



AGENDA

September 10, 2012, 6:30PM
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 James Wernicke		
Council Position #1 Jeff Crook		
Council Position #2 Larry Brennan		
Council Position #3 Brice Gregory		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Jodi Fritts		
Student Liaison Vacant		

3. Special Orders of Business:

- a. WWTP update from PW Superintendent, Will Newdall
- b. Proclamation National Preparedness Month 2012

4. Consent Calendar

None scheduled

5. Citizens Comments

As presented to the Mayor at the beginning of the meeting

6. Public Hearing

- a. Urban Renewal Feasibility Decision
- b. Arch Rock Brewing Company Initial Liquor License request

7. Citizen Requested Agenda Items

None scheduled

8. Public Contracts and Purchasing

None scheduled

9. Ordinances & Resolutions

- a. First Reading Ordinance No. 641 Amending Ordinance No. 634 Gold Beach Zoning Ordinance
- b. First Reading Ordinance No. 642 Administration Code revision
- c. First Reading Ordinance No. 643 Business Code revision
- d. First Reading Ordinance No. 644 Nuisance Code revision

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

- e. Resolution R1213-03 Adopting City Fee Schedules
- f. Resolution R1213-04 Adopting Muni Court Presumptive Fine Schedule

10. Miscellaneous Items (including policy discussions and determinations)

Time permitting: discussion of feeding of wildlife within the city limits

11. City Administrator's Report

Will be presented at meeting

12. Mayor and Council Member Comments

- a. Mayor James Wernicke
- b. Councilors
 - 1) Jeff Crook
 - 2) Larry Brennan
 - 3) Brice Gregory
 - 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, October 8, 2012, at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

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

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



SPECIAL ORDERS OF BUSINESS

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 3 b.

Council Hearing Date: September 10, 2012

Department: Administration
& Finance

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Preparedness Month Proclamation

SUMMARY AND BACKGROUND:

September is National Preparedness Month sponsored by FEMA, ready.gov, and the Citizen Corps. The goal of Preparedness Month is to help citizens and communities become prepared for any type of emergency.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

- The City and Federal proclamation
- Pledge to Prepare and Resolve to be Ready info

REQUESTED MOTION/ACTION:

Mr. Mayor will read the proclamation

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council and all department heads



September is
National Preparedness Month
ready.gov/pledge



FEMA



PROCLAMATION

National Preparedness Month, September 2012

WHEREAS, “National Preparedness Month” creates an important opportunity for every resident of the City of Gold Beach to prepare their homes, businesses, and communities for any type of emergency from natural disasters to potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency’s *Ready* Campaign, Citizen Corps and other federal, state, local, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, all citizens of the City of Gold Beach are encouraged to

- Be informed about the different types of emergencies that can occur in our area; and
- Make a Family Emergency Plan; and
- Build an Emergency Supply Kit; and
- Get involved in preparing our community.

THEREFORE, BE IT RESOLVED that the City Council of the City of Gold Beach, hereby proclaims September 2012 as National Preparedness Month, and encourages all citizens and businesses to pledge to prepare their own emergency preparedness plan, and work together toward creating a more prepared Gold Beach.

DATED this 10th day of September, 2012

James H. Wernicke, Mayor

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The White House
Office of the Press Secretary

For Immediate Release

August 31, 2012

Presidential Proclamation -- National Preparedness Month, 2012

NATIONAL PREPAREDNESS MONTH, 2012

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

As thousands of our fellow Americans respond to and recover from the damage done by Hurricane Isaac, we are called to remember that throughout our history, emergencies and natural disasters have tested the fabric of our country. During National Preparedness Month, we renew our commitment to promoting emergency preparedness in homes, businesses, and communities nationwide, and to building an America more ready and resilient than ever before.

Each of us has an important role to play in bolstering our preparedness for disasters of all types -- from cyber incidents and acts of terrorism to tornadoes and flooding. That is why my Administration is pursuing an approach to emergency management that engages the whole community -- from Federal, State, local, and tribal governments to the private sector, nonprofits, faith based organizations, and the general public. I encourage all Americans to visit www.Ready.gov or www.Listo.gov to learn more about the risks facing their communities, find out what they can do to prepare, and join thousands of individuals from coast to coast by becoming a member of the National Preparedness Coalition. Individuals and families can also take action by building a disaster supply kit with food, water, and essential supplies in case of emergency, and by developing and sharing an emergency plan with their loved ones.

As cities and towns across our country recover from natural disasters that have spanned historic drought to devastating wildfires and storms, we are reminded of the spirit of resilience that binds us together as one people and as one American family. This month, let us honor that spirit by standing with all those affected by recent severe weather, as well as past disasters, and by taking the steps we can to protect our loved ones and our communities before disaster strikes.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2012 as National Preparedness Month. I encourage all Americans to recognize the importance of preparedness and observe this month by working together to enhance our national security, resilience, and readiness.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of August, in the year of our Lord two thousand twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

BLOG POSTS ON THIS ISSUE

September 05, 2012 7:28 PM EDT

Office Hours: Inside the White House with Curator William Allman

White House curator William Allman joined us for a special session of Office Hours on Twitter to answer your questions about the art and history of the White House.

September 05, 2012 5:00 PM EDT

Highlights of NFL Champions at the White House



A collection of past NFL Champions' visits to the White House.

EDT

September 04, 2012 6:27 PM

Three Ways to Explore the White House...from Home

Experiencing the White House shouldn't be limited to the those who are able to visit in person, which is why the Obama Administration has worked hard to offer unprecedented access that opens up the People's House to virtual visitors as well.

VIEW ALL RELATED BLOG POSTS

Facebook	YouTube
Twitter	Vimeo
Flickr	iTunes
Google+	LinkedIn

WWW.WHITEHOUSE.GOV

En español | Accessibility | Copyright Information | Privacy Policy | Contact
USA.gov | Developers | Apply for a Job

September is National Preparedness Month

PLEDGE to PREPARE



Make a difference for yourself, your community and our nation. Pledge to do one of the following:



Learn your risks and responses



Make a family communications plan



Build an emergency supply kit



Get involved in preparedness in your community

Register at: www.ready.gov/pledge



FEMA

Ready

Prepare. Plan. Stay Informed. ®

citizen*★*corps
UNITING COMMUNITIES
PREPARING THE NATION

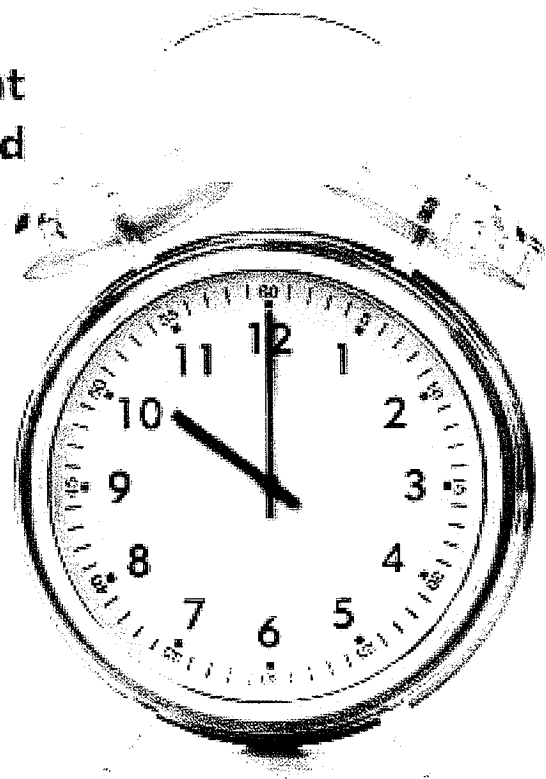
Now's the Time.

Resolve to be Ready

in 2012

Keeping New Year's resolutions can be hard, but emergency preparedness is one resolution that can be easy to keep with Ready's four simple steps:

- ✓ **Be Informed** about the different types of emergencies that could occur in your area and their appropriate responses.
- ✓ **Make a Family Emergency Plan**
- ✓ **Build an Emergency Supply Kit**
- ✓ **Get Involved** in preparedness in your community



For more information on how to prepare your family, home, and business for all types of emergencies, visit www.ready.gov.



FEMA

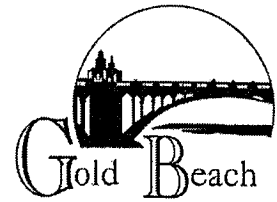
Ready

www.ready.gov



PUBLIC HEARING

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 6 a.

