



# CITY COUNCIL MEETING

February 06, 2024 at 7:00 PM

Boardman City Hall Council Chambers  
**AGENDA**

1. **CALL TO ORDER**
2. **FLAG SALUTE**
3. **ROLL CALL/EXCUSED ABSENCES**
4. **APPROVAL OF MINUTES**
  - A. City Council Meeting Minutes January 2, 2024 - Regular Meeting
5. **FORMAL PROCEEDINGS**
  - A. Public Hearing - Sale of Surplus Property - NE Front Street (Lots 4 & 5)
  - B. Public Hearing - Sale of Surplus Property - Tower Road
6. **FINANCIAL REPORT**
  - A. Month Ending December 2023
7. **PUBLIC COMMENT**
  - A. Prearranged Presentation - Morrow County Schools, Boardman
  - B. Other Public Comment
8. **ACTION ITEMS - ORDINANCES**
  - A. 1-2024 - Boardman Development Code Amendment to Section 3.4.000.B
  - B. 2-2024 – Animal Control Review Changes to Chapter 6 of Municipal Code
9. **ACTION ITEMS - RESOLUTIONS**
  - A. 3-2023 Declaring Surplus Vehicle – 2015 Ford F250
10. **ACTION ITEMS - OTHER BUSINESS**
  - A. Urban Renewal Agency Budget Committee  
Approval of 2024-25 URA Budget Calendar  
Reappointment of URA Budget Committee Members  
Dori Drago - Term Ending 12/31/23  
Stephen Fuss - Term ending 12/31/23  
Lisa Mittelsdorf - Term ending 12/31/23
11. **DOCUMENT SIGNATURES**
12. **REPORTS, CORRESPONDENCE, AND DISCUSSION**
  - A. Police Report

- B.** Police Report
- C.** Public Works Department Report
- D.** Committee Reports
- E.** City Manager
- F.** Councilors
- G.** Mayor

**13. EXECUTIVE SESSION**

- A.** Real Estate ORS 192.660 (2)(e)

**14. ADJOURNMENT**

Zoom Meeting Link: <https://us02web.zoom.us/j/2860039400?omn=89202237716>

This meeting is being conducted with public access in-person and virtually in accordance with Oregon Public Meeting Law. If remote access to this meeting experiences technical difficulties or is disconnected and there continues to be a quorum of the council present, the meeting will continue.

The meeting location is accessible to persons with disabilities. Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the meeting. To make your request, please contact a city clerk at 541-481-9252 (voice), or by e-mail at [city.clerk@cityofboardman.com](mailto:city.clerk@cityofboardman.com).

**BOARDMAN CITY COUNCIL – REGULAR MEETING MINUTES – January 2, 2024**  
**BOARDMAN CITY HALL COUNCIL CHAMBERS AND VIA ZOOM**

Mayor Keefer called the meeting to order at 7:06 PM and led the Pledge of Allegiance.

Councilors Present:  Mayor Paul Keefer       Ethan Salata       Heather Baumgartner  
 Zoom Brenda Profitt       Zoom Cristina Cuevas       Richard Rockwell  
 Karen Pettigrew

Mayor Keefer stated Councilor Salata is on shift, if he receives a call for an emergency, he will need to leave.

Staff Present:  Carla McLane, Planning Official       Nancy Orellana, Associate Planner  
 Brandon Hammond, City Manager       Amanda Mickles, City Clerk  
 Marta Barajas, Finance Director       Rolf Prag, Public Works Director  
Zoom - Toni Connell, Utility Clerk       Jackie McCauley, Building Clerk  
Zoom - Jose Fernandez, Code Enforcement       Loren Dieter, Interim Police Chief

Audience: Jonathan Tallman, Ragna TenEyck, Peter Haney, Devin Pulvino, Matt Jensen, Julie Jensen, and Pat Andreason. Via Zoom L. Anders, Mike Connell, Lisa Pratt, Mike Hughes, Stephen Fuss, Yen H, and Chris Crean (City Attorney).

**Approval of Minutes**

October 18, 2023 Regular Meeting

Councilor Baumgartner moved to approve the minutes of the December 5, 2023 regular meeting as presented. Councilor Rockwell seconded the motion. All were in favor. Motion passed 7/0.

**Formal Proceedings**

Public Hearing – Boardman Development Code Amendment to Section 3.4.000.B

Mayor Keefer opened the public hearing on Boardman Development Code Amendment to Section 3.4.000.B at 7:09 PM.

Mayor Keefer outlined the conduct of the hearing.

Mayor Keefer asked councilors to disclose any conflicts of interest. There were none.

Mayor Keefer asked if anyone challenged the impartiality of councilors. There were none.

Mayor Keefer stated that based on the staff report, the Council needs to add several documents to the record. Councilor Baumgartner made a motion to add to the record the items described by staff in the staff report and the letter received today from Wendie Kellington representing Jonathan Tallman. Councilor Rockwell seconded the motion. All were in favor. Motion passed 7/0.

Mayor Keefer asked if there was additional correspondence beyond those items included in the staff report. Planning Official McLane stated there was none.

**Staff report**

Planning Official McLane stated she would like to clarify what the Council’s decision is, what is pertinent to that decision, and provide some explanation of the documents that placed into the record. There have been five separate LUBA appeals regarding the UEC power lines and the permits to build the loop road south of the freeway, and Jonathan Tallman is currently suing the city in circuit court. The LUBA appeals addressed the construction contract (which has been transferred to Circuit Court and is the identified lawsuit), the UEC power line (which the City and UEC prevailed on), and the zoning permit issued to build the loop roads east of Laurel Lane (which was remanded to the City).

This is a legislative decision to approve changes to the Boardman Development Code to allow the improvements related to a public improvement project until development occurs on adjacent properties. The Planning Commission held a public hearing on December 20, 2023, to consider this change and recommends the City Council adopt the change. The pertinent documents to this change are the proposed changes attached to the Memorandum sent to each Councilor on Wednesday, December 27, 2023, as well as the staff report prepared for the Planning Commission public hearing. The record includes the letter from the Kellington Law Group attached to Planning Commission staff report, which gets into issues related to the LUBA decision that remanded an earlier permit the city issued for construction of the loop road. That decision prompted the proposed change to the Boardman Development Code, but the change applies to any similar project throughout the city, not only the loop road.

To better explain the changes to the Boardman Development Code, the current language states, "Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter." The proposed language modifies this applicability statement by adding the following, "except that the City may defer compliance with one or more of the development standards for a public improvement project constructed by the City or other public agency if the City finds that the improvements required by the standards are likely to be provided by development of the adjacent property." It is important to note that this change only allows public improvement projects that would be undertaken by the city or another public agency. It is not something that a developer could ask to utilize to defer amenities for their project.

Planning Official McLane stated Mr. Tallman has requested the following documents be added to the record.

- The Certified Record TOC (table of contents) in Tallman IV (LUBA 2022-062)
- The Certified Record in Tallman IV (LUBA 2022-062)

These two first documents make up the record in LUBA 2022-062 which was remanded to the City for further action. This proposed amendment to the Boardman Development Code is the path that the City has chosen to address a portion of the decision on Remand.

- Signed appeal decision loop road July 21

This is the Notice of Decision that was signed July 1, 2022 and is part of the Record identified in bullet #2. It is the first page of that Record.

- Final Loop Road LUBA Decision

Mr. Tallman named this document the Final Loop Road LUBA Decision. It is not. It is the Petition for Review submitted to LUBA by Mr. Tallman's attorney in this matter.

- January 10, 2012 Staff Report & Attachments

This is the Staff Report completed in 2012 for the adoption of the Port of Morrow Interchange Area Management Plan (IAMP).

- Council 2012-02-21

These are the Council Meeting Minutes from the meeting where the Port of Morrow IAMP was adopted.

- POM Final IAMP

This is the adopted IAMP that was in place at the time of the loop road development.

- LUBA 2022-014

This is a LUBA Order in the matter of an appeal made by Jonathan Tallman against Morrow County related to the Access Permit, or lack thereof, for the Farmer's Cup coffee shop.

- AS FILED Req to LUBA reactivate not dismiss appeal

This is a response by Jonathan Tallman's attorney related to the Order identified just above.

In summary, in LUBA No. 2022-062, LUBA agreed that the city development code requires a collector road be built to a certain width, and the construction of sidewalks, street lights, etc. simultaneous with construction of the road. The City's approach to addressing the LUBA decision starts with this proposed amendment to the Boardman Development Code which will be followed by the necessary permit to authorize the road

construction, which would also address the other items identified in the LUBA’s decision that are specifically addressed in this action.

Planning Official McLane stated the proposed change is aligning the development code with policy decisions that that were made by the City Council at the time when appeals were done. City Attorney Chris Crean stated this amendment is about implementing IAMP for the POM interchange. The City has been implementing sequentially a piece at a time since it was adopted in 2013 to protect taxpayer’s.

Mayor Keefer asked to hear from proponents. There were none.

Mayor Keefer asked to hear from opponents. Jonathan Tallman said he would like to work with the City and for the roads to be done the right way. This development code change is due to his case. He read a portion of the letter his attorney sent referencing requirements of the road completion with amenities. He said the City previously passed an Ordinance to do the loop road the right way.

Mayor Keefer clarified that Mr. Tallman does not own the property in the LUBA appeal for Yates Lane and Devin Loop. Mr. Tallman confirmed he is not the owner of that property but owns the other side where there is a proposed loop road.

Mayor Keefer asked to hear neutral comments. There were none.  
Mayor Keefer closed the public hearing at 7:35 PM.

**Staff Response to Testimony**

City Attorney Chris Crean stated there were 5 different LUBA appeals, Mr. Tallman filed 4 of them. Only 1 was remanded, the other 3 were dismissed and the City prevailed. Mr. Tallman is also suing the City for the construction contract for the building of Devin Loop and Yates Lane. Mr. Crean said when Mr. Tallman stated the road must match on each side, Mr. Crean clarified there is no legal authority for that, but it does point out the basis for the opposition to the amendment. The proposed change allows the City to defer the amenities building to the developer; in this example, Mr. Tallman is considered the developer on the other side of the loop road. Mr. Crean stated that Mr. Tallman is attempting to shift cost of the development from him to the public. This code amendment applies city wide, not only the POM interchange.

Councilor Rockwell made a motion to approve Amendment A-BDC-23-001 as presented to the City Council and directs staff to prepare the necessary adoption documents for action by the City Council at the February meeting. Councilor Pettigrew seconded the motion. Roll call vote: Councilor Profit – yes, Councilor Baumgartner – yes, Councilor Cuevas – yes, Councilor Pettigrew – yes, Councilor Rockwell – yes, Councilor Salata – yes, Mayor Keefer – yes. Motion passed 7/0.

**FINANCIAL REPORT**

Ending October 2023

Financial Director Barajas stated the October report shows the General Fund received \$1 million from CREZ III in Community Development Contributions. The City also received some late franchise fee payments. Waste Water Improvement invoices have been paid. Construction invoices are not as timely, due to engineers and architects verifying the work prior to the payment of the invoices. Projects are moving along nicely.

Ending November 2023

Financial Director Barajas stated the November report is showing the interest rates are slowing. November shows property taxes deposits. The majority of these deposits are received in November (3-4 deposits) and December (2-3 deposits). Councilor Pettigrew asked if the amount difference in the other accounts are due to interest. Financial Director Barajas stated it was.

**PREARRANGED PRESENTATION**Morrow County Administrator - Matthew Jensen

Matthew Jensen presented the Ambulance Service Area (ASA) Plan Update. ORS 682 outlines responsibility of counties as the authority over the ASA. Since at least 1998, the Morrow County Health District (MCHD) has handled the management of the ASA. This includes appointment of an EMS Advisory Committee, determination of providers, and review of performance. MCHD was the sole provider in the County; this created a situation where the contractor is in control of the contract.

Using the previous ASA Plan as a template, the update in language will re-establish the County as the authority, establish an independent EMS Advisory Committee, establish three possible ASA within the county to provide the option of multiple providers, and update technical requirements to refer to OHA & ORS standards. This update is in process and no decisions have been made for providers. There will be opportunities for community feedback when the time is appropriate.

MCHD gave a 90-Day notice on December 13, 2023 to discontinued service. The "drop dead" date from MCHD is March 12, 2024. The original consideration was to work with MCHD to provide ambulance service during implementation of the new ASA. Morrow County will need to have an alternate plan in place by March 12, 2024. The following options will be explored: continued discussion with MCHD for services, new providers assume services, interim operations through agreements with neighboring providers, interim operations under County management, or a combination of all of the above. The plan will be developed by mid-February so there is no interruption of service.

Councilor Rockwell asked how long the EMS Advisory Committee was running with 7 of the 9 members being MCHD employees. Mr. Jensen stated when it started when most members of the committee were volunteers; they are now full time employees with MCHD, has been the past 3-4 years.

Councilor Cuevas asked to clarify what data is used to determine needed services. Mr. Jensen stated it is outlined in the ASA Plan, it includes response time, call volume, and expense.

Mayor Keefer stated he is excited about what is happening with the ASA update. He says there are many positives that are not heard, only the negative. The City and County can develop a partnership to provide better services for Boardman. Mr. Jensen stated MCHD offered the 90-day notice because the language indicates they would surrender the equipment to their successor. MCHD would surrender the equipment to themselves as the current Board. Mayor Keefer stated his appreciation for the work Mr. Jensen is doing to update the ambulance services for the better for Morrow County.

Councilor Pettigrew asked what locations they will be offering public hearings. Mr. Jensen stated this has not been determined yet, but he would imagine there would be at least one in North Morrow County and one in South Morrow County for ease of access.

**PUBLIC COMMENT**

There was none.

**ACTION ITEMS**RESOLUTIONS1-2024 Declaring Surplus Property – 2015 Ford Interceptor Utility

Councilor Baumgartner moved to approve Resolution 1-2024 Declaring Surplus Property – 2015 Ford Interceptor Utility. Councilor Salata seconded the motion.

