch thick. Steel pipes shall be of such quality as to conform with UBC Standard No. 27.

(ii) Steel members may be connected with one galvanized bolt, provided the connection is adequate to transfer the stresses in the members.

(iii) Anchors and supports when of wood and embedded in the soil, or within 6 inches of the soil, shall be heartwood of a durable species or shall be pressure-treated with an approved preservative. Such members shall be marked or branded by an approved agency.

(c) Combustible Materials. Ground signs may be constructed of any material meeting the requirements of this code. Combination signs, roof signs, wall signs, projecting signs and signs on marquees shall be constructed of noncombustible materials, except as provided in subsection (d) of this section. No combustible materials other than approved plastics shall be used in the construction of electric signs.

(d) Nonstructural Trim. Nonstructural trim and portable display surfaces may be of wood, metal, approved plastics or any combination thereof.

(e) Anchors. Sign anchors shall conform to the following requirements:

(i) Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind or seismic load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pullout amounting to a force 25 percent greater than the required resistance to overturning. Anchors and supports shall penetrate to a depth below ground greater than that of the frost line.

(ii) Portable ground signs supported by frames or posts rigidly attached to the base shall be so proportioned that the weight and size of the base will be adequate to resist the wind pressure specified in this section.

(iii) Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied.

(iv) No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of signs attached to wood framing.

(v) No anchor or support of any sign shall be connected to, or supported by, an unbraced parapet wall, unless such wall is designed in accordance with the

requirements for parapet walls specified for seismic zones in the Uniform Building Code.

(f) Display Surfaces. Display surfaces in all types of signs may be made of metal, glass, approved plastics or wood.

(g) Height and Setbacks. All sign installations shall comply with the current Zoning Ordinance of the City of Gold Beach requirements for set-backs and building height. The total height shall be the combination of sign and building if the sign is roof-mounted.

(5) Lighted/animated reader boards shall meet the maintenance standards of Section 4.355.

4.355 Maintenance of Signs.

All signs and sign support structures, together with their support, braces, guys and anchors, shall be kept in repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Any sign or section, or part thereof, which is damaged 50 percent or more by wind, storm, fire or other cause, or becomes structurally unsound for any reason, shall be removed within ten days thereof, and not replaced until a new sign permit is obtained through the City as provided in this Code.

(6) Lighted/animated reader boards are subject to the inspection and removal standards of Section 4.360.

4.360 Inspections.

All signs for which a permit is required shall be subject to inspection by the City Official. Footing inspections may be required by the City Official for all signs having footings. All signs containing electrical wiring shall be subject to the provisions of the governing electrical code and the electrical components used shall bear the label of an approved testing agency. The City Official shall order the removal of any sign that is not maintained in accordance with these provisions or the provisions in Section 4.355.

DRAFT
ORDINANCE NO. 655

**AN ORDINANCE AMENDING ORDINANCE NO. 643, THE GOLD BEACH
BUSINESS CODE TO ALLOW FOR LIGHTED/ANIMATED READER BOARDS**

WHEREAS, the City Council received a request to amend the Sign Code Section of the Gold Beach Business Code to allow for lighted and/or animated reader board signs; and

WHEREAS, after discussion by the Council at several meetings, but specifically at the December 8, 2014 meeting the Council directed staff to prepare reader board amendment for review; and

WHEREAS, the Council is desirous to permit the use of lighted/animated reader boards under specific conditions; and

**NOW THEREFORE, THE CITY OF GOLD BEACH, OREGON, ORDAINS AS
FOLLOWS:**

Section 4.345 Prohibited Signs Is amended to delete the following prohibited signs:

- 4.345(1) Signs with strobe lights or flashing lights except time and temperature display

The following section shall be added to the Sign Code:

Section 4.421 Lighted/Animated Reader Boards

Lighted/animated reader boards are subject to following specific conditions:

- (1) Lighted/animated reader boards shall meet all the standards for Electric Signs in Section 4.420.
- (2) Lighted/animated reader boards shall be no greater than **XX(Need a figure) square feet in size.**
- (3) Lighted/animated reader boards shall meet the property line setbacks regulations of the underlying land use zone and any setbacks requirements of the Uniform Building Code, whichever is greater.
- (4) Lighted/animated reader boards shall meet the Design & Construction standards of Section 4.370.
- (5) Lighted/animated reader boards shall meet the maintenance standards of Section 4.355.
- (6) Lighted/animated reader boards are subject to the inspection and removal standards of Section 4.360.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon, on the _____ day of _____, 2015.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: 2015

Second Reading: 2015

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 10. b.
Council Hearing Date: April 13, 2015

TITLE: Abatement of Dangerous Building 94223 1st Street

SUMMARY AND BACKGROUND:

APRIL REPORT:

Attached is a copy of the ad I placed for the dangerous building removal quotes. We have received one quote so far.

March REPORT

Legal counsel prepared the administrative search warrant which Judge Fallman issued last month. I had the vermin abated per the Council's instructions. We are now at the abatement stage:

5.385 Abatement by City.

In the event that the Council orders are not complied with, the Council must specify with convenient certainty the work to be done and shall file a statement thereof with the City Administrator, and shall advertise for bids for the doing of the working the manner provided for advertising for bids for street improvement work. Bids shall be received, opened and the contract let.

I'd like to have one last discussion on the abatement. I understand the desire to have the structure abated but I want everyone to be clear about the precedence the City will be setting. We have a lot of structures out there in as bad or worse shape. Yes, we will lien the property but it could be years, if ever, before we are able to recoup the expenses. I'm afraid in some cases we will be unable to collect—ever. I will implement whatever the Council decides I just want to make sure everyone is clear before we proceed.

REQUESTED ACTION

Council to "specify with convenient certainty the work to be done" and then staff will proceed with advertising for bids on the work.

JANUARY UPDATE:

The Council made the determination at the November 2014 meeting that the structure located at 94223 1st Street met the Code definition of a Dangerous Building. The Council instructed me to being the abatement process. I neglected to prepare a declaration resolution for the December meeting. Resolution R1415-07 is the official declaration of the determination made by the Council in November.

I am currently working on an administrative search warrant that legal counsel has prepared. I was directed to abate vermin and possibly asbestos prior to beginning the removal process of the structure. Before we can allow contractors to legally enter onto to the property we have to have Judge Fallman approve their entry. To date I still have had no contact from the property owners.

DANGEROUS BUILDINGS

5.350 Definitions.

For the purpose of this Code:

- (1) The term “dangerous buildings” shall include:
 - (a) A structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connections, defective heating apparatus, or for any other cause or reason, is especially liable to fire and which is so situated or occupied as to endanger any other building or property or human life.
 - (b) A structure containing combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind especially liable to cause fire or danger to the safety of such building, premises or to human life.
 - (c) A structure which shall be kept or maintained or shall be in a filthy or unsanitary condition, especially liable to cause the spread of contagious or infectious diseases.
 - (d) A structure in such weak or weakened condition, or dilapidated or deteriorated condition, as to endanger any person or property by reason of probability of partial or entire collapse.
- (2) The term “person” shall include every natural person, firm, partnership, association or corporation.
- (3) “City official” means any Councilor, mayor, city employee, or any agency or employee of any agency under contract to the City for services.

5.355 General Regulations.

- (1) Administration. The City building official is the primary city official authorized to enforce the provisions of this Code, but any other city official may act under the authority of this Code.
- (2) Inspections. The City building official or another city official is hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Code.
- (3) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Code and whenever the City building official or another city official has probable and reasonable cause to believe that there exists in any building any condition that would make such building a dangerous building as defined herein, then said city official, including the building official, may enter into such building at reasonable times to inspect said premises for any violations of this Code.

5.360 Nuisance.

Every building or part thereof which is found by the Council to be a dangerous building is hereby declared to be a public nuisance; and the same may be abated by the procedures herein specified, or a suit for abatement thereof may be brought by the City.

5.365 Initial Action.

Whenever a city official shall find or be of the opinion that there is a dangerous building in the City, it shall be his duty to report the same to the City Council. Thereupon, the Council shall, within a reasonable time, fix a time and place for a public hearing thereon.