Council Hearing Date: September 10, 2012

Department: Administration
& Finance

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Decision on Urban Renewal Feasibility Study

SUMMARY AND BACKGROUND:

In July of 2010, the City formed an Urban Renewal Agency to begin the process of determining the feasibility of urban renewal in Gold Beach. In February of 2012, the Council voted to approve funding a feasibility study. After requesting submission of proposals for the work, the City selected Elaine Howard Consulting to complete the study.

At the July 23rd meeting Ms. Howard presented the feasibility study to the Council. The next step is to make the determination whether the City feels Urban Renewal is feasible, and if so, whether to continue on and form an Urban Renewal District and proceed with a plan for the district.

FINANCIAL IMPACT:

Potential financial impacts are outlined in the feasibility study

DOCUMENTS ATTACHED:

- A copy of the completed feasibility study is attached as a separate document to council packet

REQUESTED MOTION/ACTION:

A decision on whether to proceed with the formation of a district and to continue with the development of an Urban Renewal Plan.

Suggested Motion:

I move that the City of Gold Beach proceed/not proceed with the formation of an Urban Renewal District based on the Urban Renewal Feasibility study as presented to the council on July 23, 2012.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council and URA members

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 6 b.

Council Hearing Date: September 10, 2012

Department: Administration
& Finance

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Initial Liquor License request

SUMMARY AND BACKGROUND:

Oregon Liquor Control Commission (OLCC) requires each jurisdiction to approve requests for licenses to serve alcohol prior to issuance of a liquor license by OLCC. Initial license requests require Council approval.

Curry County and Gold Beach's first micro brewery, Arch Rock Brewing Company, is requesting an initial OLCC license. The business is located at 28779 Hunter Creek Loop. The license request has been reviewed by the Police Department and has been approved for your review.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

- A copy of the OLCC permit request

REQUESTED MOTION/ACTION:

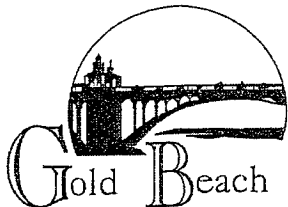
Approve/deny the request for the liquor license

Suggested Motion:

I move that the Council recommends to OLCC that the liquor license for Arch Rock Brewing Company be granted/denied.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council and PD



City of Gold Beach
 29592 Ellensburg Avenue
 Gold Beach, OR 97444
 Administration: 541-247-7029
 Police Department: 541-247-6671
www.goldbeachoregon.gov



MEMORANDUM

To: Mayor and City Council

From: Police Chief or Office

Subject: Liquor License

Circle: Temporary New Renew Change Renewal

BACKGROUND: Ard Rock Brewing - See attached
 Name of Person and Business Applying

has applied for a renewal of an OLCC Class Code New Outlet Brewery Liquor License.

Investigation reveals no adverse information which would prohibit issuance of this permit.
sw

RECOMMENDATION:

Approval of Application

Cost:	NEW	\$100.00
	CHANGE	\$ 75.00
	RENEWAL	\$ 35.00
	TEMPORARY	\$ 35.00

Hail Whitmore 09/04/12
 Signature

Police Chief or Officer

City Recorder



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
- Commercial Establishment
- Caterer
- Passenger Carrier
- Other Public Location
- Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: BREWERY

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

(name of city or county)

recommends that this license be:

Granted Denied

By: _____
(signature) (date)

Name: _____

Title: _____

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 8/9/12

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① MAD DOG BREWING COMPANY, LLC ③ _____
② _____ ④ _____

2. Trade Name (dba): ARCH ROCK BREWING COMPANY

3. Business Location: 28779 HUNTER CREEK LOOP GOLD BEACH CLATSOP OREGON 97444
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: PO BOX 765 GOLD BEACH OREGON 97444
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-247-0555 541-247-8458
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: NA Type of License: NA

8. Former Business Name: N/A

9. Will you have a manager? Yes No Name: _____
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? CITY OF GOLD BEACH
(name of city or county)

11. Contact person for this application: LAWRENCE F. BRENNAN _____
(name) (phone number(s))
_____ GOLD BEACH, OR, 97444 _____
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 7-9-12 ③ [Signature] Date 8-5-12
② [Signature] Date 8-5-12 ④ [Signature] Date 8-5-12



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: MAD DOG BREWING COMPANY LLC Phone: 541-247-0555

Trade Name (dba): ARCH ROCK BREWING COMPANY

Business Location Address: 28779 HUNTER CREEK LOOP

City: GOLD BEACH, OREGON ZIP Code: 97444

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 9:00 AM to 5:00 PM
 Monday 9:00 AM to 10:00 PM
 Tuesday 9:00 AM to 10:00 PM
 Wednesday 9:00 AM to 10:00 PM
 Thursday 9:00 AM to 10:00 PM
 Friday 9:00 AM to 10:00 PM
 Saturday 9:00 AM to 10:00 PM

Outdoor Area Hours:

Sunday _____ to _____
 Monday _____ to _____
 Tuesday _____ to _____
 Wednesday _____ to _____
 Thursday _____ to _____
 Friday _____ to _____
 Saturday _____ to _____

The outdoor area is used for:

- Food service Hours: _____ to _____
 Alcohol service Hours: _____ to _____
 Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music Karaoke
 Recorded Music Coin-operated Games
 DJ Music Video Lottery Machines
 Dancing Social Gaming
 Nude Entertainers Pool Tables
 Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
 Monday _____ to _____
 Tuesday _____ to _____
 Wednesday _____ to _____
 Thursday _____ to _____
 Friday _____ to _____
 Saturday _____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: _____
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: ____ (Y) ____ (N)
 Investigator Initials: _____
 Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: JULY 9, 2012

1-800-452-OLCC (6522)

www.oregon.gov/olcc

(rev. 12/07)



ORDINANCES & RESOLUTIONS

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 9 a.

Council Hearing Date: September 10, 2012

Department: Planning

Contact/Title: Jodi Fritts, CA

Email: jfritts@goldbeachoregon.gov

TITLE: Ordinance No. 641 Amending the Zoning Ordinance LIVESTOCK definition

SUMMARY AND BACKGROUND:

A citizen request was made last month to amend the Zoning Ordinance definition of LIVESTOCK to allow for backyard chickens within the city limits. The Council, by a majority vote, decided to allow the amendment and directed staff to prepare the change.

Attached is the proposed amendment to the Zoning Ordinance definition and also a draft resolution and draft Backyard Chicken Permit Application. The ordinance, if approved, will require two readings. Generally this happens at two separate meetings and is read by title only at each meeting. However, the ordinance can be passed in a single meeting with the following procedure: the Council must **unanimously** elect to adopt the ordinance at one meeting. The ordinance is then read fully into the record for the first reading, and then the second reading can be by title only. Per Charter Section 35 the ordinance takes effect on the 30th day after enactment.

FINANCIAL IMPACT:

None at this time.

DOCUMENTS ATTACHED:

- Draft Ordinance amendment
- Draft resolution defining the standards for backyard chickens
- Draft Backyard Chicken Permit Application

REQUESTED MOTION/ACTION:

Two Meeting Adoption Suggested Motion:

I move that the City of Gold Beach City Council adopt Ordinance No. 641, amending the definitions section of the Gold Beach Zoning Ordinance, and approve the first reading of the ordinance by title only.

If the motion is approved, the City Administrator will read the ordinance title into the record. The process is repeated at the next council meeting and the ordinance is enacted and becomes effective on the 30th day after enactment.

One Meeting Adoption Suggested Motion:

I move that the City of Gold Beach City Council enact Ordinance No. 641, amending the definitions section of the Gold Beach Zoning Ordinance, immediately and approve the first reading of the ordinance by reading it fully into the record, and approve the second reading of the ordinance by title only.

If the motion is approved unanimously, the City Administrator will read the ordinance fully into the record for the first reading and then read the ordinance by title only for the second reading. The ordinance becomes effective on the 30th day after enactment.