All were in favor. Motion passed 7/0.

Councilor Pettigrew asked if there was a plan to sell this vehicle. Interim Chief Dieter stated the City of Stanfield would like to purchase.

2-2024 - Decrease Contingency and Increase 2023-24 Expenditures for Personnel Services, Materials and Services and Capital Projects

Councilor Baumgartner moved to approve Resolution 2-2024 a resolution to Decrease Contingency and Increase 2023-24 Expenditures for Personnel Services, Materials and Services and Capital Projects. Councilor Rockwell seconded the motion.  
All were in favor. Motion passed 7/0.

Election of Council President

Councilor Cuevas made a motion to appoint Councilor Baumgartner as council president for the year. Councilor Pettigrew seconded the motion.  
All were in favor. Motion passed 7/0.

Budget Committee Appointment of 2024-25 Budget Officer

Councilor Baumgartner made a motion to appoint Finance Director Marta Barajas as Budget Officer for the 24-25 budget year. Councilor Rockwell seconded the motion.  
All were in favor. Motion passed 7/0.

Approval of 2024-25 Budget Calendar

Councilor Baumgartner made a motion to approve the 2024-25 Budget Calendar as presented. Councilor Rockwell seconded the motion.  
All were in favor. Motion passed 7/0.

Reappointment of Budget Committee

Councilor Baumgartner made a motion to re-appoint Dori Drago, Stephen Fuss, and Lisa Mittelsdorf to the budget committee for a term ending December 31, 2026. Councilor Rockwell seconded the motion.  
All were in favor. Motion passed 7/0.

Reappointment of Planning Commission

Councilor Baumgartner made a motion to re-appoint Zack Barresse and Ragna TenEyck to the planning commission for a term ending December 31, 2026. Councilor Pettigrew seconded the motion.  
All were in favor. Motion passed 7/0.

**POLICE REPORT**

Interim Chief Dieter stated December was another busy month. Calls for service are well above years past.

**BUILDING DEPARTMENT**

Building Clerk Jackie McCauley stated the building permit numbers are going down this time of year, likely due to the interest rates. Councilor Salata asked if permits pulled last year have been completed. Mrs. McCauley stated most have been completed and they expire after 180 days. Planning Official McLane stated places like Tidewater Living will pull one permit for 144 residential units, so that piece of information may not accurately reflect how many residential units were constructed.

**PUBLIC WORKS**

Public Works Director Prag stated the City received the remaining smart points for radio needs this past week. The Public Works Department has about 98% of the shipment, waiting for the remaining shipment of 20. Mayor Keefer asked if there was sewer services out by Devin Loop. Public Works Director Prag confirmed there is sewer service and a letter was sent to residents to explain the process of connecting to the City's sewer.

**CITY MANAGER**

City Manager Hammond stated the first Council Workshop to address updating the City Charter is February 6 with the end goal of having it completed by August 27<sup>th</sup> and on the November ballot for a vote. Annual

Council training videos through CIS (insurance) will be sent in February with two months to complete. City has awarded Bolen Construction the SE Front Street project, the estimated cost was \$1.5 million, the bid came in at \$1.3 million. City Manager Hammond thanked Councilor Baumgartner for submitting input for the Council vision and goals, and thanked the councilors for volunteering their time and staff for their work on staff reports.

Councilor Salata mentioned the AEDs in every City vehicle. City Manager Hammond stated they will be in every City owned vehicle and maintained by the Boardman Fire Department. Every City staff member has been trained for First Aid/CPR/AED training. Councilor Baumgartner asked if the AED was still on the outside of former Mayor Toms’ house. Del Turner – Boardman Fire Department stated the AEDs belong to the MCHD and they would be responsible for maintaining the AEDs around town.

**MAYOR**

Mayor Keefer stated the Christmas Party was nicely done. He was able to offer a speech via live video call and was grateful for the opportunity. Mayor Keefer stated he would like to stay on track for City Manager’s evaluations and review. Would like to find a date to complete the 6-month evaluation, as it is time. Mayor Keefer also stated he appreciated everyone coming.

**ADJOURNMENT 8:53 PM**

\_\_\_\_\_  
Paul Keefer – Mayor

\_\_\_\_\_  
Amanda Mickles – City Clerk





## City of Boardman

200 City Center Circle  
P.O. Box 229  
Boardman, OR 97818  
Phone (541) 481-9252  
Fax (541) 481-3244  
TTY Relay 711  
[www.cityofboardman.com](http://www.cityofboardman.com)

# **PUBLIC NOTICE**

## **NOTICE OF PUBLIC HEARING IS HEREBY GIVEN:**

**THE BOARDMAN CITY COUNCIL WILL CONDUCT  
A PUBLIC HEARING IN ACCORDANCE WITH ORS 221.725  
TUESDAY, FEBRUARY 6, 2024  
7:00PM  
CITY HALL COUNCIL CHAMBERS**

This hearing is to include the appraisal on property that was previously declared surplus located at NE Front Street, specifically Morrow County Tax Map 4N 25 09DA, tax lots 500 and 600.

The registered voters and public of the city of Boardman are invited to appear at the hearing and be heard on the above-mentioned question.

(S) Amanda Mickles  
City Clerk

Published: January 25, 2024  
Posted: January 25, 2024



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# NOTICIA PÚBLICA

## POR EL PRESENTE SE DA AVISO DE AUDIENCIA PÚBLICA:

**EL CONCEJO MUNICIPAL DE BOARDMAN REALIZARÁ  
UNA AUDIENCIA PÚBLICA DE ACUERDO CON ORS 221.725  
MARTES 6 DE FEBRERO DE 2024  
7:00 PM  
SALA DEL CONCEJO DEL AYUNTAMIENTO**

Esta audiencia debe incluir la tasación de la propiedad que previamente fue declarada excedente ubicada en NE Front Street, específicamente el Mapa Fiscal del Condado de Morrow 4N 25 09DA, lotes fiscales 500 y 600.

Se invita a los votantes registrados y al público de la ciudad de Boardman a comparecer en la audiencia y ser escuchados sobre la cuestión mencionada anteriormente.

(C) Amanda Mickles  
Secretario Municipal



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A PUBLIC HEARING IN ACCORDANCE WITH ORS 221.725  
TUESDAY, FEBRUARY 6, 2024  
7:00PM  
CITY HALL COUNCIL CHAMBERS**

This hearing is to include the appraisal on property that was previously declared surplus located on Parcel 1 of PARTITION PLAT 2014-5, in the County of Morrow and State of Oregon. This property is approximately 307 acres located on Tower Road.

The registered voters and public of the City of Boardman are invited to appear at the hearing and be heard on the above-mentioned question.

(S) Amanda Mickles  
City Clerk



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# NOTICIA PÚBLICA

## POR EL PRESENTE SE DA AVISO DE AUDIENCIA PÚBLICA:

**EL CONCEJO MUNICIPAL DE BOARDMAN REALIZARÁ  
UNA AUDIENCIA PÚBLICA DE ACUERDO CON ORS 221.725  
MARTES 6 DE FEBRERO DE 2024  
7:00 PM  
SALA DEL CONCEJO DEL AYUNTAMIENTO**

Esta audiencia debe incluir la tasación de la propiedad que previamente fue declarada excedente ubicada en la Parcela 1 de PARTITION PLAT 2014-5, en el Condado de Morrow y el Estado de Oregon. Esta propiedad tiene aproximadamente 307 acres ubicada en Tower Road.

Se invita a los votantes registrados y al público de la ciudad de Boardman a comparecer en la audiencia y ser escuchados sobre la cuestión mencionada anteriormente.

(S) Amanda Mickles  
City Clerk

Published: January 25, 2024  
Posted: January 25, 2024

**CITY OF BOARDMAN**  
 Monthly Council Financial Statement  
 Period Ending December 31, 2023  
 Fiscal Year Elapsed 50.00%

FISCAL YEAR 2023-2024

**REVENUE**

FUND #	Fund Description	A		B		C		D		E		F	
		2023 - 2024 BUDGET	2023 - 2024	Beginning Cash C/Over	Revenue Received This Month	Year to Date Revenue	Total Revenue (B+C)	Remaining Expectations (over budget)	(A-D)	% of Budget Received	(D/A)		
100	General Government	836,545	2,919,836.61	2,114,492	6,012,875	8,932,712	6,660,188	57.29%					
110	Public Safety - Police	3,186,145	518,445.94	99,004	771,867	1,290,313	314,187	80.42%					
125	Code Compliance	140,245	1,000,997.97	107,570	459,766	1,460,764	308,886	82.55%					
180	Facilities	310,170	252,165.00	103,184	450,795	702,960	624,740	52.95%					
195	Non-Departmental	11,120,245	175,433.50	161,492	295,469	470,902	173,998	73.02%					
100	GENERAL FUND	15,592,900	11,835,455.02	161,354	2,953,012	14,788,467	892,403	94.31%					
220	WATER FUND	1,604,500	5,309,648.79	2,023,505	2,121,860	7,431,509	(119,009)	101.63%					
230	SEWER FUND	1,769,650	2,106,646.02	629,046	699,796	2,806,442	284,068	90.81%					
240	GARAGE FUND	1,327,700	2,462,152.07	621,417	694,228	3,156,380	562,870	84.87%					
250	STREET FUND	644,900	4,636,637.51	20,200	105,310	4,741,947	6,337,078	42.80%					
260	BUILDING FUND	15,680,870	10,721,051.46	31,806	200,627	10,921,678	(314,563)	102.97%					
300	GENERAL RESERVE FUND	7,312,500	4,865.02	1,004,613	1,269,659	1,274,524	319,874	79.94%					
320	WATER RESERVE FUND	3,090,510	2,106,646.02	629,046	699,796	2,806,442	284,068	90.81%					
330	SEWER RESERVE FUND	3,719,250	2,462,152.07	621,417	694,228	3,156,380	562,870	84.87%					
350	STREET RESERVE FUND	11,079,025	4,636,637.51	20,200	105,310	4,741,947	6,337,078	42.80%					
410	CAPITAL PROJECT FUND	10,607,115	10,721,051.46	31,806	200,627	10,921,678	(314,563)	102.97%					
510	GO BOND FUND	1,594,398	4,865.02	1,004,613	1,269,659	1,274,524	319,874	79.94%					
	<b>CITY TOTAL</b>	<b>74,023,318</b>	<b>41,943,335</b>	<b>7,077,684</b>	<b>16,035,264</b>	<b>57,978,599</b>	<b>16,044,719</b>	<b>78.32%</b>					
815	CENTRAL URA DISTRICT	2,222,325	238,210.19	59,299	79,958	318,169	1,904,156	14.32%					
819	WEST URA DISTRICT	188,575	91,165.67	69,823	90,179	181,345	7,230	96.17%					
	<b>URA TOTAL</b>	<b>2,410,900</b>	<b>329,376</b>	<b>129,122</b>	<b>170,138</b>	<b>499,514</b>	<b>1,911,386</b>	<b>20.72%</b>					
	<b>CITY OF BOARDMAN GRAND TOTALS</b>	<b>76,434,218</b>	<b>42,272,711</b>	<b>7,206,806</b>	<b>16,205,402</b>	<b>58,478,112</b>	<b>17,956,106</b>						

**EXPENDITURES**

FUND #	Fund Description	G		H		I		J	
		Expenditures This Month	Year to Date Expenditures	Unexpended Budget	(A-G) Unexpended Budget	(G/A) % of Expended Budget	(D-G) Fund Balance	Fund #	
100	General Government	51,622	293,333	543,212	4,409,283	35.06%	4,523,429	100	
110	Public Safety - Police	188,760	1,131,427	2,054,718	685,329	35.51%	604,984	220	
125	Code Compliance	9,165	58,265	81,980	493,851	41.55%	721,800	230	
180	Facilities	13,895	84,195	225,975	738,955	22.44%	404,960	240	
195	Non-Departmental	2,735,928	2,841,700	8,278,545	103,175	22.44%	257,585	250	
100	GENERAL FUND	2,999,370	4,409,283	11,184,431	213,317	15.15%	12,413,217	260	
220	WATER FUND	275,230	685,329	919,171	431,583	0.00%	7,431,509	300	
230	SEWER FUND	493,851	738,955	1,030,699	2,904,378	6.02%	2,620,310	320	
240	GARAGE FUND	103,175	298,001	1,029,699	3,690,279	0.78%	3,127,409	330	
250	STREET FUND	42,339	213,317	431,583	80,914	0.73%	4,661,034	350	
260	BUILDING FUND	328,973	2,375,250	13,305,620	10,998,111	35.26%	7,182,117	410	
300	GENERAL RESERVE FUND	0	0	7,312,500	6,867,554	18.96%	972,158	510	
320	WATER RESERVE FUND	0	186,132	2,904,378	1,292,032	0.00%	7,431,509	300	
330	SEWER RESERVE FUND	18	28,971	3,690,279	2,904,378	0.00%	2,620,310	320	
350	STREET RESERVE FUND	6,594	80,914	10,998,111	3,127,409	0.00%	3,127,409	330	
410	CAPITAL PROJECT FUND	163,742	3,739,561	6,867,554	80,914	0.00%	4,661,034	350	
510	GO BOND FUND	302,366	302,366	1,292,032	302,366	0.00%	7,182,117	410	
	<b>CITY TOTAL</b>	<b>4,715,658</b>	<b>13,058,079.43</b>	<b>60,966,053</b>	<b>13,058,079.43</b>	<b>17.64%</b>	<b>44,920,519</b>		
815	CENTRAL URA DISTRICT	0	0	2,222,325	2,222,325	0.00%	318,169	815	
819	WEST URA DISTRICT	0	0	188,575	188,575	0.00%	181,345	819	
	<b>URA TOTAL</b>	<b>0</b>	<b>0</b>	<b>2,410,900</b>	<b>2,410,900</b>	<b>0.00%</b>	<b>499,514</b>		
	<b>CITY OF BOARDMAN GRAND TOTALS</b>	<b>4,715,658</b>	<b>13,058,079.43</b>	<b>63,376,952.70</b>	<b>13,058,079.43</b>	<b>17.64%</b>	<b>45,420,033</b>		

**CASH REPORT:**

as of 12/31/2023	Amount	Interest Rate
Bank of Eastern Oregon Police	\$6,748	5.00%
Banner Bank Checking	\$255,339	-
Banner Bank Savings	\$251,089	5.29%
Bank of Eastern Oregon	\$334,372	5.00%
OR Government Pool	\$43,017,270	5.00%
CURA Government Pool	\$318,287	5.00%
WURA Government Pool	\$181,345	5.00%
Xpress Online Clearing	\$866,734	-
Bank of Eastern Oregon - Layne	\$0	0.10%
Bank of Eastern Oregon - R&G	\$188,849	0.10%
<b>TOTAL CASH</b>	<b>\$45,420,033</b>	
Total	\$0.00	
<b>TOTAL CASH</b>	<b>\$45,420,033</b>	

**BUDGETED INTERFUND TRANSFERS TO:**

Year to Date Net Cash Change (No URA)	Year to Date Net Cash Change
2023-2024	2023-2024
13,058,079.43	63,376,952.70
17.64%	2,362,026
45,420,033	3,147,322

**BUDGETED INTERFUND TRANSFERS FROM:**

Budgeted Interfund Transfers From:	Budgeted Interfund Transfers To:
100-General Fund	100-General Fund
220-Water Fund	250-Street Fund
230-Sewer Fund	300-General Reserve Fund
260-Building Fund	320-Water Fund
TOTAL TRANSFERS FROM	TOTAL TRANSFERS TO
(3,406,150.00)	3,406,150.00

Section 6, Item A.