5.370 Hearing; Mailed Notice.

By certified or registered mail, return receipt requested, the City Administrator shall notify the owner of record of the premises whereon the building in question is located, that a hearing will be held concerning the nuisance character of the property and the time and place of the hearing. A copy of this notice shall also be posted on the property in addition to notices prohibiting entry into building. At the hearing the Council shall determine by resolution whether or not the building is dangerous. The Council may, as a part of the hearing, inspect the building; and the facts observed by the Council at such inspection may be considered by it in determining whether or not the building is dangerous. At the hearing the owner or other person interested in the property or building shall have the right to be heard. At such hearing the Council shall have the power to order any building declared to be dangerous removed and abated, if in its judgment such removal or abatement is necessary in order to remove the dangerous condition; or the Council shall have the power to order the building made safe and to prescribe what acts or things must be done to render the same safe.

5.375 Published and Posted Notices.

Ten (10) days' notice of any hearing shall be published in a newspaper of general circulation in the City or by posting notices thereof in three (3) public places in the City. If the last-mentioned notice be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings.

5.380 Council Orders; Notice.

Five (5) days' notice of findings made by the Council at a hearing and any orders made by the Council shall be given to the owner of the building, the owner's agent or other person controlling the same, and if the orders be not obeyed and the building rendered safe within the time specified by the order (being not less than five (5) days), then the Council shall have the power and duty to order the building removed or made safe at the expense of the property on which the same is situated.

5.385 Abatement by City.

In the event that the Council orders are not complied with, the Council must specify with convenient certainty the work to be done and shall file a statement thereof with the City Administrator, and shall advertise for bids for the doing of the working the manner provided for advertising for bids for street improvement work. Bids shall be received, opened and the contract let.

5.390 Assessment.

The Council shall ascertain and determine the probable cost of the work and assess the same against the property upon which the building is situated. The assessment shall be entered in the docket of city liens and shall thereupon be and become a lien against the property. The creation of the lien and

the collection and enforcement of the cost shall all be performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded.

5.395 Summary Abatement.

The procedures of this Code pertaining to Council declaration of a dangerous building need not be followed where a building is unmistakably dangerous and imminently endangers human life or property. In such an instance, the chief of the fire department, the fire marshal or the Chief of Police may proceed summarily to abate the building.

5.398 Penalty.

Any person who shall be the owner of, or shall be in possession of, or in responsible charge of any dangerous building within the City and who shall knowingly suffer or permit the building to be or remain dangerous beyond the time specified in the order of the Council pursuant to Section 5.380, shall be guilty of a violation of this Code and shall, upon conviction thereof, may be fined a maximum amount as set by resolution of the City Council for the first and all subsequent offenses. Each day's violation of a provision of this Code constitutes a separate offense.

ADVERTISEMENT FOR BIDS FOR
BUILDING REMOVAL & SITE CLEANUP

The Gold Beach City Council is soliciting bids from licensed contractors for the removal of a council determined "dangerous building" and the general clean-up of the parcel surrounding the building.

The "dangerous building" is an abandoned older double-wide mobile home NOT on a permanent foundation. There is debris within the structure.

The council seeks an itemized bid for:

- Removal of the structure,
- General clean-up of the area under and around the structure,
- Removal of debris on the lot,
- And the securing of the utilities serving the parcel (capping off sewer and water connections, and making electric service safe after disconnection).

The address of the parcel is: 94223 1st Street in Gold Beach.

Licensed contractors may bid on all or part of the work needed. Bids should be detailed and include a narrative of any additional work the contractor feels necessary to accomplish the removal and clean-up of the lot.

Bids must include the contractor's name and DBA (if any), mailing address, phone number, and contractor's license number and bond info. The Council will be accepting bids until Friday, May 1, 2015, and will review and discuss the bids at the May 11th Council meeting.

If you have questions about this Advertisement for Bids please direct them to:

City Administrator Jodi Fritts
jfritts@goldbeachoregon.gov
541-247-7029

Ad shown is not actual print size