COPY OF REPORT AND ATTACHMENTS SENT TO:
Council

ORDINANCE NO. 641

AN ORDINANCE AMENDING ORDINANCE NO. 634, THE GOLD BEACH ZONING ORDINANCE, SECTION 1.030 DEFINITIONS

WHEREAS, in August 2012, the City Council received a request from a citizen to amend the Gold Beach Zoning Ordinance to allow for the keeping of backyard chickens for personal use; and

WHEREAS, the current Zoning Ordinance defines chicken as livestock and prohibits the keeping of livestock within the city limits except under certain conditional use standards; and

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

WHEREAS, on August 13, 2012, the City Council discussed proposed regulations to allow the limited, responsible, keeping of chickens in residential use areas and directed staff to prepare an ordinance amendment allowing for the keeping of backyard chickens for personal use.

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

Section 1.030 Definitions. Livestock, is hereby amended as follows:

LIVESTOCK: Cows, horses, goats, sheep, pigs, ducks, geese, llamas, alpacas, and other similar animals. Livestock does not include domestic cats, dogs, small birds, rodents, insects, serpents, or other smaller animals normally kept in a dwelling. **Backyard chickens are not considered livestock provided they are kept consistent with the standards defined by resolution of the Gold Beach City Council.**

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon, on the _____ day of _____, 2012.

James H. Wernicke, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: September 10, 2012

Second Reading: _____

Candy Cronberger, City Recorder

RESOLUTION R1213-02

A RESOLUTION PROVIDING FOR STANDARDS TO ALLOW THE KEEPING OF BACKYARD CHICKENS WITHIN THE CITY OF GOLD BEACH

WHEREAS, in August 2012, the City Council received a request from a citizen to amend the Gold Beach Zoning Ordinance to allow for the keeping of backyard chickens for personal use; and

WHEREAS, the current Zoning Ordinance defines chicken as livestock and prohibits the keeping of livestock within the city limits except under certain conditional use standards; and

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

WHEREAS, on August 13, 2012, the City Council discussed proposed regulations to allow the limited, responsible, keeping of chickens in residential use areas and directed staff to prepare an ordinance amendment allowing for the keeping of backyard chickens for personal use; and

WHEREAS, Ordinance No. 641 amended Ordinance No. 634 (The Gold Beach Zoning Ordinance) to redefine the definition of LIVESTOCK to permit backyard chickens under specific standards as defined by resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, Oregon, adopts the following standards for the keeping of backyard chickens within residential use areas of the City:

1. A permit shall be obtained from the City prior to the keeping of chickens. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.
2. The keeping of chickens shall be limited to the purpose of egg collection for personal, non-commercial use.
3. No more than three chickens are allowed on any one parcel, and the **keeping of a rooster is prohibited.**
4. Chickens shall only be kept upon property occupied by a single family dwelling or duplex.
5. Chickens may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.

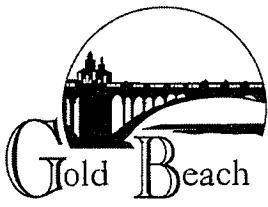
6. Chickens shall be kept in an enclosed coop or run at all times.
7. Chickens shall be kept for personal, non-commercial use only. No person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.
8. All chickens shall be housed in a coop.
9. Chickens and chicken coops shall only be located in a rear yard.
10. Chicken coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.
11. Chicken coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair.
12. Chicken coop and/or run shall be setback a minimum ten feet from all property lines.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 8th day of October, 2012.

James H. Wernicke, Mayor

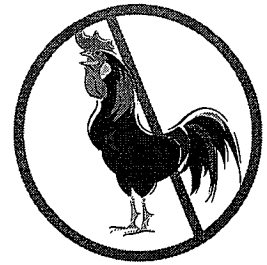
ATTEST:

Candy Cronberger, City Recorder



City of Gold Beach

29592 Ellensburg Avenue
Gold Beach, Oregon, 97444
541-247-7029
www.goldbeachoregon.gov



BACKYARD CHICKEN PERMIT APPLICATION

Name of Applicant: _____

Property Address: _____

Mailing Address (if different than property address): _____

City/State/Zip: _____

Phone #: _____ Email: _____

Name, address & phone of Property Owner (if different than applicant): _____

A completed land use Permit Clearance Form must be submitted with this application. If you have questions regarding the applications please contact the City Planning Department.

This application for a permit to allow chickens is subject to the following conditions and is only permitted when consistent with the following standards:

1. A permit shall be obtained from the City prior to the keeping of chickens. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.
2. The keeping of chickens shall be limited to the purpose of egg collection for personal, non-commercial use.
3. No more than three chickens are allowed on any one parcel, and the **keeping of a rooster is prohibited.**
4. Chickens shall only be kept upon property occupied by a single family dwelling or duplex.
5. Chickens may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.
6. Chickens shall be kept in an enclosed coop or run at all times.
7. Chickens shall be kept for personal, non-commercial use only. No person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.

8. All chickens shall be housed in a coop.
9. Chickens and chicken coops shall only be located in a rear yard.
10. Chicken coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.
11. Chicken coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair.
12. Chicken coop and/or run shall be setback a minimum ten feet from all property lines.

Applicant acknowledges that upon issuance of any permit by the City of Gold Beach that it is the obligation of the applicant to comply with any and all laws, ordinances and regulations governing the type of project permitted whether or not specified in the permit. The granting of an approval by the City of Gold Beach does not give the applicant any authority to violate or modify the provisions of any other federal, State or local law, ordinance or regulation with respect to regulation of construction, performance of construction and/or operation of the project.

Regarding property boundaries, the applicant acknowledges that the only accurate way to locate property lines is by a land survey conducted by a licensed professional. The City of Gold Beach makes no representation as to the accuracy or location of any boundaries related to the project and the applicant, by virtue of issuance of a permit by the City of Gold Beach, and agrees to hold harmless, defend and indemnify the City in any legal action related to property lines or boundaries.

I have read and understand the above application and I hereby certify that all conditions will be continually met, and that I will abide by all restrictions, administrative rules and applicable City Codes and Ordinances.

Applicant Signature: _____ **Date:** _____

Property Owner Signature: _____ **Date:** _____

**** PERMIT REVOCATION**** Failure to comply with the above statement will result in the revocation of the permit and possible further action including fines.

FINAL PERMIT APPROVAL

APPROVED: _____ **DATE:** _____

Conditions of Approval:

DENIED: _____ **DATE:** _____

Reason for Denial:

GOLD BEACH CITY COUNCIL AGENDA REPORT



Agenda Item No. 9 b.

Council Hearing Date: September 10, 2012

Department: Administration
& Finance

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Ordinance No. 642 Administration Code Revisions

SUMMARY AND BACKGROUND:

In the past few months the Council has reviewed and made changes to the Administration Code. The attorney reviewed the proposed changes and the Council made the final review at the August 13th meeting. Ordinance No. 642 enacts the approved changes.

The enactment of the ordinance will require two readings by title only due to its length. The first reading will be this month and the second reading next month.

FINANCIAL IMPACT:

None at this time.

DOCUMENTS ATTACHED:

- Ordinance No. 642 and the approved Administration Code

REQUESTED MOTION/ACTION:

Suggested Motion:

I move that the Gold Beach City Council adopt Ordinance No. 642, revising the City Administration Code, and approve the first reading of the ordinance by title only.

The City Administrator will read the Ordinance by title only into the record.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council

ORDINANCE NO. 642

**AN ORDINANCE ADOPTING A REVISED GOLD BEACH ADMINISTRATION
CODE AND REPEALING ORDINANCE NO. 628 AND ANY OTHER ORDINANCES
THAT MAY BE IN CONFLICT**

The City of Gold Beach ordains as follows:

Section 1. The following sections are hereby adopted as the index and provisions of the City of Gold Beach Administration Code:

ADMINISTRATION CODE

INDEX

General

- 1.005 City Seal
- 1.010 Records

City Government

- 1.105 City Council
- 1.110 City Administrator
- 1.118 Authority of City Council when Position of City Administrator is Vacant.
- 1.120 City Planning Commission
- 1.125 Local Budget Committee

Elections

- 1.205 Election Precincts
- 1.210 Initiative and Referendum

Courts

- 1.305 Powers and Duties of Municipal Judge
- 1.310 Interpretation and Rules of Construction
- 1.315 Court Rules and Procedures

Personnel

- 1.405 Personnel Policies

City Contracts

- 1.600 Contract Review Board and Contracting Agency
- 1.605 Opting Out of the Attorney General's Model Rules
- 1.610 Authority of the City Administrator

Section 2. Ordinance Number 628 and any other ordinances in conflict herewith are hereby repealed.

Section 3. General Savings Provision and Continuity of Existing Provisions.