# TRT 4th Quarter Report

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OCTOBER – DECEMBER 2023

Torrie Griggs  
BOARDMAN CHAMBER OF COMMERCE | 101 OLSON RD

**Boardman Chamber of Commerce**  
**TRT 4th Quarter Report**  
**October – December 2023**

**Quarter Numbers** – This quarter we had 9 new members join the Chamber of Commerce:

- ZenBusiness
- Mid-Columbia Concrete
- Blue Mountain Community College Foundation
- Kayak Public Transit
- Northwest Beef Express
- EOU Small Business Development Center
- Kerns Brothers, LLC

As of December 31<sup>st</sup>, 2023, we have 266 members, and we continue to grow our membership with our increased social media and member spotlight via Chamber Talk w/ Torrie. As we grow and maintain our 4 email accounts, on average we receive 40-50 emails per email, per day. Phone calls continue to increase as we are working to communicate more with our members and requesting them to update their member information as we are approaching the end of the year. These updates will allow us to have accurate point-of-contacts for billing and future advertising opportunities in 2024.

2024 Membership renewals have been sent out to our members. If you are a member, you will receive your membership via email with an attached invoice that can be paid online. We look forward to working with all of you for another year.

**Communications to Members** - We continue to communicate with members to keep them updated on events around our community, mass e-mailings to all our members to share opportunities, job openings, and events, and work to get members informed. One of those sources is a Members Information Center (MIC) page, this is a great tool to expand on their membership value by allowing the member to upload their reps, job postings, news alerts, and business notification information. This continues to be a priority for us to educate our members and remind them of everything we have to offer to bring value to their membership.

**Constant Contact Emailing Program** - We have 1,103 subscribers; this includes 36 new subscribers this past couple of months. We have sent 6,964 emails to our members, they have opened 2,438 (93% Desktop, 8% Mobile), and direct clicks from the emails are 201 (87% Desktop, 16% Mobile).

## Chamber Social Media Platforms that we Communicate on:

- **Facebook** - we have 2,906 followers, 29 are new followers, and reached 29,450K people total, 2,673 Facebook Page Likes and we have had 7,967 page visits. We do shoutouts for new members, and these always have great feedback. We have even had other chambers & Facebook platforms comment on their pages about how much they appreciate the chamber.
- **Instagram**, we have 574 followers, 15 new followers, reached 861 people, and profile visits 151 times. Our Instagram account has had rapid growth. Our constant posts have made our followers grow. There are community members who say they only follow our Instagram page.
- **Twitter** - we have 106 Followers with 3 new followers. We earned 2.7K impressions, profile visits 513, and 32 video views. The Boardman's Chambers Twitter page continues to grow.
- **LinkedIn** - we have 296 followers, 25 are new followers, 109 page views, and 63 unique visitors. For October - December, we reached 279 page views, reactions at 132, and reposts at 15.

**Training/Conferences** – I have attended multiple Economic Development Association conferences at the state and national lever, to learn more about ways to support the development of Boardman, find investors who are looking for new locations to build, and bring this information back to Boardman.

## Events

- **Boardman Community Trunk-or-Treat 2023:** The Boardman Community Trunk-or-Treat event was once again a resounding success. Partnering with the Boardman Pool and Recreation Center, we integrated their Funtastic Kid Maze into the festivities. The Sage Center parking lot came alive with decorated cars, community booths, and businesses, all distributing treats, candies, and prizes. Families, along with eager trick-or-treaters, gathered on the patio to enjoy hot chocolate while indulging in Tillamook's delightful ice cream and Lamb Weston's fantastic French fries. Celebrity Pumpkin Carver Roger Pope showcased his artistic capabilities, captivating everyone with his skillful creations. The joyous occasion included the distribution of Halloween-themed books, this is a new Chamber Champion program that will support youth literacy and candy, marking the beginning of a new tradition for the Boardman Chamber.
- **2023 Christmas Tree Lighting** – The annual Christmas Tree Lighting event took place on December 2nd at 6 pm at the SAGE Center, boasting the largest turnout ever seen. The venue was adorned with festive cheer as children dressed up for an evening of



celebration and singing. The AWANA Nativity Pageant and Learning Adventure Pre-School's Christmas Concert were highlights of the night. Following the performances, Santa Claus delighted the children with photo sessions, and the Mid-Columbia Bus Company generously distributed hot cocoa and cookies to everyone. Those who posed with Santa received a special gift from the Boardman Chamber – a book titled "The Night Before Christmas", this is another Chamber Champion program to support youth literacy. The event was a delightful experience, and anticipation is already being built for next year's festivities.

- **Chamber Talk w/ Torrie featuring Express Employment Professionals:** On October 26th, 2023, our podcast showcased Janet Mitchell, a Business Developer, and Julissa Arellano, the Front Office Coordinator, both representing Express Employment Professionals. During the podcast, they explained their roles in assisting individuals in job placement and providing training classes to enhance skills for career advancement. Examples of such training include typing, Word, or Excel classes, focusing on fundamental skills to empower individuals for future success. Additionally, they discussed their dedication to help businesses connect with suitable candidates. The podcast proved to be highly informative, shedding light on the valuable services offered by Express Employment Professionals.
- **Chamber Talk w/ Torrie featured Umatilla-Morrow Head Start Inc.:** On Thursday, December 7<sup>th</sup>, 2023, the latest episode of Chamber Talk with Torrie, our Facebook Live Podcast series, we were thrilled to feature Umatilla-Morrow Head Start Inc. The dynamic session welcomed two remarkable guests: Suellen Whitlock, Director of Head Start & Early Childhood Services, and Bobbi Harrison, Assistant Director of Head Start & Early Childhood Services. With a program that caters to over 800 children and employs more than 250 staff members, they are making a positive impact on children, families, and communities. Noteworthy details about UMHS include its 35-year history, and the Head Start program itself boasts 58 years of service. It's worth mentioning that their reach extends beyond Umatilla and Morrow County in Oregon, as they serve a total of 8 counties.

The Chamber Talk with Torrie videos are available to watch on the Boardman Chambers YouTube Page. They have so far 807 views on YouTube.

- **The 4th Quarter Luncheon was December 20th:** Held on December 20th, the 4th Quarter Luncheon was sponsored by the Boardman Park & Recreation District, with Boardman Park and Marina serving as our title sponsor. During the luncheon, the community received updates from Boardman Park and Marina based on their recent community meeting. Additionally, Lunar Cow Publishing presented valuable insights into

the process and timeline of the upcoming **Chamber Visitor Guide**. The event was well attended, providing a platform for attendees to share numerous wonderful stories and valuable information.

Any Facebook live that we have for our events, or our members (Chamber Talk & Workforce Wednesday) gets uploaded to our YouTube page. So, the Boardman community can still get the opportunity to watch them.

- We **supported** the **SAGE Center** for two of their events. The Annual Harvest Festival, by sponsoring entertainment for the day, entertainment this year was Dallin Puzzy and DJ Cora. For the second event, we participated in the Annual Ladies Night and Winter Market by assisted them in greeting the guests, by providing raffle tickets where they could spin the wheel to earn more raffle tickets to be entered into give aways throughout the night. Our High School Inter Stephanie helped us in both events.

**Brochure/Marketing Material** – We always make sure that every business has a visitor guide. We deliver our Visitor Guides and brochures to C&D, The Sunrise Café, the River Lodge & Cabins, Boardman City Hall, Boardman Sleep Inn, and POM Riverfront Center. We continue to send updates through our newsletter, website, Facebook, Instagram, LinkedIn, YouTube, and Twitter accounts to share information with our members and community.

**Bi-Monthly E-Newsletter** – This is an informative email to over 997 recipients that allows communications with members and community members to keep everyone informed about events, opportunities, and information about Chamber happenings. We continue to reach out to our members for information to be placed in these communications, so everyone has an opportunity to share their events. We also keep a lookout for member events that are happening in the upcoming month and make sure to add them to our newsletter.

**NM Times /EO Newspapers/Radio** – we continue to send information to allow members and chamber events to be available across multiple means of sources. We feel it is important to find multiple ways to communicate/advertise/market to our community.

**Capital Projects** – We have not deemed a capital project for the chamber this year, as we approach the new year and finalizing budgets, this will be reviewed and see if there is a need for a capital project for this year that is driven by the chamber.

**Meetings I Attend to Represent Chamber in our Communities.**

City Council / BCDA Monthly Meetings / Port Commissioners - At these meetings I give updates on chamber events, member events, and BCDA work with a focus of economic development for Boardman.

Morrow County Commissioners – I have been able to attend these and keep informed on what is happening with our community and county. This is helpful with the economic development for Boardman and keep updated on things happening across Morrow County.

Morrow County Planning Commission – This goes along with the Commissioners meeting, just gaining knowledge of happenings within Morrow County.

EOVA – These meetings are very important for our region. This keeps our community events spotlighted throughout the Easter Oregon Rugged County region.

Thank you for your time.

Kindly,  
Torrie Griggs



## Chamber and BCDA January 2024 Report

### Boardman Chamber Membership Updates:

- We currently have 264 members and 3 new members for January 2024. Our chamber continues to grow and support our community and businesses to make Boardman a Great Place to Live, Work, Play. We are looking forward to a wonderful year in 2024 and providing our members with value through a great partnership.
- Our **new members** that joined our chamber recently:
  - *Energy Trust of Oregon- Helps you reduce energy costs.*
  - *Blown Away Ranch- Offer a farming experience and an event venue called Haven Barn Venue.*
  - *Mi Dulce Negocio- Mexican Bakery*

### Boardman Chamber of Commerce Events

- **34<sup>th</sup> Distinguished Citizens Awards Banquet:** Join us on Friday, March 8th, 6:00 PM, at the Port of Morrow Riverfront Center. Catering by GG's Smokehouse Catering by Amber Inc., drinks by Destination Bartending, and decorations by Party Poppin' by Rosa, and Tim Bither returns as our auctioneer. We are still seeking sponsors for the event. Tickets are available, links to purchase tickets can be found on our Social Medias, Website, or at the chamber office.
- **2023 Ryan Neal Golf Invitational:** Join us Friday, April 26<sup>th</sup> and Saturday, April 27<sup>th</sup>. Registration will be available come the middle of March. Net profits from this event supports scholarships for Riverside Seniors graduates and past scholarship recipients.

## Member Events

- **SAGE Center Events:**
  - The SAGE Center Movie Night will be Friday, February 16<sup>th</sup>, they will be showing the live action “The Little Mermaid”, sponsored by Family Health Associates. Come join us for the final movie night at The SAGE Center.
  - **Farm City AG & Home Expo:** The SAGE Center will be attending the Farm City Expo on Friday, Feb 23<sup>rd</sup> & Sat. 24<sup>th</sup> in Hermiston, Or. Eastern Oregon Trade & Event Center. Drop by their booth and say hi and learn about the SAGE Center.
- **Midway Bar & Grill:** Midway will have an Anti-Valentines Party on Sat. February 10<sup>th</sup> at 7 PM.
- **Wild Horse Resort & Casino:**
  - Red Zone Party on Sunday, February 11<sup>th</sup> at the Rives Event Center. The doors open at 3 PM and the Kickoff is at 3:30 PM.
  - Anniversary Fireworks Show – The Wildhorse 29<sup>th</sup> Anniversary Celebration will be Saturday, March 9<sup>th</sup> at 8 PM. This is a free event for anyone wanting to enjoy the Casino and a wonderful Fireworks Show.
- **Boardman Park-Recreation:** Boardman Park will be holding their Annual Once Upon a Time Daddy Daughter Dance, February 10<sup>th</sup> starting at 6pm. For more information, follow their social media pages and website.

**To find more information on events and information, please follow our social media platforms, website, and YouTube channel.**

## Boardman Community Development Association

BCDA is committed to continue to provide a quality of life to the residents of Boardman. As we are in the early stages of 2024, we look forward to putting together our new project priorities. We are going to launch a community survey and we would appreciate it if everyone could share our survey with their friends and families. We want to hear from you on future projects that you see are important for Boardman development.

Thank you for your time. If you have any questions, please feel free to call 541-571-2394 or email [torrie@boardmanchamber.org](mailto:torrie@boardmanchamber.org) anytime.

Looking for more information, please visit [www.boardmanchamber.org](http://www.boardmanchamber.org) or call our office at 541-481-3014.

SAVE THE DATE



**CITY OF BOARDMAN  
ORDINANCE NO. 1-2024**

**AN ORDINANCE AMENDING THE BOARDMAN DEVELOPMENT CODE  
CHAPTER 3.4 PUBLIC FACILITIES STANDARDS  
SECTION 3.4.100 PURPOSE AND APPLICABILITY  
ITEM B. APPLICABILITY TO ALLOW THE CITY TO DEFER CERTAIN PUBLIC  
IMPROVEMENTS**

**WHEREAS**, the City of Boardman ("City") has land use planning authority granted by Oregon Revised Statute (ORS) Chapter 227; and

**WHEREAS**, the City has an acknowledged Comprehensive Plan, Transportation System Plan, and Development Code; and

**WHEREAS**, the City has identified a need to amend provisions of the Boardman Development Code, Chapter 3.4, Public Facility Standards, for certain public improvement projects; and

**WHEREAS**, a Notice of Proposed Change was submitted electronically to the Oregon Department of Land Conservation and Development on October 22, 2023; and

**WHEREAS**, notice for the public hearing before the Planning Commission was published on November 28, 2023, and the notice for the public hearing before the City Council was published on December 19, 2023, both in the East Oregonian; and

**WHEREAS**, the Planning Commission held a public hearing on December 20, 2023, and, after hearing testimony from interested parties, recommended the City Council adopt the proposed changes; and

**WHEREAS**, the Boardman City Council held a public hearing on January 2, 2024, at which it received the recommendation of the Boardman Planning Commission and heard testimony from the public; and

**WHEREAS**, after considering the amendment, the Planning Commission's recommendation and public testimony, the Boardman City Council decided to approve the amendment to Section 3.4.100.B of the Boardman Development Code and directed staff to prepare the adoption documents.

**NOW THEREFORE, THE PEOPLE OF BOARDMAN DO ORDAIN AS FOLLOWS:**

**Section 1 Affected Document.** Based on the evidence and information in the record, the findings attached as Exhibit A, and after full consideration of the matter, the City Council of the City of Boardman adopts the amendment to Section 3.4.100.B of the Boardman Development Code attached as Exhibit B.

**Section 2 Readings.** The first reading of this Ordinance shall be on February 6, 2024.

**Section 3 Effective Date; Emergency.** Because of the permitting requirements for a public improvement project that is subject to this code amendment, the City Council declares there to be an emergency affecting public health and safety. Therefore, this ordinance shall take effect immediately upon its final reading and passage.

**Section 4 Attached Document.** Attached as Exhibit B to this Ordinance is the approved changes to the Boardman Development Code Chapter 3.4 Public Facilities Standards Section 3.4.100.B Applicability.

Passed by the Council and approved by the Mayor, this 6th day of February, 2024.

\_\_\_\_\_  
Paul Keefer, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk – Amanda Mickles



**EXHIBIT A  
MEMORANDUM**

TO: Boardman City Council  
CC: Carla McLane, City Planner  
FROM: Christopher D. Crean, City Attorney *CDC*  
SUBJECT: Tallman/Kellington Letter  
DATE: February 5, 2024

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\*\*\*\*\**Confidential Attorney-Client Privileged Communication*\*\*\*\*\*

Introduction

This memorandum responds to the letter submitted into the record by Kellington Law Group on behalf of Jonathan Tallman and 1<sup>st</sup> John 2:17, LLC (“Tallman”). The letter raises numerous objections to the proposed text amendment to Boardman Development Code (“BDC” or the “development code”), section 3.4.000. In many cases, the basis for the objections is not particularly clear. To the extent we understand them, we address Tallman’s central arguments below. Ultimately, we conclude that none of the objections have merit, the proposed amendment is consistent with the applicable laws, and the City Council therefore may approve the amendment.

Analysis

Tallman first argues that the City cannot defer construction of *any* improvements that would otherwise be required by the development code, because there is no timeline for full completion. This argument ignores that implementation of the City’s Transportation System Plan (“TSP”), including the POM Interchange Area Management Plan (“IAMP”) and Downtown IAMP, has always been sequential, occurring over a period of years, and there is no requirement for a specific timeline. Further, the City may only defer compliance with a “development standard,” such as the requirement for sidewalks, bike lanes and planter strips in BDC 3.4.100.J, when the City concludes it is “likely” that the sidewalks will be installed when the adjacent property develops. Thus, although there is no specific timeline, the City may defer installation only when it concludes, based on evidence in the record, that the sidewalks are “likely.” Contrary to Tallman’s objection, it is not an infinite time horizon for the improvements.

Second, Tallman objects that the decision to defer an improvement will be a “backroom process” without an opportunity for public notice and a hearing. This argument is contrary to Tallman’s

February 5, 2024

Page 2

own experience appealing the prior permit for Devin Loop (also referred to as the “Loop Road”), which led to hearings before the Planning Commission and City Council. The City provided notice of the initial decision and both public hearings, at which Tallman testified. Thus, the argument that a decision to defer compliance with a development standard will be a “backroom process” without an opportunity for public notice or a hearing is baseless, not made in good faith, and therefore is rejected.

Tallman then objects that a decision to defer compliance with an approval standard will be “unlawful” because there is no “assurance” that the related improvement will ever be built. This is effectively the same argument as above – that all required improvements must be built at, or near, the same time. There is no such legal requirement and Tallman does not identify one.

Ultimately, the central issue in these objections is when the adjacent facilities will be built. It is often the case that public roads (or other public improvement projects such as sewer lines or water lines, *see* BDC 3.4.300) are built without simultaneously installing adjacent facilities such as sidewalks and landscaping. Indeed, the discussion at the planning commission highlighted roads in existing residential neighborhoods that were built without sidewalks. Therein lies the problem – the onus is on the City to ensure that the facilities are installed when the adjacent property develops. Apparently that did not happen with the residential areas that were discussed by the planning commission. (We are not aware when those areas were permitted and constructed, or what standards applied at the time.) Tallman’s concerns are thus misplaced. The burden will be on the city to ensure that the additional improvements will actually be installed when the adjacent property develops or redevelops.

Which leads to a second issue: Tallman objects that because some of the properties are already developed, they cannot be relied on to provide the improvements. This misses the point of the residential neighborhoods without sidewalks that were discussed by the Planning Commission. Rather than spending scarce public resources to build sidewalks in front of unimproved property where they are unlikely to be used, the City may conclude that it is far more prudent and publicly responsible to use limited tax dollars to install sidewalks areas that are already developed but lack sidewalks – particularly residential areas – and rely on new development of undeveloped property to install the sidewalks when that development occurs.

Further, where a property is already developed, the city can either install the sidewalks (again, using the example of the existing residential neighborhoods without sidewalks, where the city can use the money that would otherwise be spent installing sidewalks on the Loop Road), or the sidewalks can be installed as a condition of redevelopment. Either way, using taxpayer money to install sidewalks in a largely undeveloped area, rather than using the same money to install sidewalks where they are unquestionably needed, would be irresponsible, and nothing in state law, the City comprehensive plan, or development code requires that outcome.

Tallman claims the amendment will “significantly affect” a transportation facility under OAR 660-012-0060(1)(a). That rule says a code amendment significantly affects a transportation facility if it will “change the functional classification of an existing or planned transportation

February 5, 2024

Page 3

facility.” In his case, the proposed amendment does not change the functional classification of a transportation facility. Therefore, this portion of the rule does not apply.

Tallman further argues that the amendment will “degrade the performance of an existing or planned transportation facility.” Other than the Loop Road, Tallman does not identify what transportation facility will be degraded. With respect to the Loop Road, Tallman cannot explain how actually building the road can possibly degrade its performance. This argument makes no sense and is rejected.

Tallman then claims the proposed amendment will violate the City’s TSP, the POM and Downtown IAMPs, and the City comprehensive plan (the IAMPs are part of the comprehensive plan). This argument ignores the text of the proposed amendment, which allows the City to defer compliance with certain “development standards” for a public improvement project. The City interprets this language to allow the City to defer compliance only with standards in the City *development code*, not the applicable standards, if any, in the comprehensive plan or TSP. Applicable standards in those planning documents will continue to apply. Accordingly, this argument is rejected.

Tallman argues that the proposed amendment violates Goal 12 and the Transportation Planning Rule (“TPR,” OAR 660, Division 12). For the reasons described above, the TPR does not apply to the proposed amendment. Further, the amendment only allows the City to defer certain development standards, not the standards in the comprehensive plan or TSP. Moreover, nothing in Goal 12 requires all elements of a transportation project to be constructed simultaneously. More to the point, the proposed amendment only allows the City to defer improvements such as sidewalks when the City determines the improvements are “likely” to be constructed by development of the adjacent property. Where such a finding cannot be made, the development standards cannot be deferred. Thus, contrary to Tallman’s testimony, it is not the case that the amendment allows the City to defer the improvements forever.

Finally, Tallman takes issue with a statement in the staff report, where staff notes that if sidewalks and street lights are installed adjacent to unimproved property, “at least some of the amenities are likely to be removed to accommodate the developer’s site plan.” According to Tallman, there is “zero” evidence that “any developer in their right mind” would ever tear out sidewalks or streetlights. This argument is utterly baseless and ignores reality (and physics). If sidewalks are installed across the entire frontage of a property, there is no way to install a driveway *without* tearing out at least some of the sidewalks, and probably also landscaping. And if the driveway must be located where a streetlight was installed, the streetlight, at a minimum, will also have to be relocated. Theoretically, a developer could build a bridge over the sidewalk to allow vehicular access to the property, but we believe this is unlikely. Accordingly, we conclude that staff’s finding that “at least some” of the amenities would need to be removed is reasonable and correct, and avoiding that outcome by deferring the improvements until the adjacent property develops is a responsible use of public resources.

In sum, we conclude that Tallman's objections lack merit and the proposed amendment complies with all applicable laws.

EXHIBIT B

BDC 3.4.000 Purpose and Applicability

\* \* \*

B. Applicability. Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter; except that the City may defer compliance with one or more of the development standards for a public improvement project constructed by the City or other public agency if the City finds that the improvements required by the standard(s) are likely to be provided by development of the adjacent property.

\* \* \*

**CITY OF BOARDMAN  
ORDINANCE NO. 2-2024**

**AN ORDINANCE AMENDING THE BOARDMAN MUNICIPAL CODE  
TITLE 6 ANIMAL CONTROL**

**WHEREAS**, the City of Boardman (“City”) has authority granted by the Boardman Charter of 1985; and

**WHEREAS**, the City has an adopted Municipal Code; and

**WHEREAS**, the City has identified a need to amend provisions of the Boardman Municipal Code, Title 6 Animal Control, to create clarity and address the inconsistencies; and

**WHEREAS**, the Boardman City Council considered the changes on February 6, 2024, at which it received comment from the public; and

**WHEREAS**, after considering the amendment, the Boardman City Council decided to approve the amendment to Title 6 Animal Control of the Boardman Municipal Code.

**NOW THEREFORE, THE PEOPLE OF BOARDMAN DO ORDAIN AS FOLLOWS:**

**Section 1 Affected and Attached Document.** After full consideration of the matter, the City Council of the City of Boardman adopts the amendment to Title 6 Animal Control of the Boardman Municipal Code attached as Exhibit A.

**Section 2 Readings.** The first reading of this Ordinance shall be on February 6, 2024.

**Section 3 Effective Date.** This ordinance shall take effect 30 days after its final reading and passage.

Passed by the Council and approved by the Mayor, this 6th day of February, 2024.

\_\_\_\_\_  
Paul Keefer, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Mickles, City Clerk

EXHIBIT A

1 Title 6 – ANIMAL CONTROL

2

3 Chapter 6.04 - ANIMAL CONTROL

4 6.04.010 - Definitions.

5 As used in this chapter, except where the context indicates otherwise:

6 “Aggressive dog” means any dog that has been found to have engaged in any of the behaviors specified  
7 in BMC 6.04.060(1)(a).

8 "Animal shelter" means facility designated or recognized by the city of Boardman for the purpose of  
9 impounding and caring for animals.

10 “At-Large” means that a dog is off or outside of the premises from which the keeper of the dog may  
11 lawfully exclude others, or is not in the company of and under the control of its keeper.

12 "City" means the city of Boardman, Oregon

13 "Council" means the governing body of the city.

14 "Dangerous animal" means any animal, other than a dog, that constitutes a physical threat to human  
15 beings or domestic animals.

16 “Dangerous dog” means any dog that has been found to have engaged in any of the behaviors specified  
17 in BMC 6.04.060 (1)(b).

18 "Dog run" means a secured structure not less than twelve (12) feet by five feet in size with a concrete  
19 floor, fencing surrounding and secured into the concrete and over the top of the enclosure, lockable  
20 gate and provisions for maintaining the animal in a humane manner.

21 "Euthanized" means put to death in a humane manner by a licensed veterinarian or certified euthanasia  
22 technician.

23 "Exotic animal" means any lion, tiger, leopard, cheetah, ocelot or any other cat not indigenous to  
24 Oregon, except the species *Felis catus* (domestic cat); any monkey, ape, gorilla or other nonhuman  
25 primate; any wolf or any canine not indigenous to Oregon, except the species *Canis familiaris* (domestic  
26 dog); any bear except the black bear (*Ursus americanus*); any venomous or poisonous reptile, any reptile  
27 of the order Crocodylia (crocodiles, alligators and caimans), or any snake of the family Pythonidae or  
28 Boinae capable of obtaining eight feet or more in length.

29 "Kennel" means an establishment kept for the purpose of breeding, selling or boarding dogs or engaged  
30 in training dogs.