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this Code. The provisions of this Code that are the same in substance as code or ordinance provisions that are in effect immediately before this Code becomes effective shall be construed as restatements and continuations of the prior provisions.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon, on the _____ day of _____, 2012.

James H. Wernicke, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: September 10, 2012

Second Reading: _____

Candy Cronberger, City Recorder

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 9 c.

Council Hearing Date: September 10, 2012

Department: Administration
& Finance

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Ordinance No. 643 Business Code Revisions

SUMMARY AND BACKGROUND:

In the past few months the Council has reviewed and made changes to the Transient Room Tax Section of the Business Code. The attorney reviewed the proposed changes and the Council made the final review at the August 13th meeting. Ordinance No. 643 enacts the approved changes.

The enactment of the ordinance will require two readings by title only due to its length. The first reading will be this month and the second reading next month.

FINANCIAL IMPACT:

None at this time.

DOCUMENTS ATTACHED:

- Ordinance No. 643 and the approved Business Code

REQUESTED MOTION/ACTION:

Suggested Motion:

I move that the Gold Beach City Council adopt Ordinance No. 643, revising the City Business Code, and approve the first reading of the ordinance by title only.

The City Administrator will read the Ordinance by title only into the record.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council

ORDINANCE NO. 643

**AN ORDINANCE ADOPTING A REVISED GOLD BEACH BUSINESS CODE AND
REPEALING ORDINANCE NO. 633 AND ANY OTHER ORDINANCES THAT
MAY BE IN CONFLICT**

The City of Gold Beach ordains as follows:

Section 1. The following sections are hereby adopted as the index and provisions of the City of Gold Beach Business Code:

BUSINESS CODE

INDEX

General

- 4.000 Code Provisions as Law
- 4.010 General Savings Provision
- 4.020 Continuity of Existing Provisions
- 4.030 Interpretation of Term "City Administrator"
- 4.040 Severability

Business License Code

- 4.100 Title
- 4.105 Purpose of Business License Code
- 4.110 Definitions
- 4.115 Requirement for License
- 4.120 Exclusions from Business License Requirement
- 4.125 Illegal Business or Profession
- 4.130 License Required for Each Business and Location
- 4.135 License Term, Transfer of License
- 4.140 Application for License
- 4.145 License Fee Schedule
- 4.150 Display of License
- 4.155 Examination of Business Premises
- 4.160 Regulation of Residential Sales
- 4.165 Penalties and Civil Remedies
- 4.170 Revocation of Licenses

Transient Room Tax and Community Promotion Code

- 4.200 Title
- 4.205 Definitions
- 4.210 Tax Imposed
- 4.215 Rules for Collection of Tax by Operator
- 4.220 Operator's Duties

- 4.225 Exemptions
- 4.230 Registration of Operator; Certificate of Authority
- 4.235 Due Date; Return and Payment,
- 4.240 Penalties and Interest
- 4.245 Deficiency Determinations; Fraud or Evasion
- 4.250 Redeterminations
- 4.255 Security for Collection of Tax
- 4.260 Lien
- 4.265 Refunds
- 4.270 Purpose of and Distribution Formula for Transient Room Tax Receipts
- 4.275 Record Keeping and Inspection
- 4.280 Term, Powers and Duties of the Community Promotions Committee
- 4.285 Appeals to City Council
- 4.286 Severability
- 4.290 Violations
- 4.295 Penalties

Gold Beach Sign Code

- 4.300 Title
- 4.305 Purposes
- 4.310 Definitions
- 4.315 Permit Required
- 4.320 Other Permits
- 4.325 Application for Permit
- 4.330 Permit Fee
- 4.335 Permit and Fee Exceptions
- 4.340 Exempt Signs
- 4.345 Prohibited Signs
- 4.350 Nonconforming Signs
- 4.355 Maintenance of Signs
- 4.360 Inspections
- 4.365 Size and Spacing of Signs
- 4.370 Design and Construction
- 4.375 Projection and Clearance
- 4.380 Fin Signs
- 4.385 Pole Signs
- 4.390 Ground Signs
- 4.395 Roof Signs
- 4.400 Wall Signs
- 4.405 Projecting Signs
- 4.410 Combination Signs
- 4.415 Marquees
- 4.420 Electric Signs
- 4.425 Temporary Signs
- 4.430 Political Signs
- 4.435 Prohibited Conduct

- 4.440 Administration and Appeals
- 4.445 Sign Code Variance Procedures
- 4.550 Enforcement – Notice and Opportunity to Comply
- 4.460 Filing of Complaint; Temporary Restraining Order
- 4.465 Enforcement – Remedial Power of the Court
- 4.470 Enforcement – Violation

Vendor Assisted Tobacco Sales Code

- 4.500 Findings
- 4.505 Purpose
- 4.510 Definitions
- 4.515 Vendor Assisted Tobacco Sales Required
- 4.520 Exceptions
- 4.525 Non-Retaliation
- 4.530 Penalties

Social Gaming Code

- 4.600 Title
- 4.605 Gambling Prohibited
- 4.610 Definitions
- 4.620 License Required
- 4.625 Application for License
- 4.630 Consideration of Application
- 4.635 Issuance of License
- 4.640 Responsibility of Licensee
- 4.645 License Non-Transferable
- 4.650 License Fee, Duration and Renewal
- 4.655 Suspension and Revocation of License
- 4.660 Regulations
- 4.665 Penalties

Section 2. The following ordinances, and all other ordinances or portions of ordinances of the City of Gold Beach in conflict herewith, are repealed:

- (1) 526 (social gaming).
- (2) 577 (business licenses).
- (3) 597 (transient room tax).
- (4) 612 (sign ordinance).
- (5) 562 (vendor assisted tobacco sales).

Section 3. General Savings Provision and Continuity of Existing Provisions.

This code shall not affect the rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this code. The provisions of this code that are the same in substance as code or ordinance provisions that are in effect immediately before this code becomes effective shall be construed as restatements and continuations of the prior provisions.

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon, on the _____ day of _____, 2012.

James H. Wernicke, Mayor

ATTEST:

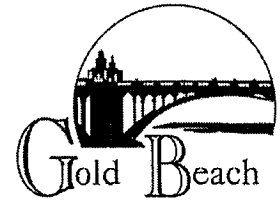
Jodi Fritts, City Administrator

First Reading: September 10, 2012

Second Reading: _____

Candy Cronberger, City Recorder

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 9 d.

Council Hearing Date: September 10, 2012

Department: Administration
& Finance

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Ordinance No. 644 Nuisance & Offense Code Revisions

SUMMARY AND BACKGROUND:

In the past few months the Council has reviewed and made changes to the Nuisance & Offense Code. The attorney reviewed the proposed changes and the Council made the final review at the August 13th meeting. Ordinance No. 644 enacts the approved changes.

The enactment of the ordinance will require two readings by title only due to its length. The first reading will be this month and the second reading next month.

FINANCIAL IMPACT:

None at this time.

DOCUMENTS ATTACHED:

- Ordinance No. 644 and the approved Nuisance & Offense Code

REQUESTED MOTION/ACTION:

Suggested Motion:

I move that the Gold Beach City Council adopt Ordinance No. 644, revising the City Nuisance and Offense Code, and approve the first reading of the ordinance by title only.

The City Administrator will read the Ordinance by title only into the record.