31 "Licensing authority" means the agency or department of the city of Boardman or any designated  
32 representative thereof charged with administering the issuance and/or revocation of permits and  
33 licenses under the provisions of this chapter.

34 "Livestock" includes, but is not limited to, any horse, mule, burro, llama, cow, goat, sheep, swine, or  
35 poultry such as roosters, chickens, geese, turkeys or other domestic fowl, regardless of age.

36 "Minimum care" means care sufficient to preserve the health and well-being of an animal and, except  
37 for emergencies or circumstances beyond the reasonable control of the owner, includes, but is not  
38 limited to, the following requirements:

- 39 a. Food of sufficient quantity and quality to allow for normal growth or maintenance of body  
40 weight.
- 41 b. Open or adequate access to potable water in sufficient quantity to satisfy the animal's needs.  
42 Access to snow or ice is not adequate access to potable water.



43 c. For a domestic animal other than a dog engaged in herding or protecting livestock, access to  
44 adequate shelter.

45 d. Veterinary care deemed necessary by a reasonably prudent person to relieve distress from  
46 injury, neglect or disease.

47 e. Domestic animal shall not be confined to an area without adequate space for exercise necessary  
48 for the health of the animal or which does not allow access to a dry place for the animal to rest.  
49 The air temperature in a confinement area must be suitable for the animal involved.  
50 Confinement areas must be kept reasonably clean and free from excess waste or other  
51 contaminants which could affect the animal's health.

52 "Neutered" or "Spayed" means rendered permanently incapable of reproduction.

53 "Officer" means any person employed by the city of Boardman as a Police Officer, Code Compliance  
54 Officer, or Animal Control Officer.

55 "Owner" or "Keeper" means any person, firm, association or corporation that owns, possesses, controls  
56 or otherwise has charge of a dog.

57 "Pet" or "domestic animal" means an animal, other than livestock or equines, that is owned or  
58 possessed by a person, that lives and breeds in a tame condition and can be handled by an owner to the  
59 extent that minimum care is provided.

60 "Physical control device" means a sufficiently strong collar connected to a leash or tether made of chain  
61 links, or other material as strong, or fenced or enclosed in a structure so as to prevent the escape of an  
62 animal by breaking of the device.

63 "Physical injury" means impairment of physical condition or substantial pain.

64 "Possess" means to have physical possession or otherwise to exercise dominion or control over  
65 property. The act of providing food and water for feral animals is not sufficient grounds to claim  
66 possessory right.

67 "Public nuisance" means a dog is a public nuisance if it:

- 68 1. Bites a person;
- 69 2. Chases or menaces persons or chases vehicles on premises other than premises occupied  
70 exclusively by the keeper of the dog;
- 71 3. Damages or destroys property of persons other than the keeper of the dog;
- 72 4. Scatters garbage on premises other than premises occupied exclusively by the keeper of the  
73 dog;
- 74 5. Trespasses on private property of persons other than the keeper of the dog;
- 75 6. Disturbs any person by frequent or prolonged noises;
- 76 7. Is a female in heat and running at large; or
- 77 8. Injures or kills a domestic animal.

78 "Restraint" means a dog will be considered under "restraint" if it is within the real property limits of the  
79 keeper of the dog and is under control of a responsible person, or it is contained with a fence that  
80 maintains control of the animal. While off of the property of the keeper of the dog, the animal must be  
81 on a leash or lead under control of a responsible person or be contained within a portable kennel. If the  
82 dog has been determined, by the city, to be a dangerous or aggressive dog, consistent with the  
83 definitions of this chapter, restraint shall mean contained by means of city approved kennel or dog run,  
84 chained and muzzled, securely fenced and muzzled, inside of a secure structure, or leashed and muzzled  
85 when off the premises of the premises occupied by the keeper of the dog.

86 “Serious physical injury” means physical injury, which creates a substantial risk of death or that causes  
87 protracted disfigurement, protracted impairment of health or protracted loss or impairment of the  
88 function of a limb or bodily organ.

89 “Tethering” means to restrain a domestic animal by tying the domestic animal to any object or structure  
90 by any means. Tethering does not include using a handheld leash for the purpose of walking a domestic  
91 animal.

92 “Wildlife” means any undomesticated wild mammal or reptile that is wild by nature.

93 6.04.020 - Licensing and rabies vaccination.

94 A. No person shall own, keep, or harbor any unvaccinated or unlicensed dog over six months of age  
95 within the city unless a licensed veterinary doctor provides written documentation stating  
96 reasons the doctor will not vaccinate the dog. In no instance will an unvaccinated or unlicensed  
97 dog over one year of age be allowed within the city. The provisions of this section do not apply  
98 to animals owned by a licensed research facility or held in a veterinary medical facility or  
99 government operated or licensed animal shelter.

100 B. All dogs shall be vaccinated against rabies by a licensed veterinarian, in accordance with the  
101 latest Compendium of Animal Rabies Vaccines and Recommendations for Immunization  
102 published by the National Association of State Public Health Veterinarians.

103 C. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form  
104 recommended by the Compendium. Each keeper of a dog shall also receive a durable  
105 vaccination tag indicating the year in which it was issued.

106 D. 1. Application for a license must be made within thirty (30) days after obtaining a dog over six  
107 months of age, except that this requirement will not apply to a nonresident keeping a  
108 vaccinated dog within the city of Boardman for no longer than sixty (60) days.

109 2. Application for a dog license can be made to the city on the city of Boardman dog license  
110 application form online via Citizenserve, which includes the name, address, phone and other  
111 contact information of the keeper of the dog and the name, breed, color, age, sex and history of  
112 the dog. Applicants also shall pay the prescribed licensing fee and provide proof of current  
113 rabies vaccination.

114 E. The standard licensing period shall be for two years. License renewal may be applied for within  
115 sixty (60) days prior to the expiration date. New residents must apply for a license within thirty  
116 (30) days of establishing residence.

117 F. A dog determined, by the city or designee, to be a dangerous or aggressive dog as defined by  
118 Section 6.04.010 of the Boardman Municipal Code shall have a licensing period of six months.  
119 Proof of liability insurance or a bond in the amount of ten thousand dollars (\$10,000.00)  
120 covering the actions of the dog is required for the length of the licensing period. Failure to  
121 renew the license for a dangerous or aggressive dog will be a violation of this code and the  
122 keeper of the dog can be issued a citation with penalties which can include humane euthanizing  
123 of the dog.

124 G. Upon acceptance of the license application and fee, the city shall issue a durable license tag  
125 including an identifying number.. Both rabies and license tags must be attached to the collar of  
126 the dog. Tags must be worn at all times and are not transferable. The city shall maintain a record  
127 of all licenses issued.

128 H. A license shall be issued after payment of a fee in an amount established by resolution of the  
129 city council. Persons who fail to obtain a license as required within the time period specified will  
130 be subjected to a delinquent fee.

131 I. The city may revoke any license if the person holding the license refuses or fails to comply with  
132 this chapter, the regulations promulgated by the city or any other law governing the protection  
133 and keeping of animals.

134 J. If any applicant is shown to have withheld or falsified any material information on the  
135 application, the city may refuse to issue or may revoke a license. The city will attempt to notify  
136 the respective license holder by certified mail within ten (10) working days after refusing to  
137 issue a license, or revoking any license previously issued.

138 6.04.030- Disease control

139 A. No owner shall permit any animal or bird that is afflicted with a communicable disease to come  
140 in contact with another animal, bird, or human that is susceptible to the affliction.

141 B. No owner shall permit the body of an animal to remain upon the public streets or private  
142 property for a period of time longer than is reasonably necessary to remove such carcass.

143 C. Any owner or person having custody or control of an animal shall immediately remove  
144 excrement or other solid waste deposited by the animal on public or private property. Nothing  
145 in this chapter authorizes a trespass by an animal or its owner onto private property of another  
146 or the creation of an unsanitary condition on private property of another or on public property.  
147 Excrement shall be removed from primary enclosures and areas as often as necessary to prevent  
148 contamination, reduce disease hazards and minimize odors.

149 D. No owner shall cause or allow any place or location where an animal is or may be kept, to  
150 become unclean or unwholesome. Storage of food supplies and bedding materials shall be  
151 designed to prevent vermin infestation.

152 E. An animal that is placed under quarantine by the city shall be kept separated from any other  
153 animals or people other than the owner's family or pets for a period of not less than 10 days.

154 F. Whenever any animal bites a person, the owner of said animal shall immediately notify Animal  
155 Control. Animal Control shall order the animal held on the owner’s premises or shall have it  
156 impounded for a period of not less than 10 days if it has been determined that there is no proof  
157 of proper rabies inoculation which is current.

158 G. No person shall own, keep, or harbor any dog over six months of age unless the dog is  
159 vaccinated for rabies.

160 6.04.040 - Owner responsibility.

161 A. All dogs shall be kept under restraint as defined in this chapter.

162 B. Every dog determined by the city to be a dangerous or aggressive dog shall be confined by the  
163 keeper of the dog, within a secure building, secure kennel or dog run. Whenever off the  
164 premises, the dog shall be securely muzzled and leashed or muzzled and caged.

165 C. No dog shall be allowed to cause a public nuisance. The keeper of every dog shall be held  
166 responsible for every behavior of such dog under the provisions of this chapter.

167 D. Any person responsible for any dog, shall remove excrement deposited by the dog:

168 1. In any public area not specifically designated to receive those wastes, including, but not  
169 limited to, streets, sidewalks, parking strips, city parks, trails or pathways paralleling  
170 swales, ditches, culverts or other similar facilities operated by the city; or

171 2. On any private property, other than property owned by or controlled by the owner or  
172 keeper of the dog, without prior permission by any other property owner where said  
173 excrement is deposited by the dog.

174 E. A person commits the offense of unlawful tethering if the person tethers a domestic animal in  
175 the person’s custody or control:

- 176           1. With a tether that is not reasonable length given the size of the domestic animal and  
177           available space that allows the domestic animal to become entangled in a manner that  
178           risks the health or safety of the domestic animal;  
179           2. With a collar that pinches or chokes the domestic animal when pulled;  
180           3. For more than 10 hours in a 24-hour period; or  
181           4. For more than 15 hours in a 24-hour period if the tether is attached to a running line,  
182           pulley or trolley system.

183 6.04.050 – Animal restrictions and prohibitions

- 184       A. Exotic Animals. No person shall possess, maintain, or keep any exotic animal in the city limits.  
185       B. Livestock. No person shall possess, maintain, or keep any livestock in the city limits.  
186       C. Wildlife. No person shall possess, maintain, or keep any wildlife in the city limits.  
187       D. Dangerous Animals. No person shall possess, maintain, or keep any dangerous animals inside  
188       city limits.

189 6.04.060 – Dangerous or aggressive dog

- 190 1. Classification of Levels of Dangerousness of Dogs.
- 191       A. A dog shall be classified as aggressive if it bites, causes physical injury, or otherwise threatens or  
192       endangers the safety of any person or domestic animal while:
- 193           1. It is at-large;  
194           2. It is off the property of the owner and on a physical control device;  
195           3. It is on the property of the owner but not restrained or contained in a manner that  
196           would reasonably prevent incidental contact by any person; or

197           4. It is in or on a motor vehicle and not restrained or otherwise physically prevented from  
198           reaching any area outside the perimeter of the vehicle.

199       B. A dog shall be classified as dangerous if:

- 200           1. It causes the serious physical injury or death of any person;  
201           2. While at-large or off the property of the owner it kills any domestic animal; or  
202           3. Causes physical injury to any person after the owner has received notice of the  
203           aggressive dog classification because of causing physical injury to a person.

204       C. A dog shall not be classified as dangerous or aggressive, even if the dog has engaged in these  
205           behaviors, upon a determination that the behavior was caused by abuse or torment of the dog,  
206           or criminal activity on the part of any victim.

207       D. No dog shall be found to be dangerous or aggressive if it is a dog trained for law enforcement  
208           purposes and is on duty under the control of an officer.

209       2. Identification of Dangerous or Aggressive Dogs – Appeals – Restrictions Pending Appeal.

210       A. An officer shall determine whether any dog has engaged in the behaviors specified in  
211           subsection 1 of this section. The determination shall be based upon an investigation that  
212           includes observation of the dog’s behavior by an officer, or by other witnesses who personally  
213           observed the behavior. Observations must be in writing attesting to the observed behavior.

214       B. The officer shall give the dog’s owner written notice by certified mail or personal service that  
215           includes;

- 216           1. the dog’s specific behavior;  
217           2. the dog’s classification as a dangerous or aggressive dog; and  
218           3. additional restrictions applicable because of the dog’s classification.



219                   4. The owner may appeal the officer’s decision to the City Clerk by filing within 10 days  
220                   of the date the notice was mailed or the owner was personally served, a written  
221                   request for a hearing with the city council.

222                   3. Regulation of Aggressive Dogs. In addition to complying with all other requirements of this section,  
223                   the owner of an aggressive dog shall comply with the following by:

224                   A. Restraining the dog to prevent it from interfering with the public’s legal access to the owner’s  
225                   property or from reaching any public sidewalk or road or adjoining property;

226                   B. Notifying the city where the dog is kept and renotify within 10 days of any change; and

227                   C. Posting warning signs in a conspicuous place visible from the public sidewalk, the road  
228                   adjoining the property, or the boundary line of the property where access is provided to the  
229                   property.

230                   D. The requirements of this section shall apply to any person who is transferred ownership or who  
231                   keeps an aggressive dog within city limits.

232                   4. Euthanasia for Dangerous Dogs. Any dangerous dog causing serious physical injury to a person shall  
233                   be euthanized. The court may order that any dangerous dog be euthanized in addition to penalties for  
234                   separate chapter violations.

235                   5. Dog Owner Regulations. It is unlawful for any person to:

236                   A. Be an owner of a dangerous dog;

237                   B. Fail to comply with the requirements applicable to aggressive dogs.

238                   6.04.070 Declassification of aggressive dogs.