COPY OF REPORT AND ATTACHMENTS SENT TO:

Council and PD

ORDINANCE NO. 644

**AN ORDINANCE ADOPTING A REVISED GOLD BEACH NUISANCE AND
OFFENSE CODE AND REPEALING ORDINANCE NO. 632 AND ANY OTHER
ORDINANCES THAT MAY BE IN CONFLICT**

The City of Gold Beach ordains as follows:

Section 1. The following sections are hereby adopted as the index and provisions of the City of Gold Beach Nuisance and Offense Code:

NUISANCE AND OFFENSE CODE

INDEX

General

- 5.000 Code Provisions as Law
- 5.010 General Savings Provision
- 5.020 Continuity of Existing Provisions
- 5.030 Interpretation of Term "City Administrator"
- 5.040 Severability

Dog Control

- 5.050 Definitions
- 5.055 Dogs Running at Large Prohibited
- 5.060 Dogs Must be Licensed
- 5.065 Enforcement
- 5.070 Penalties
- 5.075 Impoundment
- 5.080 Release of Impounded Dogs

Discarded Vehicles

- 5.100 Definitions
- 5.105 Declaration of Public Nuisance
- 5.110 Prohibited Action
- 5.115 Police Duty
- 5.120 Entry upon Private Property
- 5.125 Hearing by City Council
- 5.130 Abatement of City and Appraisal
- 5.140 Disposal of Vehicle
- 5.150 Redemption Before Sale
- 5.155 Assessment of Costs

Nuisance Code

- 5.200 Title and Definitions

- 5.205 Prohibited Animal Nuisance
- 5.210 Nuisances Affecting Public Health
- 5.220 Nuisances Affecting Public Safety
- 5.225 Attractive Nuisances
- 5.230 Snow and Ice
- 5.235 Noxious Growths Prohibited
- 5.240 Scattering Rubbish
- 5.245 Trees
- 5.250 Fences
- 5.255 Surface Waters, Drainage
- 5.260 Radio and Television Interference
- 5.265 Junk
- 5.270 Soliciting
- 5.275 Container Burning and Open Burning
- 5.280 Unenumerated Nuisances
- 5.285 Notice of Abatement
- 5.290 Abatement by the Property Owner
- 5.295 Joint Responsibility
- 5.300 Abatement by the City
- 5.305 Assessment of Costs
- 5.310 Summary Abatement
- 5.315 Penalties
- 5.320 Separate Violations

Dangerous Buildings

- 5.350 Definitions
- 5.355 General Regulations
- 5.360 Nuisance
- 5.365 Initial Action
- 5.370 Hearing; Mailed Notice
- 5.375 Published and Posted Notices
- 5.380 Council Orders; Notice
- 5.385 Abatement by City
- 5.390 Assessment
- 5.395 Summary Abatement
- 5.398 Penalty

Offense Code

- 5.400 Definitions
- 5.405 Prosecution Procedures—State Statutes Adopted
- 5.410 Violations — State Statutes Adopted
- 5.415 Soliciting or Confederating to Violate Code
- 5.420 Offenses Outside City Limits
- 5.425 Attempt to Commit Offenses
- 5.430 Separate Violations
- 5.435 Penalties

- 5.440 Nuisance Abatement
- 5.500 Disorderly Conduct at Fires
- 5.510 Unnecessary Noise
- 5.515 Discharge of Weapons
- 5.520 Violating Privacy Of Another
- 5.525 Release of Child Confined in Vehicle
- 5.530 Place of Amusement
- 5.535 Poisoning of Animals
- 5.540 Police and Fire Communications
- 5.550 Obstruction of Building Entrances
- 5.555 Open Cellar Doors or Grates
- 5.560 Obstruction of Fire Hydrants
- 5.565 Vending Goods on Streets or Sidewalks
- 5.570 Begging
- 5.575 Lodging
- 5.580 Posted Notices
- 5.585 Hauling
- 5.590 Curfew

Parks

- 5.700 Park Rules and Regulations
- 5.705 Application for Written Permission
- 5.710 Authorization
- 5.715 Penalty
- 5.720 Separate Violations

Section 2. The following ordinances and all ordinances in conflict herewith are hereby repealed:

The following ordinances were previously repealed and incorporated into this Code:

1. Ordinance No. 156
2. Ordinance No. 161
3. Ordinance No. 271
4. Ordinance No. 331
5. Ordinance No. 332
6. Ordinance No. 335
7. Ordinance No. 338
8. Ordinance No. 351
9. Ordinance No. 355
10. Ordinance No. 367
11. Ordinance No. 378
12. Ordinance No. 391
13. Ordinance No. 409
14. Ordinance No. 412

15. Ordinance No. 417
16. Ordinance No. 419
17. Ordinance No. 434
18. Ordinance No. 473
19. Ordinance No. 485
20. Ordinance No. 531
21. Ordinance No. 551
22. Ordinance No. 554
23. Ordinance No. 560

Passed and Adopted by the City Council of the City of Gold Beach, Oregon, State of Oregon, on the _____ day of _____, 2012.

James H. Wernicke, Mayor

ATTEST:

Jodi Fritts, City Administrator

First Reading: September 10, 2012

Second Reading: _____

Candy Cronberger, City Recorder

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. **9 e.**

Council Hearing Date: September 10, 2012

Department: All Departments

Contact/Title: Jodi Fritts, CA

Email: jfritts@goldbeachoregon.gov

TITLE: Resolution R1213-03 City Fee Schedules

SUMMARY AND BACKGROUND:

In July and August the Council reviewed the current City Fee Schedules and made proposed changes. At the August meeting the Council directed staff to prepare a resolution for adoption at the September meeting. A resolution and the approved fee schedules are attached to this report.

FINANCIAL IMPACT:

No significant impacted is expected over approved budget levels

DOCUMENTS ATTACHED:

- Resolution R1213-03 adopted the approved fee schedules
- Approved department fee schedules

REQUESTED MOTION/ACTION:

Suggested Motion:

I move to approve Resolution R1213-03, a resolution setting fee schedules for city services and repealing resolution R0809-12 and any other resolutions that may be conflict.

COPY OF REPORT SENT TO:

Council, PW Super Will Newdall, Chief Andrews, Chief Floyd, Judge Fallman, VC Manager-Sue Dawson

RESOLUTION R1213-03

**A RESOLUTION SETTING FEE SCHEDULES FOR CITY SERVICES AND
REPEALING RESOLUTION R0809-12 AND ANY OTHER RESOLUTIONS
THAT MAY BE IN CONFLICT**

WHEREAS, the various City departments provide services that require the collection of a fee for the provision of the services; and

WHEREAS, the City Code provides for the City Council to assess a permit, permit review, or license fee for certain privileges within the city limits; and

WHEREAS, the City Council reviewed the current fee schedules and held a public hearing on August 13, 2012, to take testimony regarding proposed changes to the current fees.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, Oregon, adopts the fee schedules attached to this resolution as EXHIBIT A and hereby repeals Resolution R0809-12 and any other resolutions that may be in conflict.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 10th day of September, 2012.

James H. Wernicke, Mayor

ATTEST:

Candy Cronberger, City Recorder

**EXHIBIT A
FY2012-2013 FEE SCHEDULE**

LICENSES & PERMITS	ADOPTED FEE
SOCIAL GAMING LICENSE	
Social Gaming License: Initial	\$300
Social Gaming License: Renewal	\$100
SIGN PERMIT	MINIMUM \$50 UP TO 25 SQ FT \$0.75 PER SQ FT AFTER
SIGN VARIANCE	\$150
BUSINESS LICENSE: BASIC	\$85
BUSINESS LICENSE: RESIDENTIAL/COMMERCIAL LESSORS	\$85 FOR UP TO 3 UNITS \$3 EACH ADDITIONAL UNIT
BUSINESS LICENSE: CARNIVAL	\$75
AMUSEMENT MACHINE	\$50 PER MACHINE
VENDING MACHINE	\$10 PER MACHINE
LIQUOR LICENSE: INITIAL	\$100
LIQUOR LICENSE: CHANGE	\$75
LIQUOR LICENSE: RENEWAL OR TEMP	\$35
ADMINISTRATIVE FEES	ADOPTED FEE
CANDIDACY FILING FEE	\$50
COPY FEE	0.25 PER PAGE
RESEARCH FEE OVER 15 MINUTES	\$35 PER HR
FAX or scan	\$3
FILING/RECORDING AT COUNTY CLERK	ACTUAL COST
NSF FEE	\$30
COPY OF AUDIO RECORDING	\$15
LIEN FILING AND SATISFACTION	ACTUAL FILING COST + \$20
PUBLIC RECORDS REQUEST	Copies: \$0.25 PER PAGE Research Labor: \$35 per hour Digital copy by disc: \$5 per disc Certification of copy: \$5 Delivery: actual USPS, UPS, or FEDEX costs Non-standard copy/equipment costs: actual cost
COPIES OF REPORTS	Public Records Request Fees
LIEN SEARCH	Public Records Request
LIST OF BUSINESS LICENSE HOLDERS	Public Records Request subject to RED FLAG regulations