239 1. An owner or keeper of an aggressive dog may file a petition with the City Clerk requesting an order  
240 declassifying a dog as aggressive if the following conditions have been met:

241 A. The dog has been classified for one year without further incident; and

242 B. There have been no violations of the Animal Control regulations; and

243 C. All other conditions ordered at the time of classification have been met.

244 2. The City Clerk shall forward such petition to an officer who may condition declassification on the  
245 following provisions:

246 A. The owner or keeper provides the officer with written certification of satisfactory completion of  
247 obedience training for the dog classified;

248 B. The officer may require the dog owner or keeper to provide written verification that the  
249 classified dog has been spayed or neutered.

250 C. If the request is denied. The owner may appeal the officer's decision to the City Clerk, by filling  
251 within 10 days of the date the notice was mailed or the owner was personally served, a written  
252 request for a hearing with the city council.

253 6.04.080 - Impoundment.

254 A. A dog found running at large may be impounded by the city, and restrained in the city's  
255 designated animal shelter. Within a reasonable time following the impounding of a dog, the city  
256 shall make every reasonable effort to notify the keeper of the dog and inform the keeper of the  
257 dog of the conditions for release of the animal. Any animal not claimed by the keeper of the dog  
258 within a period of five full days in which the shelter is open to the public shall become the  
259 property of the city.

- 260 B. In the event that the city finds dogs to be suffering, it shall have the right forthwith to remove or  
261 cause to have removed any such animals to a safe place for care at the expense of the keeper of  
262 the dog or to euthanize them, at the expense of the keeper of the dog, when necessary to  
263 prevent further suffering. Return to the keeper of the dog may be withheld until the keeper of  
264 the dog shall have made full payment for all expenses so incurred.
- 265 C. In the event the city determines a dog to be a dangerous or aggressive dog as defined in this  
266 chapter, the city may impound the dog from the premises of the keeper of the dog to prevent  
267 further attacks on domestic animals or humans.
- 268 D. Disposal of an animal by any method specified herein does not relieve the keeper of the dog of  
269 liability for violations and any accrued charges.

270 6.04.090 - Redemption.

- 271 A. Any animal impounded may be redeemed by the keeper of the dog thereof within five days of  
272 impounding upon payment of an impoundment fee.
- 273 B. Any animal confined for rabies quarantine, evidence, dangerous or aggressive dog as defined in  
274 this chapter, or other purpose may be redeemed by the keeper of the dog, after release is  
275 authorized by the investigating officer, upon payment of an impoundment fee, which may  
276 include all associated costs at the impoundment or veterinary facility.
- 277 C. No animal required to be licensed or vaccinated under this chapter may be redeemed until the  
278 animal has been vaccinated and the appropriate license has been issued by the city.

279 6.04.100 - Interference.

- 280 A. A person commits the crime of interfering with an officer if the person, knowing that another  
281 person is an officer as defined in this chapter.

- 282           1. Intentionally acts in a manner that prevents, or attempts to prevent, the officer from
- 283           performing the lawful duties of the officer with regards to another person; or
- 284           2. Refuses to obey a lawful order by the officer.

285           Interfering with an officer shall be punishable as a Class A misdemeanor as defined by Oregon  
286           Revised Statutes.

287           6.04.110 Penalties.

288           Any person violating any of the provisions of this chapter is liable for a citation for a Class B Violation  
289           consistent with Boardman Municipal Code Chapter 1.16

Title 6 – ~~ANIMALS~~ ANIMAL CONTROL

Chapter 6.04 - ~~ANIMALS~~ GENERALLY ANIMAL CONTROL

6.04.010 - Definitions.

As used in this chapter, except where the context indicates otherwise:

“Aggressive dog” means any dog that has been found to have engaged in any of the behaviors specified in BMC 6.04.060(1)(a).

"Animal shelter" means facility designated or recognized by the city of Boardman for the purpose of impounding and caring for animals.

“At-Large” means that a dog is off or outside of the premises from which the keeper of the dog may lawfully exclude others, or is not in the company of and under the control of its keeper.

"City" means the city of Boardman, Oregon

"Council" means the governing body of the city.

"Dangerous animal" means ~~a member of an animal species or any individual animal which has a demonstrable propensity to cause human personal injury or property damage.~~ any animal, other than a dog, that constitutes a physical threat to human beings or domestic animals.

“Dangerous dog” means any dog that has been found to have engaged in any of the behaviors specified in BMC 6.04.060 (1)(b).

"Dog run" means a secured structure not less than twelve (12) feet by five feet in size with a concrete floor, fencing surrounding and secured into the concrete and over the top of the enclosure, lockable gate and provisions for maintaining the animal in a humane manner.

22 “Euthanized” means put to death in a humane manner by a licensed veterinarian or certified euthanasia  
23 technician.

24 “Exotic animal” means any lion, tiger, leopard, cheetah, ocelot or any other cat not indigenous to  
25 Oregon, except the species Felis catus (domestic cat); any monkey, ape, gorilla or other nonhuman  
26 primate; any wolf or any canine not indigenous to Oregon, except the species Canis familiaris (domestic  
27 dog); any bear except the black bear (Ursus americanus); any venomous or poisonous reptile, any reptile  
28 of the order Crocodylia (crocodiles, alligators and caimans), or any snake of the family Pythonidae or  
29 Boinae capable of obtaining eight feet or more in length.

30 "Kennel" means an establishment kept for the purpose of breeding, selling or boarding dogs or engaged  
31 in training dogs.

32 "Licensing authority" means the agency or department of the city of Boardman or any designated  
33 representative thereof charged with administering the issuance and/or revocation of permits and  
34 licenses under the provisions of this chapter.

35 “Livestock” includes, but is not limited to, any horse, mule, burro, llama, cow, goat, sheep, swine, or  
36 poultry such as roosters, chickens, geese, turkeys or other domestic fowl, regardless of age.

37 “Minimum care” means care sufficient to preserve the health and well-being of an animal and, except  
38 for emergencies or circumstances beyond the reasonable control of the owner, includes, but is not  
39 limited to, the following requirements:

40 a. Food of sufficient quantity and quality to allow for normal growth or maintenance of body  
41 weight.

42 b. Open or adequate access to potable water in sufficient quantity to satisfy the animal’s needs.  
43 Access to snow or ice is not adequate access to potable water.

44 c. For a domestic animal other than a dog engaged in herding or protecting livestock, access to  
45 adequate shelter.

46 d. Veterinary care deemed necessary by a reasonably prudent person to relieve distress from  
47 injury, neglect or disease.

48 e. Domestic animal shall not be confined to an area without adequate space for exercise necessary  
49 for the health of the animal or which does not allow access to a dry place for the animal to rest.

50 The air temperature in a confinement area must be suitable for the animal involved.

51 Confinement areas must be kept reasonably clean and free from excess waste or other  
52 contaminants which could affect the animal's health.

53 "Neutered" or "Spayed" means rendered permanently incapable of reproduction.

54 "Officer" means any person employed by the city of Boardman as a Police Officer, Code Compliance  
55 Officer, or Animal Control Officer.

56 "Owner" or "Keeper" means any person, firm, association or corporation that owns, possesses, controls  
57 or otherwise has charge of a dog.

58 ~~"Domestic pets" means any animal usually kept in and about a residence as a pet.~~

59 "Pet" or "domestic animal" means an animal, other than livestock or equines, that is owned or  
60 possessed by a person, that lives and breeds in a tame condition and can be handled by an owner to the  
61 extent that minimum care is provided.

62 ~~"Farm animal" means any animal normally kept or maintained for farm purposes.~~

63 ~~"Fowl" means any goose, duck, chicken, turkey, pigeon or other domestic fowl.~~

64 ~~"Person" means every natural person, firm, partnership, association or corporation.~~

65 “Physical control device” means a sufficiently strong collar connected to a leash or tether made of chain  
66 links, or other material as strong, or fenced or enclosed in a structure so as to prevent the escape of an  
67 animal by breaking of the device.

68 “Physical injury” means impairment of physical condition or substantial pain.

69 “Possess” means to have physical possession or otherwise to exercise dominion or control over  
70 property. The act of providing food and water for feral animals is not sufficient grounds to claim  
71 possessory right.

72 "Public nuisance" means a dog is a public nuisance if it:

- 73 1. Bites a person;
- 74 2. Chases or menaces persons or chases vehicles on premises other than premises occupied  
75 exclusively by the keeper of the dog;
- 76 3. Damages or destroys property of persons other than the keeper of the dog;
- 77 4. Scatters garbage on premises other than premises occupied exclusively by the keeper of the  
78 dog;
- 79 5. Trespasses on private property of persons other than the keeper of the dog;
- 80 6. Disturbs any person by frequent or prolonged noises;
- 81 7. Is a female in heat and running at large; or
- 82 8. Injures or kills a domestic animal. ~~as defined in ORS 167.310.~~

83 "Restraint" means a dog will be considered under "restraint" if it is within the real property limits of the  
84 keeper of the dog and is under control of a responsible person, or it is contained with a fence that  
85 maintains control of the animal. While off of the property of the keeper of the dog, the animal must be  
86 on a leash or lead under control of a responsible person or be contained within a portable kennel. If the  
87 dog has been determined, by the city, to be a ~~menacing animal or a public nuisance~~ dangerous or



88 aggressive dog, consistent with the definitions of this chapter, restraint shall mean contained by means  
89 of city approved kennel or dog run, chained and muzzled, securely fenced and muzzled, inside of a  
90 secure structure, or leashed and muzzled when off the premises of the premises occupied by the keeper  
91 of the dog.

92 “Serious physical injury” means physical injury, which creates a substantial risk of death or that causes  
93 protracted disfigurement, protracted impairment of health or protracted loss or impairment of the  
94 function of a limb or bodily organ.

95 “Tethering” means to restrain a domestic animal by tying the domestic animal to any object or structure  
96 by any means. Tethering does not include using a handheld leash for the purpose of walking a domestic  
97 animal.

98 “Wildlife” means any undomesticated wild mammal or reptile that is wild by nature.

99 ~~“Wild animals” means animal species customarily found in the wild.~~

100 ~~6.04.020 Prohibited.—~~

101 ~~Excepting for the purposes of transportation, no person shall keep or maintain overnight within the city~~  
102 ~~any animal or fowl in any zone except an industrial zone or farm use zone.~~

103 ~~6.04.030 Scope.—~~

104 ~~This chapter does not apply to dogs, cats and similar household pets.~~

105 ~~6.04.040 Dangerous animals.—~~

106 ~~No person shall keep any animal dangerous to persons or permit such animals to run at large in the city.~~

107 ~~6.04.050 Removal of animal carcasses.—~~

1108 ~~No person shall permit any animal carcass owned by him or her or under his or her control to remain~~  
1109 ~~upon the public streets or places or any private property for a period of time longer than is reasonably~~  
1110 ~~necessary to remove such carcass.~~

1111 ~~6.04.060—Impounding.~~

1112 ~~It is the duty of the chief of police or designated agent to take up and impound any animal or fowl found~~  
1113 ~~running at large or in violation of the provisions of this chapter. Immediately upon impounding an~~  
1114 ~~animal, the chief of police shall make every reasonable effort to notify the owner and inform the owner~~  
1115 ~~of the conditions for release of the animal. The chief of police shall not later than the day following,~~  
1116 ~~cause a notice to be published in a newspaper of general circulation in the city, such notice to contain a~~  
1117 ~~description of the animal or fowl so taken up, together with a description of any artificial marks or~~  
1118 ~~brands visible on the same, if any can be discovered by the use of reasonable care in looking at the~~  
1119 ~~animal or fowl. The notice shall also state that if the animal or fowl described is not claimed by the~~  
1120 ~~owners, or those entitled to possession thereof, and the cost, charges and expenses against them paid,~~  
1121 ~~and if they be not removed within ten (10) days from the date of the notice, the animal or fowl shall be~~  
1122 ~~sold to the highest bidder at public auction, and the proceeds of such sale applied to the payment of the~~  
1123 ~~costs, charges and expenses of taking up and keeping such animal or fowl and making such sale. In~~  
1124 ~~computing the ten (10) days, the day on which the notice is published shall be excluded.~~

1125 ~~6.04.070—Sale.~~

1126 ~~If at the end of the ten (10) day notice, the animal or fowl shall not have been claimed by any person, or~~  
1127 ~~if claimed, and the costs, charges and expenses of taking up, keeping and posting it or them shall not~~  
1128 ~~have been paid, then the chief of police shall at the time published in the notice of the day following the~~  
1129 ~~day on which such ten (10) days notice expires, offer the animal or fowl for sale at public auction, to the~~  
1130 ~~highest bidder, and shall sell the same for cash and apply the proceeds of such sale to the payment of all~~

131 ~~charges, costs and expenses of keeping such animal or fowl, the cost of posting such notice, taking up~~  
132 ~~such animal or fowl and the sale of the same. If there be any surplus, it shall be paid to the city clerk,~~  
133 ~~who shall keep a separate account of such moneys, and if such moneys are not claimed or refunded as~~  
134 ~~provided in Section 6.04.080, it shall after six months from receipt, be transferred to the general fund of~~  
135 ~~the city.~~

136 ~~6.04.080 – Redemption.~~

137 ~~Upon sufficient proof of ownership or proprietorship made to the chief of police after such animal or~~  
138 ~~fowl is taken up and impounded and before the sale, the chief of police shall restore the same to the~~  
139 ~~owner upon the payment to him or her of all charges, costs and expense, up to the time such proof is~~  
140 ~~made, and not otherwise. Upon sufficient proof made before the city clerk within six months from the~~  
141 ~~date of sale of such animal or fowl of the ownership or proprietorship of the same, and upon claim being~~  
142 ~~made therefore, the city clerk shall issue a refund out of the moneys collected and deposited, the~~  
143 ~~surplus received from the sale of the animal or fowl, so claimed and proven, to the person claiming and~~  
144 ~~proving the same, less the charges of making such proof and of writing such order.~~