FY2012-2013
FEE SCHEDULE

UTILITY RELATED FEES	ADOPTED FEE
*Monthly water/sewer utility rates set by separate resolution	
RESIDENTIAL SERVICE DEPOSITS	
Deposit for accounts with both water and sewer service	\$200
Deposit for water service only accounts	\$100
Deposit for sewer service only accounts	\$150
COMMERCIAL SERVICE DEPOSIT	
	TOTAL OF 2 HIGHEST UTILITY BILLS OR \$200 WHICHEVER IS GREATER
METER ACCURACY TEST AT CUSTOMERS REQUEST	ACTUAL COST OF TEST + 1 HR LABOR (see PW fees)
TEMPORARY CONNECT/DISCONNECT AT CUSTOMERS REQUEST	2 per year no cost, additional \$30 each visit
WEEKEND/HOLIDAY/AFTER HOURS TEMPORARY CONNECT/DISCONNECT AT CUSTOMERS REQUEST	Billed at PW Labor Charge
CHECK WATER METER AT CUSTOMERS REQUEST	2 per year no cost, additional \$20 each visit
MOVING/ALTERING METER AT CUSTOMERS REQUEST	ACTUAL MATERIAL COSTS+ PW EQUIPMENT AND LABOR COSTS
DAMAGE TO WATER SERVICE	Actual cost of repair and PW Labor
DELIQUENT UTILITY BILL FEE	10%
DISCONNECT/CONNECT DUE TO DELINQUENCY	\$30
DISCONNECT/CONNECT DUE TO DELINQUENCY AFTER HOURS/HOLIDAYS/WEEKEND	Billed at PW Labor Charge
SHUT OFF FLAG NOTICE FOR DELINQUENCY	\$25
TURNING WATER OFF/ON WITHOUT AUTHORITY	\$75
WATER HYDRANT STAND-BY FEE	discontinue

FY2012-2013
FEE SCHEDULE

PUBLIC WORKS RELATED FEES	ADOPTED FEE
ISSUE NEW ADDRESS W/PLATE	\$75
REPLACEMENT ADDRESS PLATE	\$25
PW LABOR	CURRENT WAGE + BENEFITS + 15%
TV SEWER LINES	\$100 PER HR + LABOR FOR 2
PICKUP W/OPERATOR	\$50 PER HR + LABOR
BACKHOE W/OPERATOR	\$200 PER HR + LABOR
SEWER SLUDGE TRUCK W/OPERATOR	\$200 PER HR + LABOR
BRUSH CUTTER W/OPERATOR	\$175 PER HR + LABOR
TAPPING MACHINE W/OPERATOR	\$450 PER HR + LABOR
SEWER CLEANER W/OPERATOR	\$250 PER HR + LABOR
DUMP TRUCK W/OPERATOR	\$175 PER HR + LABOR
STREET SWEEPER W/OPERATOR	\$250 PER HR + LABOR
COMPACTOR W/OPERATOR	\$50 PER HR + LABOR
BRUSH CHIPPER W/OPERATOR	\$175 PER HR + LABOR
LABOR CHARGES	CURRENT WAGE + BENEFITS + 15%
ALL SERVICES, EQUIPMENT, SUPPLIES, MATERIALS, LABOR SUBJECT TO OVERHEAD	
Any supplies, materials, equipment rental, etc. purchased by City to complete proposed work	Actual Cost

SDC FEES	
WATER: 3/4 METER	\$2800 + ANY EXTRA LABOR AND MATERIALS
SEWER: 1 ERU	\$4400 + ANY EXTRA LABOR AND MATERIALS
STREETS	\$1232 TO BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION

**FY2012-2013
FEE SCHEDULE**

PUBLIC SAFETY		ADOPTED FEE
NUISANCE ABATEMENT		ACTUAL COST + \$75 ADMIN FEE
EXCESSIVE FALSE ALARMS (SEE PACKET FOR EXPLANATION)		
Errors by employees or other person		3 per calendar year then \$125 per each call out
Mechanical errors		3 per calendar year then \$125 per each call out
Towing Fee		Actual cost of towing plus \$25 admin fee
FIRE CHARGES OUTSIDE OF DISTRICT		
FIRST PUMPER		\$400 per hour
SECOND PUMPER		\$350 per hour
MANPOWER		\$50 per hr per person
MATERIALS (FOAM ETC)		ACTUAL COST
NOTES: MINIMUM 1 HR BILLED THEN 1/2 INCREMENTS. TIME ENDS WHEN ENGINE AND CREW RETURN TO STATION. CHARGES APPLY TO IN DISTRICT TO CONTROLLED BURNS THAT GET OUT OF CONTROL WITH OR WITHOUT A BURN PERMIT		
JAWS OF LIFE		No Charge
MUNI COURT ADMINISTRATIVE		
Fee for sending to collections agency		25% of outstanding amount per ORS 137.118
Administrative fee for payment plan		\$25
License suspension fee required by ORS 809.267		\$15

**FY2012-2013
FEE SCHEDULE**

VISITOR CENTER	ADOPTED FEE
Packet Program	\$0.18 per request
Videos	\$5

PLANNING FEES	ADOPTED FEE
Planning Commission Decision	\$600
Conditional Use Permit	\$600
Floodplain Development Permit	\$600
Variance	\$600
Administrative Decision by Planning Director	\$425
AD/CUP Permit Renewal	\$200
Subdivision	\$1,550
Partition	\$1,000
Lot Line Adjustment	\$500
Other Land Use Decisions	
Building Permit or Sign Permit Review	\$100
Zone Change	\$1,800
Appeal of Planning Commission or Director Decision	Cost of original application

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**



Agenda Item No. 9 f.

Council Hearing Date: September 10, 2012

Department: Police Department
Municipal Court

Contact/Title: Jodi Fritts, CA
Email: jfritts@goldbeachoregon.gov

TITLE: Resolution R1213-04 Traffic Offense Presumptive Fines

SUMMARY AND BACKGROUND:

MUNI COURT FINES: As we have discussed previously, in January the state changed the fee structure for traffic offenses. \$60 of every ticket must now be remitted to the state. As a result of this change, we discussed adopting our own fee structure. At the August meeting we reviewed the City of Eugene's presumptive fine schedule. The Council directed staff to prepare a fine schedule and resolution for adoption at the September meeting. Attached to this report is fine schedule as approved by the council and an enacting resolution.

FINANCIAL IMPACT:

Return our retained fine portion back to pre-January level. Depending on number of tickets written for FY12-13 it could be significant.

DOCUMENTS ATTACHED:

- Approved Traffic Offense Presumptive Fine Schedule
- Resolution R1213-04 enacting the fine schedule

REQUESTED MOTION/ACTION:

Suggested Motion:

I move to approve Resolution R1213-04, a resolution setting the Gold Beach Municipal Court Traffic Offenses Presumptive Fine Schedule.

COPY OF REPORT SENT TO:

Council, Chief Andrews, Judge Fallman

RESOLUTION R1213-04

**A RESOLUTION SETTING GOLD BEACH MUNICIPAL COURT TRAFFIC
OFFENSES PRESUMPTIVE FINE SCHEDULE**

WHEREAS, as provided in Chapter V of the Gold Beach City Charter, the City operates a Municipal Court to enforce the ordinances and codes of the City of Gold Beach; and

WHEREAS, the City Code Section 6.050 provides for the applicability of State Traffic Laws within the city limits of Gold Beach and a violation of such state traffic laws shall be considered offenses against the City of Gold Beach when committed within its boundaries; and

WHEREAS, the City is desirous to adopt a City specific presumptive fine schedule for violations of traffic offenses within the city limits of Gold Beach; and

WHEREAS, the City Council held a public hearing on August 13, 2012, to take testimony and deliberate on the proposed presumptive fine schedule.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, Oregon, hereby adopts the presumptive fine schedule, attached to this resolution as EXHIBIT A, for traffic offenses within the City of Gold Beach

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 10th day of September, 2012.

James H. Wernicke, Mayor

ATTEST:

Candy Cronberger, City Recorder

**EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE**

OFFENSE	PRESUMPTIVE FINE	MAXIMUM FINE	ORS	NOTES
VIOLATIONS				
Class A	495	2,000		
Class B	320	1,000		
Class C	220	500		
Class D	170	250		
If an accident is involved add \$50 to the presumptive fines below:				
SPEEDING				
Speed Racing	495	2,000	811.125	
Violation Basic Rule (VBR) Over Limit:				
1 to 10 miles	170	250	811.100	
11 to 20 miles	220	500	811.100	
21 to 30 miles	320	1,000	811.100	
over 30miles	495	2,000	811.100	
Unsafe speed when going slower than posted speed	320	1,000	811.100	
Violating Designated Speed Limit:				
1 to 10 miles	170	250	811.111	*
11 to 20 miles	220	500	811.111	*
21 to 30 miles	320	1,000	811.111	*
Over 30 miles	495	2,000	811.111	*
If the speed limit is 65 mph or greater:				
Exceeding the limit by 10 mph or less	220	500	811.111	*
Exceeding the limit by more than 10 but not more than 20	320	1,000	811.111	*
Exceeding the limit by more than 20 mph	495	2,000	811.111	
* ADD \$42 SURCHARGE IF DEFENDANT IS DRIVING VEHICLE THAT REQUIRES CDL				
SERIOUS TRAFFIC OFFENSES				
Violations of Ignition Interlock Devices	495	2,000	813.608	
Careless Driving	320	1,000	811.135	
Driving While Suspended (DWS)	495	2,000	811.175	Vio
Driving While Suspended (DWS)	555	6,250	811.182	Crime
Driving Under Influence Intox. (DUII)	555	6,250	813.010	Crime
Eluding	555	6,250	811.540	Crime
Fir Leav Nm/Add Scn Acc	555	6,250	811.700	Crime
Reckless Driving	555	6,250	811.140	Crime
Reckless Endangerment of Highway Workers	555	6,250	811.231	Crime
Refusal to Take a Test for Intoxicant	495	2,000	813.095	Vio
Vehicular Assault of Bicyclist or Ped	555	6,250	811.060	Crime
ALCOHOL VIOLATIONS				
Open Container (Drink)	320	1,000	811.170	
Open Container (Keep)	320	1,000	811.170	
Open Container (Poss)	320	1,000	811.170	
ACCIDENTS/REPORTS				
Fir to Perf Driv Dut/Domes Animal	320	1,000	811.710	
Fir to Perf Witness Duties	320	1,000	811.715	
Fir Driver to Report Accident	320	1,000	811.725	
Fir Occupant to Report Accident	320	1,000	811.735	
Fir Owner to Report Accident	320	1,000	811.730	
False Accident Report (crime)	538	2,500	811.740	Misde
Failure to Remove a Motor Vehicle from the Highway	220	500	811.717	
PEDESTRIAN VIOLATIONS				
Fir Obey Trf Control Dev	170	250	814.020	
Fir Use Tunnel/Overhd	170	250	814.060	
Fir/Improper Use Sidewalk/Shoulder	170	250	814.070	

EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE

Fir Yld Emergency Vehicle	170	250	814.050	
Fir Yld Vehicle	170	250	814.040	
Sudden Leaving Curb	170	250	814.040	
Unlawful Hitchhiking	170	250	814.080	
Fir Obey Railroad Signal	170	250	814.030	
BICYCLE VIOLATIONS				
Applicability of MV Code to Bicycle	Same as Veh		814.400	
Unsafe Riding Sdwk	170	250	814.410	
Fir Sig Stop/Turn	170	250	814.440	
Clinging to Veh	170	250	814.480	
Fir To Wear Bicycle Helmet	25	25	814.485	
Fir Use Bicycle Seat	170	250	814.470	
Fir Use Bicycle Lane/Path	170	250	814.420	
Improp Use of Lane by Bicycle	170	250	814.430	
Unlawful Load on Bicycle	170	250	814.450	
Unlawful Passenger on Bicycle	170	250	814.460	
Viol Bicycle Equip Requirements	170	250	815.280	
MOPEDS, MOTORCYCLES, MOTOR ASSISTED SCOOTERS (MAS) AND ASSISTED MOBILITY DEVICE				
Illegal Alteration of Moped	220	500	814.310	
Moped Clinging to Vehicle	170	250	814.230	
MTC/Moped More than 2 Abreast	320	1,000	814.250	
Unlawful Moped or MTC Operation	320	1,000	814.200	
Unlawful Moped or MTC Passing	320	1,000	814.240	
Operating Moped on Bike Lane	170	250	814.210	
Oper Moped on Sidewalk/Bike Trail	170	250	814.210	
Oper Moped w/o Lights	320	1,000	814.320	
Carrying Passenger on Moped	170	250	814.330	
Unlawful Moped Passenger	170	250	814.340	
Fir MTC Operator to Wear Helmet	170	250	814.269	
Fir MTC Passenger to Wear Helmet	170	250	814.275	
Clinging to MV by MTC-Unless Disabled	320	1,000	814.220	
No Helmet/Moped Rider	170	250	814.260	
Operate MTC w/o Lights	320	1,000	814.320	
Unlawfully Carrying Passenger on MTC	320	1,000	814.325	
Endangering MTC Passenger	170	250	814.280	
Unlawful Operation of MAS	170	250	814.512	
Failure to use Bike Lane-MAS	170	250	814.514	
Improper Operation on Highway-MAS	170	250	814.518	
Improper Operation in Lane-MAS	170	250	814.520	
Failure to Signal-MAS	170	250	814.522	
Unsafe Operation on Sidewalk-MAS	170	250	814.524	
Unsafe Oper on bike path or lane-MAS	170	250	814.526	
Operation of MAS in crosswalk	170	250	814.528	
Carrying a Passenger on a MAS	170	250	814.530	
Operating MAS with an unlawful load	170	250	814.532	
Fir of MAS Operator to Wear Helmet	25	25	814.534	
Endangering a MAS operator	25	25	814.536	
Vio of MAS equipment requirements	170	250	815.283	
Vio of Electric personal assistive mobility device equipment requirements	170	250	815.284	
Unsafe oper of electric assist mobility device	170	250	814.552	
Dangerous movement of stopped, standing, parked vehicle	320	1,000	811.565	
SIGNAL AND TRAFFIC CONTROL				
Pass Stopped Veh at X-Walk	320	1,000	811.020	
Fir Obey Police Officer	320	1,000	811.535	
Fir Obey Stop Sign	320	1,000	811.265	
Fir Obey Traf Cont Device	320	1,000	811.265	
Fir Obey Traf Signal	320	1,000	811.265	
Fir to Signal (Electric)	170	250	811.405	

**EXHIBIT A
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Fir to Signal (Ln Chng)	170	250	811.375	
Fir to Signal (Stop) With Lts	170	250	811.405	
Fir to Signal (Turn) With Lts	170	250	811.405	
Imp Left Turn	320	1,000	811.340	
Imp Right Turn	320	1,000	811.355	
Fir Use Appropriate Signal	320	1,000	811.400	
Unlawful MC Passing	320	1,000	814.240	
Unsafe Pass (On Left)	320	1,000	811.410	
Unsafe Pass (On Right)	320	1,000	811.415	
Unsafe Pass (No Passing Zone)	320	1,000	811.420	
Unsafe Passing of Person on Bicycle	320	1,000	811.065	
Fir Use Special Left Turn Lane	320	1,000	811.345	
Inter w/Trf Cont Dev	495	2,000	810.240	
Fir Stop for RR Signal	320	1,000	811.455	
Impr Turn at Stop Lt (When Red)	320	1,000	811.360	
Unlawful or Unsignaled Turn	170	250	811.335	
Imp U-Turn	320	1,000	811.365	
Fir Obey One-Way Designation	320	1,000	811.270	
Crossing Cntr Line of 2-Way/4 Lane	320	1,000	811.310	
Depriving MC/Moped of Full Lane	320	1,000	811.385	
Drvg Wrong Way Around Rotary Island	320	1,000	811.330	
Fir of Slow Drvr to Dry in Rt Lane	320	1,000	811.315	
Fir to Drive in Single Lane	320	1,000	811.370	
Fir to Drive on Right	320	1,000	811.295	
Fir to Drive on Rt of Approach Veh	320	1,000	811.300	
Fir to Drive on Rt Side of Div Hwy	320	1,000	811.320	
Fir to Keep Camper, Trailer, Truck in Rt Lane	320	1,000	811.325	
Unlawful Change of Lane (Unsafe)	170	250	811.375	
Unsignaled Change of Lane	170	250	811.375	
Fir to maintain safe distance from emerg veh	320	1,000	811.147	
FAILURE TO YIELD RIGHT-OF-WAY				
Fir to Yld Bicycle on Sidewalk	320	1,000	811.055	
Fir to Stop for Pedestrian who is Blind	320	1,000	811.035	
Fir to Stop for Pedestrian on Sidewalk	320	1,000	811.025	
Fir to Yld Bicycle in Bike Lane	320	1,000	811.050	
Fir to Yld at Contld Intrs	320	1,000	811.265	
Fir to Yld in Roundabout	220	500	811.292	
Fir to Yld at Drvwy/Alley/Priv Rd	320	1,000	811.280	
Fir to Yld Emergency Vehicle	320	1,000	811.145	
Fir to Yld Left Tum	320	1,000	811.350	
Fir to Yld at Merging Lane	320	1,000	811.285	
Fir to Yld Ped (Crswlk w/o Cntrl Dv)	320	1,000	811.028	
Fir to Yld Ped (Crswlk, Tum on Red)	320	1,000	811.360	
Fir to Yld Ped (Crswlk w/ Tr Sig)	320	1,000	811.028	
Fir to Yld Uncontrl'd Hwy Intrs	320	1,000	811.275	
Fir to Yld to Traffic Control Member	495	2,000	811.017	
OPERATORS LICENSE VIOLATIONS				
No MTC Endorsement	320	1,000	807.010	
Veh Oper w/o Driving Priv (Exp DL)	320	1,000	807.010	
Veh Oper w/o Driving Priv (No DL)	320	1,000	807.010	
License Restrictions	320	1,000	807.010	
Fir Carry/Dsp/Present/Deliver DL	220	1,250	807.570	
Fir Chg Name/Add DL w/in 30 Days	170	250	807.560	
Fir Chg Name/Add ID w/in 30 Days	170	250	807.420	
Fir to Suaender Out-of-State DL	170	250	807.540	
Holding Multiple DL's	320	1,000	807.550	
Veh Oper with Cancelled Lic	320	1,000	807.010	
Permitting Misuse of DL (Lending)	665	6,250	807.590	Crime
Giving False Information	665	6,250	807.620	Crime
Misuse ID Card	1,138	6,250	807.430	Crime
Using Invalid DL	665	6,250	807.580	Crime

**EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
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PRESUMPTIVE FINE SCHEDULE**

Using Another's DL	665	6,250	807.600	Crime
Fir to Return Suspended Drivers License	590	1,250	809.500	
VEHICLE LICENSE VIOLATIONS				
False Application Proh-Veh Reg	1,138	6,250	803.375	Crime
Exp Veh Lic/Reg (Fee Must be Paid)	170	250	803.315	
Fir Chg Name/Addr w/in 30 Days	170	250	803.220	
Fir Sign/Carry/Dsply Reg	170	250	803.505	
Fir Trnsfr Title w/in 30 Days	170	250	803.105	
Impr Disp Lic Pit Sticker	170	250	803.560	
Impr Disp Veh Plates	170	250	803.540	
Dealer Certificate Violation	1,201	6,250	822.005	Crime
Improper Display Dealer Plates	170	250	822.045 (h)	
Improper Use of Dealer Plates	320	1,000	822.045 (g)	
Switched Lic Plates	170	250	803.540	
Switched Lic Plate Sticker	320	1,000	803.550	
Fir to Reg Veh	170	250	803.300	
Fir to Renew Veh Reg	170	250	803.455	
Illegal Alteration/Dsply Plates	320	1,000	803.550	
Exp Out-of-State Plates	220	500	803.545	
Fir to Dsply Plates	170	250	803.540	
Fir to Dsply Out-of-State Plates	220	500	803.545	
Fir to Surr Out-of-State Reg/Plates	170	250	803.380	
Improper Display of a Permit	170	250	803.655	
LIGHT VIOLATIONS				
Fir Mark End of Load (Over 4') w/Light or Flag	220	500	815.275	
Opr w/Nonstandard Ltg Equip (Type, Visibility, Color, Placement)	220	500	816.300	
Opr w/o Required Ltg Equip	220	500	816.330	
Def Headlights	220	500	816.330	
Def Taillights	220	500	816.330	
Def Reg. Plate Light (Visible 50')	220	500	816.330	
Def Brake Lights	220	500	816.330	
Def Turn Signals	220	500	816.330	
Def Hi-Beam Indicator	220	500	816.330	
Def Reflectors	220	500	816.330	
Aux Lights Over 54" on	220	500	816.330	
Back-Up Lights on When Going Forward	320	1,000	811.520	
Driving w/o Lights	320	1,000	811.520	
Fir to Dim HL (500' Oncom: 350' Rear)	320	1,000	811.520	
Fir to Use Park Lights	170	250	811.520	
More than 4 Lights When Hdlt Req.	320	1,000	811.520	
Using Park Lights When Hdlt Required	320	1,000	811.520	
Use of Prohibited Lighting Equip	220	500	816.360	
REQUIRED EQUIPMENT				
Brakes (Inclgd Emrgncy Brks)	220	500	815.130	
Fenders/ Mudflaps	220	500	815.185	
Horn (Audible 200 Ft)	220	500	815.230	
Op/Allow Op Iligl Equip/Unsafe Veh	220	500	815.100	
Rear View Mirror (Unobstructed 200 Ft)	220	500	815.235	
Forward Crossover Mirror/Failure to Inspect	220	500	815.237	
Turn Signals (Exc Pre '73 MC & Mopds)	220	500	816.320	
Windshield Wiper	220	500	815.215	
Exhaust System	220	500	815.250	
Illegal Window Tinting	320	1,000	815.222	
EXCESSIVE NOISE VIOLATIONS				
Engine Braking	495	2,000	811.492	
Excess Noise (Tires, Engine, Exhaust)	170	250	815.025	
Improper Use of Horn	220	500	815.225	
Unreasonable Sound Amplification from a vehicle	170	250	815.232	

**EXHIBIT A
CITY OF GOLD BEACH MUNICIPAL COURT
TRAFFIC OFFENSES
PRESUMPTIVE FINE SCHEDULE**

MISCELLANEOUS VIOLATIONS				
Operating a Motor Vehicle while using a				
Mobile Communications Device	170	250	811.507	
Conducting Wrecking Business w/o				Crime
Certificate	1,201	6,250	822.100	
Requirements for Destruction of Veh	1,138	6,250	819.010	Crime
Blocking Cross Traffic	170	250	811.290	
Carry Dog External Veh	170	250	811.200	
Carry Child External Veh	320	1,000	811.205	
Damage/Remove Sign	495	2,000	810.240	
Drag Object on Road	170	250	818.320	
Drv on Bicycle Ln/Path	320	1,000	811.435	
Oper w/obstructing Passenger	170	250	811.190	
Driving Uninsured	320	1,000	806.010	
Fir to Carry Proof of Compliance w/Financial Responsibility Reg	320	1,000	806.012	
Fir to Stop for School Bus	495	2,000	811.155	
Unsafe School Vehicle Operation	320	1,000	820.180	
Follow Fire Truck (500 Ft)	320	1,000	811.150	
Follow too Close	320	1,000	811.485	
Operating Unsafe Veh	320	1,000	815.020	
Impeding Traffic	170	250	811.130	
Op Low Speed Veh on Highway	320	1,000	811.512	
Littering (Op/Pass)	220	1,250	164.805	
Obstruction on Windows	170	250	815.220	
Open Vehicle Door	170	250	811.490	
Overtaking Stopped Vehicle	320	1,000	811.020	
Prmt Unlwful Oper Veh	320	1,000	811.255	
Sifting, Leaking Load	320	1,000	818.300	
Studded Tires (Illegl-May 1 to Oct 31)	220	500	815.160	
Throwing Burning Material From MV	220	500	476.715	
Drvg on Hwy Divider	320	1,000	811.430	
Endangering Child Passenger	170	250	811.210(1)(b) (c)	
Fir to Wear Seat Belt	170	250	811.210(1)(a) (d)	
Fir to Maintain Safety Belts	220	500	811.225	
Fir to Stop Emerging from Alley, Driveway, Bldg	320	1,000	811.505	
Illegal Backing	170	250	811.480	
Interference with Emergency Veh	320	1,000	811.150	
Passenger Obstruction of Driver	220	500	814.130	
Unlawful Use of Television	320	1,000	815.240	
Viol Max Size Limits	170	250	818.090	
Viol Towing Safety Reg	320	1,000	818.160	
Viol Min Road Clearance	320	1,000	815.245	
Viol Truck Route (Authority 810.040)	320	1,000	811.450	
Viol Maximum Weight Limits when Vehicle	495	2,000		
Eligible for Variance Permit			818.020	
Visible Emissions	170	250	815.200	