145 ~~6.04.090 – Charges. —~~

146 ~~Charges are to be received and collected by the city clerk. For each animal or fowl taken up and~~  
147 ~~impounded, twenty-five dollars (\$25.00) except that if any such animal has been previously impounded,~~  
148 ~~the impoundment fee shall be fifty dollars (\$50.00), and the owner or proprietor shall also pay to the~~  
149 ~~chief of police, and the same shall be taxed as part of the costs, charges and expenses against such~~  
150 ~~animal or fowl, the necessary expenses of keeping, feeding and watering such animal or fowl.~~

151 ~~6.04.100 – Interference.~~

152 ~~No person shall interfere with, hinder, or molest any agent of the city the performance of any duty as~~  
153 ~~herein provided. Any person violating this section shall be deemed guilty of a misdemeanor and shall be~~  
154 ~~subject to a fine of not less than twenty-five dollars (\$25.00), or more than one hundred dollars~~  
155 ~~(\$100.00).~~

156 ~~6.04.110 – Penalty. —~~

157 ~~Violation of any provision of this chapter is punishable, upon conviction in the municipal court, by a fine~~  
158 ~~not exceeding two hundred fifty dollars (\$250.00), or by imprisonment in jail not to exceed sixty (60)~~  
159 ~~days, or by both.~~

160 ~~Chapter 6.08 – DOGS —~~

161 ~~6.08.010 – Definitions. —~~

162 ~~As used in this chapter:~~

163 ~~"Animal" means dog of any breed or type.~~

164 ~~"Animal control authority" means the person or persons designated to enforce this chapter.~~

165 ~~"Animal establishment" means any pet shop, grooming shop, animal auction, performing animal~~  
166 ~~exhibition, kennel or animal shelter.~~

167 ~~"Animal facility" means U.S. Government licensed or state of Oregon licensed facilities to provide~~  
168 ~~veterinary services, research, facilities operated by government agencies, or licensed animal dealers~~  
169 ~~regulated by the USDA under the provisions of U.S. Public Laws 89544 and 91579.~~

170 ~~"At large" means a dog shall be deemed to be at large when off the property of the owner and not~~  
171 ~~under restraint.~~

172 ~~"Humane manner" means care of an animal to include, but not be limited to, adequate heat, ventilation~~  
173 ~~and sanitary shelter, wholesome food and water, consistent with the normal requirements and feeding~~  
174 ~~habits of the animal's size, species and breed.~~

175 ~~"Keeper of the dog" means a person having the right of property or custody of a dog or who keeps or~~  
176 ~~harbors a dog or knowingly permits a dog to remain on or about any premises occupied by that person.~~

177 ~~"Menacing animal" means lunging, growling, snarling, or other behavior by a dog that would cause a~~  
178 ~~reasonable person to fear for the person's safety.~~

179 ~~"Owner" means a person having the right of property or custody of a dog or who keeps or harbors a dog~~  
180 ~~or knowingly permits a dog to remain on or about any premises occupied by that person.~~

181 ~~"Person" means any individual, limited liability company, partnership, organization or institution~~  
182 ~~commonly recognized by law as a legal entity.~~

183 ~~"Pet shop" means an establishment engaged in the business of buying or selling, at retail, dogs or other~~  
184 ~~animals for profit-making purpose.~~

185 6.084.020 - Licensing and rabies vaccination.

- 186 A. ~~Except as provided in Section 6.08.030, n~~No person shall own, keep, or harbor any unvaccinated  
187 or unlicensed dog over six months of age within the city unless a licensed veterinary doctor  
188 provides written documentation stating reasons the doctor will not vaccinate the dog. In no  
189 instance will an unvaccinated or unlicensed dog over one year of age be allowed within the city.  
190 The provisions of this section do not apply to animals owned by a licensed research facility or  
191 held in a veterinary medical facility or government operated or licensed animal shelter.

- 192 B. All dogs shall be vaccinated against rabies by a licensed veterinarian, in accordance with the  
193 latest Compendium of Animal Rabies Vaccines and Recommendations for Immunization  
194 published by the National Association of State Public Health Veterinarians.
- 195 C. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form  
196 recommended by the Compendium. Each keeper of a dog shall also receive a durable  
197 vaccination tag indicating the year in which it was issued.
- 198 D. 1. Application for a license must be made within thirty (30) days after obtaining a dog over six  
199 months of age, except that this requirement will not apply to a nonresident keeping a  
200 vaccinated dog within the city of Boardman for no longer than sixty (60) days.
- 201 2. ~~Written a~~Application for a dog license ~~shall~~ can be made to the city on the city of Boardman  
202 dog license application form online via Citizenseve, which includes the name, address, phone  
203 and other contact information of the keeper of the dog and the name, breed, color, age, sex and  
204 history of the dog. Applicants also shall pay the prescribed licensing fee and provide proof of  
205 current rabies vaccination.
- 206 E. The standard licensing period shall be for two years. License renewal may be applied for within  
207 sixty (60) days prior to the expiration date. New residents must apply for a license within thirty  
208 (30) days of establishing residence.
- 209 F. A dog determined, by the city or designee, to be a ~~menacing animal or a public nuisance~~  
210 dangerous or aggressive dog as defined by Section 6.084.010 of the Boardman Municipal Code  
211 shall have a licensing period of six months. Proof of liability insurance or a bond in the amount  
212 of ten thousand dollars (\$10,000.00) covering the actions of the dog is required for the length of  
213 the licensing period. Failure to renew the license for a ~~menacing animal or public nuisance~~  
214 dangerous or aggressive dog will be a violation of ~~Oregon Revised Statute 609.095~~ this code and

215 the keeper of the dog can be issued a citation with penalties which can include humane  
216  ~~euthanization euthanizing~~ of the dog.

217 G. Upon acceptance of the license application and fee, the city shall issue a durable license tag  
218 including an identifying number, ~~year of issuance, city, county and state~~. Both rabies and license  
219 tags must be attached to the collar of the dog. Tags must be worn at all times and are not  
220 transferable. The city shall maintain a record of all licenses issued, ~~and such records shall be~~  
221  ~~available to the animal control authority maintained by the city police department.~~

222 H. A license shall be issued after payment of a fee in an amount established by resolution of the  
223 city council.  ~~Until such time as the city council changes this resolution the fee shall be ten dollars~~  
224  ~~(\$10.00) for each unneutered dog and five dollars (\$5.00) for each neutered dog.~~ Persons who  
225 fail to obtain a license as required within the time period specified will be subjected to a  
226 delinquent fee,  ~~of five dollars (\$5.00).~~

227 I.  ~~The city may revoke any license if the person holding the license refuses or fails to comply with~~  
228  ~~this chapter, the regulations promulgated by the city or any other law governing the protection~~  
229  ~~and keeping of animals.~~

230  ~~H.J.~~ If any applicant is shown to have withheld or falsified any material information on the  
231  application, the city may refuse to issue or may revoke a license. The city will attempt to notify  
232  the respective license holder by certified mail within ten (10) working days after refusing to  
233  issue a license, or revoking any license previously issued.

234 6.04.030- Disease control

235 A. No owner shall permit any animal or bird that is afflicted with a communicable disease to come  
236  in contact with another animal, bird, or human that is susceptible to the affliction.

237 B. No owner shall permit the body of an animal to remain upon the public streets or private  
238  property for a period of time longer than is reasonably necessary to remove such carcass.

239 C. Any owner or person having custody or control of an animal shall immediately remove  
240 excrement or other solid waste deposited by the animal on public or private property. Nothing  
241 in this chapter authorizes a trespass by an animal or its owner onto private property of another  
242 or the creation of an unsanitary condition on private property of another or on public property.  
243 Excrement shall be removed from primary enclosures and areas as often as necessary to prevent  
244 contamination, reduce disease hazards and minimize odors.

245 D. No owner shall cause or allow any place or location where an animal is or may be kept, to  
246 become unclean or unwholesome. Storage of food supplies and bedding materials shall be  
247 designed to prevent vermin infestation.

248 E. An animal that is placed under quarantine by the city shall be kept separated from any other  
249 animals or people other than the owner’s family or pets for a period of not less than 10 days.

250 F. Whenever any animal bites a person, the owner of said animal shall immediately notify Animal  
251 Control. Animal Control shall order the animal held on the owner’s premises or shall have it  
252 impounded for a period of not less than 10 days if it has been determined that there is no proof  
253 of proper rabies inoculation which is current.

254 G. No person shall own, keep, or harbor any dog over six months of age unless the dog is  
255 vaccinated for rabies.

256 ~~6.08.030 - Permits. —~~

257 ~~A. No person shall operate an animal establishment without first obtaining a permit in compliance~~  
258 ~~with this section. The permit shall be obtained from the city or its designees.~~

259 ~~B. The permit period shall begin with the first day of the fiscal year, July 1st, and shall run for one~~  
260 ~~year. Renewal applications for permits may be made within sixty (60) days prior to the~~  
261 ~~expiration date of the current permit. Application for a permit to establish a new breeding~~



262 animal establishment under the provisions of this chapter may be made at any time and will run  
263 to the end of the fiscal year.

264 C. ~~Failure to comply with the provisions of this section is subject to a fine of twenty five dollars~~  
265 ~~(\$25.00).~~

266 6.08.040 ~~Issuance and revocation of permits and licenses.~~

267 A. ~~The city may revoke any permit or license if the person holding the permit or license refuses or~~  
268 ~~fails to comply with this chapter, the regulations promulgated by the city or any other law~~  
269 ~~governing the protection and keeping of animals.~~

270 B. ~~If any applicant is shown to have withheld or falsified any material information on the~~  
271 ~~application, the city may refuse to issue or may revoke a permit or license. The city will attempt~~  
272 ~~to notify the respective permit or license holder by certified mail within ten (10) working days~~  
273 ~~after refusing to issue a permit or license, or revoking any permit or license previously issued.~~

274 6.084.0540 - Owner responsibility.

275 A. All dogs shall be kept under restraint as defined in this chapter.

276 B. Every dog determined by the city to be a ~~menacing animal or public nuisance~~ dangerous or  
277 aggressive dog shall be confined by the keeper of the dog, within a secure building, secure  
278 kennel or dog run. Whenever off the premises, the dog shall be securely muzzled and leashed or  
279 muzzled and caged. ~~whenever off the premises of the keeper of the dog.~~

280 C. No dog shall be allowed to cause a public nuisance. The keeper of every dog shall be held  
281 responsible for every behavior of such dog under the provisions of this chapter.

282 D. Any person, ~~with the exception of a sightless person,~~ responsible for any dog, shall remove  
283 excrement deposited by the dog:

- 284 1. In any public area not specifically designated to receive those wastes, including, but not
- 285 limited to, streets, sidewalks, parking strips, city parks, trails or pathways paralleling
- 286 swales, ditches, culverts or other similar facilities operated by the city; or
- 287 2. On any private property, other than property owned by or controlled by the owner or
- 288 keeper of the dog, without prior permission by any other property owner where said
- 289 excrement is deposited by the dog.

290 E. A person commits the offense of unlawful tethering if the person tethers a domestic animal in  
 291 the person’s custody or control:

- 292 1. With a tether that is not reasonable length given the size of the domestic animal and
- 293 available space that allows the domestic animal to become entangled in a manner that
- 294 risks the health or safety of the domestic animal;
- 295 2. With a collar that pinches or chokes the domestic animal when pulled;
- 296 3. For more than 10 hours in a 24-hour period; or
- 297 1.4. For more than 15 hours in a 24-hour period if the tether is attached to a running line,
- 298 pulley or trolley system.

299 6.04.050 – Animal restrictions and prohibitions

- 300 A. Exotic Animals. No person shall possess, maintain, or keep any exotic animal in the city limits.
- 301 B. Livestock. No person shall possess, maintain, or keep any livestock in the city limits.
- 302 C. Wildlife. No person shall possess, maintain, or keep any wildlife in the city limits.
- 303 D. Dangerous Animals. No person shall possess, maintain, or keep any dangerous animals inside
- 304 city limits.

305 -6.04.060 – Dangerous or aggressive dog

306 1. Classification of Levels of Dangerousness of Dogs.

307 A. A dog shall be classified as aggressive if it bites, causes physical injury, or otherwise threatens or  
308 endangers the safety of any person or domestic animal while:

- 309 1. It is at-large;
- 310 2. It is off the property of the owner and on a physical control device;
- 311 3. It is on the property of the owner but not restrained or contained in a manner that  
312 would reasonably prevent incidental contact by any person; or
- 313 4. It is in or on a motor vehicle and not restrained or otherwise physically prevented from  
314 reaching any area outside the perimeter of the vehicle.

315 B. A dog shall be classified as dangerous if:

- 316 1. It causes the serious physical injury or death of any person;
- 317 2. While at-large or off the property of the owner it kills any domestic animal; or
- 318 3. Causes physical injury to any person after the owner has received notice of the  
319 aggressive dog classification because of causing physical injury to a person.

320 C. A dog shall not be classified as dangerous or aggressive, even if the dog has engaged in these  
321 behaviors, upon a determination that the behavior was caused by abuse or torment of the dog,  
322 or criminal activity on the part of any victim.

323 D. No dog shall be found to be dangerous or aggressive if it is a dog trained for law enforcement  
324 purposes and is on duty under the control of an officer.

325 2. Identification of Dangerous or Aggressive Dogs – Appeals – Restrictions Pending Appeal.

326 A. An officer shall determine whether any dog has engaged in the behaviors specified in  
327 subsection 1 of this section. The determination shall be based upon an investigation that  
328 includes observation of the dog’s behavior by an officer, or by other witnesses who personally  
329 observed the behavior. Observations must be in writing attesting to the observed behavior.

330 B. The officer shall give the dog's owner written notice by certified mail or personal service that  
331 includes;

- 332 1. the dog's specific behavior;
- 333 2. the dog's classification as a dangerous or aggressive dog; and
- 334 3. additional restrictions applicable because of the dog's classification.
- 335 4. The owner may appeal the officer's decision to the City Clerk by filing within 10 days  
336 of the date the notice was mailed or the owner was personally served, a written  
337 request for a hearing with the city council.

338 3. Regulation of Aggressive Dogs. In addition to complying with all other requirements of this section,  
339 the owner of an aggressive dog shall comply with the following by:

340 A. Restraining the dog to prevent it from interfering with the public's legal access to the owner's  
341 property or from reaching any public sidewalk or road or adjoining property;

342 B. Notifying the city where the dog is kept and renotify within 10 days of any change; and

343 C. Posting warning signs in a conspicuous place visible from the public sidewalk, the road  
344 adjoining the property, or the boundary line of the property where access is provided to the  
345 property.

346 D. The requirements of this section shall apply to any person who is transferred ownership or who  
347 keeps an aggressive dog within city limits.

348 4. Euthanasia for Dangerous Dogs. Any dangerous dog causing serious physical injury to a person shall  
349 be euthanized. The court may order that any dangerous dog be euthanized in addition to penalties for  
350 separate chapter violations.

351 5. Dog Owner Regulations. It is unlawful for any person to:

352 A. Be an owner of a dangerous dog;

353 B. Fail to comply with the requirements applicable to aggressive dogs.

354 6.04.070 Declassification of aggressive dogs.

355 1. An owner or keeper of an aggressive dog may file a petition with the City Clerk requesting an order  
356 declassifying a dog as aggressive if the following conditions have been met:

357 A. The dog has been classified for one year without further incident; and

358 B. There have been no violations of the Animal Control regulations; and

359 C. All other conditions ordered at the time of classification have been met.

360 2. The City Clerk shall forward such petition to an officer who may condition declassification on the  
361 following provisions:

362 A. The owner or keeper provides the officer with written certification of satisfactory completion of  
363 obedience training for the dog classified;

364 B. The officer may require the dog owner or keeper to provide written verification that the  
365 classified dog has been spayed or neutered.

366 C. If the request is denied. The owner may appeal the officer's decision to the City Clerk, by filling  
367 within 10 days of the date the notice was mailed or the owner was personally served, a written  
368 request for a hearing with the city council.

369 6.084.0680 - Impoundment.

370 A. A dog found running at large may be impounded by the city, and restrained in the city's  
371 designated animal shelter. Within a reasonable time following the impounding of a dog, the city  
372 shall make every reasonable effort to notify the keeper of the dog and inform the keeper of the

373 dog of the conditions for release of the animal. Any animal not claimed by the keeper of the dog  
374 within a period of five full days in which the shelter is open to the public shall become the  
375 property of the city.

376 B. In the event that the city finds dogs to be suffering, it shall have the right forthwith to remove or  
377 cause to have removed any such animals to a safe place for care at the expense of the keeper of  
378 the dog or to euthanize them, at the expense of the keeper of the dog, when necessary to  
379 prevent further suffering. Return to the keeper of the dog may be withheld until the keeper of  
380 the dog shall have made full payment for all expenses so incurred.

381 C. In the event the city determines a dog to be a ~~menacing animal or a public nuisance~~ dangerous  
382 or aggressive dog as defined in this chapter, the city may impound the dog from the premises of  
383 the keeper of the dog to prevent further attacks on domestic animals or humans.

384 D. Disposal of an animal by any method specified herein does not relieve the keeper of the dog of  
385 liability for violations and any accrued charges.

386 ~~6.084.0790~~ - Redemption.

387 A. Any animal impounded may be redeemed by the keeper of the dog thereof within five days of  
388 impounding upon payment of an impoundment fee.

389 B. Any animal confined for rabies quarantine, evidence, ~~menacing or public nuisance~~ dangerous or  
390 aggressive dog as defined in this chapter, or other purpose may be redeemed by the keeper of  
391 the dog, after release is authorized by the investigating ~~police officer or compliance official~~,  
392 upon payment of an impoundment fee, which may include all associated costs at the  
393 impoundment or veterinary facility.

394 C. No animal required to be licensed or vaccinated under this chapter may be redeemed until the  
395 animal has been vaccinated and the appropriate license has been issued by the city.

396 ~~6.08.080~~ Adoption. —

397 ~~An adoption fee of five dollars (\$5.00) shall be assessed at the time of adoption. No dog shall be~~  
398 ~~released for adoption as a pet without being neutered or without a written agreement from the adopter~~  
399 ~~guaranteeing that the animal will be neutered. Vaccination fees, licensing fees, and veterinary costs may~~  
400 ~~be assessed above and beyond the adoption fee.~~

401 ~~6.084.090~~100 - Interference.

402 A. A person commits the crime of interfering with ~~an~~ code compliance official or peace officer ~~in~~  
403 ~~the enforcement of the provisions of this chapter,~~ if the person, knowing that another person is  
404 ~~code compliance official or peace~~ an officer: as defined in this chapter.

405 1. Intentionally acts in a manner that prevents, or attempts to prevent, ~~a code compliance~~  
406 ~~official or peace~~ the officer from performing the lawful duties of the ~~code compliance~~  
407 ~~official or peace~~ officer with regards to another person; or

408 2. Refuses to obey a lawful order by the ~~code compliance official or peace~~ officer.

409 ~~B.~~ Interfering with ~~an~~ code compliance official or peace officer shall be punishable as a Class A  
410 misdemeanor as defined by Oregon Revised Statutes.

411 6.04.110 Penalties.

412 Any person violating any of the provisions of this chapter is liable for a citation for a Class B Violation  
413 consistent with Boardman Municipal Code Chapter 1.16

**CITY OF BOARDMAN  
RESOLUTION NO. 3-2024**

**A RESOLUTION DECLARING CITY OF BOARDMAN  
PUBLIC PROPERTY AS EXCESS**

**WHEREAS**, the City of Boardman owns and operates equipment and vehicles; and

**WHEREAS**, certain equipment which may not have effective use remaining has become excess to the needs for which it was acquired and utilized; and

**WHEREAS**, in the interest of cost efficiency, equipment which the expense of repair/renovation exceeds the value of the equipment to the operations of the City, are judged by the City Council to best be disposed of.

**NOW, THEREFORE BE IT RESOLVED**, that the following items of equipment currently owned and operated by the City of Boardman as declared EXCESS and shall forthwith be disposed:

- 2015 Ford F250 - VIN # 1FTBF2B64FEC6828

Dated this 6<sup>th</sup> day, February 2024.

CITY OF BOARDMAN

\_\_\_\_\_  
Mayor – Paul Keefer

\_\_\_\_\_  
Council President – Heather Baumgartner

\_\_\_\_\_  
Councilor – Cristina Cuevas

\_\_\_\_\_  
Councilor – Karen Pettigrew

\_\_\_\_\_  
Councilor – Brenda Profitt

\_\_\_\_\_  
Councilor – Ethan Salata

\_\_\_\_\_  
Councilor – Richard Rockwell

ATTEST:

\_\_\_\_\_  
Amanda Mickles – City Clerk



# City of Boardman Urban Renewal District

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## 2024 - 2025 Budget Calendar

- Jan. 2            Appoint Budget Officer and Budget Committee
- Feb. -May       Prepare proposed budget
- Apr 30           Publish 1<sup>st</sup> Notice of Budget Committee Meeting  
(5-30 days prior to meeting)
- May 7            Publish 2<sup>nd</sup> Notice of Budget Committee Meeting  
(if online: >= 10 days prior to the meeting)
- May 14           Budget Committee meeting ..... 7:00 pm
- May 21           Second Budget Committee meeting (if needed) ..... 7:00 pm
- May 28           Publish Notice of Budget Hearing & Budget Summary  
(5-30 days prior to meeting)
- June 4            Budget Hearing ..... 7:00 pm
- June 4            Enact Resolution to Adopt
- July 15           Submit tax certification documents to Tax Assessor
- Sept. 30          Send copy of all budget documents to County Clerk



**BOARDMAN POLICE DEPARTMENT**  
**PATROL STATISTICS (UNAUDITED)**  
**CALENDER YEAR 2024**

Statistics	Jan.	Feb.	Mar.	Apr.	May	Jun.	July	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Total
Total Incidents	339												339
Calls for Service	182												182
Officer Initiated Incidents	157												157
Traffic stops	48												48
Other OIA Incidents	102												102
Bus/Building Checks	0												0
Veh/Ped check	44												44
Total Officer Reports	42												42
CIS Converstion	0												0
Crash	2												2
Felony	7												7
Information Case	9												9
Misdemeanor	14												14
Violation	1												1
Voided	5												5
Unclaissified Reports	4												4
Total Misdemeanor & Felony Arrest	8												8
Misdemeanor Arrests	7												7
Felony Arrests	1												1
Total Citations	5												5
Code													0
Criminal													0
Violation	5												5
Unclassified													0
FI's	3												3

Note: Calender year end summary report will project slight different totals due to RIMS variations,.

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Building Department Report  
12 Months

Section 12, Item B.

	Feb. 2023	Mar. 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Jan. 2024
<b>Total Permits Sold</b>	29	53	34	36	68	48	74	43	66	42	36	38
<b>Boardman</b>												
Permits Sold	8	15	7	19	21	10	30	18	14	11	10	6
Manufactured Placement Permit	0	0	0	2	1	1	1	2	0	0	0	0
New Home Construction	1	2	1	1	2	1	7	2	2	0	0	1
Multi Family Units					10							
<b>Morrow County(excludes 97818)</b>												
Permits Sold	7	13	10	7	12	3	8	10	19	16	12	10
Manufactured Placement Permit	0	2	0	0	0	0	0	0	0	0	1	1
New Home Construction	1	0	1	0	2	0	0	1	0	0	1	1
<b>Morrow County - 97818</b>												
Permits Sold	7	12	14	1	21	30	24	5	18	8	5	12
Manufactured Placement Permit	0	0	0	0	1	0	0	0	0	0	0	0
New Home Construction	0	0	0	0	0	0	0	0	0	1	0	0
<b>Irrigon</b>												
Permits Sold	2	5	1	4	6	0	7	1	2	2	2	3
Manufactured Placement Permit	0	0	0	0	0	0	0	0	0	0	0	0
New Home Construction	0	0	0	0	0	0	2	0	1	1	0	0
Multi - Family (units)		4										
<b>Gilliam County</b>												
Permits Sold	5	8	2	5	8	5	5	9	13	5	7	7
Manufactured Placement Permit	0	2	0	0	0	1	1	0	0	0	0	2
New Home Construction	0	0	0	0	0	0	0	0	2	0	0	0

# Public Works Department

## January 2024

14 Locates to mark water and sewer lines for customers prior to digging

25 Work Orders

0 New Meter Installs

1066 Meter Reads

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total New Meters Installed
-----	-----	-----	-----	-----	-----	-----	-----	------	-----	-----	-----	----------------------------

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Besides our daily work routines, Public Works also did the following throughout the month:

- Repaired broken stop sign on Tatone Street
- Replaced all air filters City Hall and water Building
- Repaired leak at Anderson
- Replaced 2" water meter at park camp ground
- Vac out storm drains
  
- Serviced three city vehicles
- Responded to a dog call
- Repaired pot holes
- Took down Christmas lights and decorations
- Had small tools, and slips trips & falls Training
- Picked up 28 Christmas trees
- 213.5 Hours of overtime for plowing and sanding 1/13 to 1/22
- Installed 165 radio reads for a total of 581



200 City Center Circle  
P.O. Box 229  
Boardman, OR 97818  
Phone: (541) 481-9252  
Fax: (541) 481-3244  
TTY Relay 711  
www.cityofboardman.com

### City Manager January Report

The following January report will give an overview of the objectives accomplished this past month, as well as future plans:

1. CREZ II awarded City of Boardman \$2.6 million.
2. CREZ III sponsors, Port of Morrow and Morrow County, approved the city of Boardman's requested boundary expansion of 31 acres.
3. Charter update workshop will be held March 5<sup>th</sup> at 6pm.
4. Community presentation regarding charter update set for March. Details to be determined.
5. Urban Renewal training and highlighted the following areas:
  - a. Discovered central and north areas do not have designated termination dates.
  - b. We have the ability to increase maximum indebtedness
  - c. Learned how to leverage our funds to maximize improvements.
6. Safety Update:
  - a. City staff received civilian response training
  - b. City staff received lock/out tag/out training
  - c. City staff received slips, trips and falls training
  - d. City staff began annual health and safety training videos
7. Council **Annual Training Videos should have been received by city email:**
  - a. Elected Essentials
  - b. Preventing Workplace Discrimination and Harassment
  - c. Whistleblower Rights
8. Community Outreach....(This will be a regular section that I will include with each report. This is a way for myself and the council to keep in mind the importance of ongoing outreach to our community and highlight what has been done and will be upcoming for the future.)
  - a. NEACT meeting
  - b. Small Cities meeting in Irrigon
  - c. Morrow County Cities Meeting
  - d. Umatilla/Morrow County City Managers Meeting

Boardman Projects:

<b>Project</b>	<b>Update</b>
Annual Sidewalk Improvement:	Wilson Rd & Faler Ln being surveyed
Bella Vista sidewalk:	In conversation for sooner timeline
Bio-solids removal project from lagoon:	2024 completion
Boardman and Main stoplight:	Under Design and public engagement
BPA Greenspace project:	Authorization from BPA in process
Capital Improvement Plan:	Presentation in March Council
Code Updates:	-TSP contractor selection -Housing Needs Analysis project scoping -Development code audit to be reviewed by planning commission -Municipal Code audit in process
NW Columbia Ave (water/sewer):	Bid Advertisement
SE Front St paving and sidewalk:	Bid awarded to <b>Colbert</b> Construction (June start date, Sept completion)
Septage Receiving station:	Headworks screen request for proposal
Water project:	Reservoir substantial complete, booster pump building under construction, collector well 3 under construction