



CITY OF SWEET HOME CITY COUNCIL AGENDA

April 28, 2020, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Meeting Information

The City Council will hold a Regular City Council meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, the frequency and length of public meetings, including the City Council, boards and commissions, will be minimized. Non-urgent and non-essential City business with expected public feedback will be postponed whenever possible. Individuals attending public meetings in person will be limited to the first six people, required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home City Council is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the City Council meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 541-367-5128 and you'll be asked to choose option #1 to be logged in to the call.

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting. All votes will be conducted by Roll Call Vote.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Call to Order and Pledge of Allegiance

Roll Call

Consent Agenda:

- a) [Request for Council Action – Appointment to Budget Committee \(pg.3-6\)](#)

Approval of Minutes:

- a) [2020-04-14 City Council Meeting Minutes \(pg. 7-11\)](#)
- b) [2020-04-22 Executive Session Minutes \(pg. 12\)](#)

Recognition of Visitors and Hearing of Petitions:

Old Business:

- a) [Request for Council Action – City Council FY 2020-2021 Goals \(pg. 14-19\)](#)

New Business:

- a) [Proclamation - Mental Health Month - May 2020 \(pg. 20\)](#)
- b) [Request for Council Action - Resolution No. 9 for 2020 - A Resolution Setting Fees \(pg.21-72\)](#)
- c) [Request for Council Action - Ordinance No. 6 for 2020 - Local Improvement District Amendments \(pg. 73-84\)](#)

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

- d) [Request for Council Action – Ordinance No. 7 for 2020 – Water System in Critically Affected Chemical Area \(pg. 85-91\)](#)
- e) [Continuance of Public Hearing – Ordinance No. 8 for 2020 -Text Amendments to Title 15.12 Flood Hazard Area Regulations \(pg. 92-147\)](#)

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

- a) [Request for Council Action - Ordinance No. 5 for 2020 - Sweet Home Ordinance Pertaining to Special Events \(pg. 148-159\)](#)

Reports of Committees:

Administrative and Finance/Property

Park and Tree Committee

Youth Advisory Council

Chamber of Commerce

Council of Governments

Area Commission on Transportation

Solid Waste Advisory Council

Ad Hoc Committee on Health

Legislative Committee

Reports of City Officials:

Mayor's Report

City Manager's Report

Department Director's Reports (2nd meeting of the Month)

Finance Director

- a) [March 2020 Monthly Report \(pg. 106-171\)](#)

Police Chief

- a) [Police Department Report \(pg., 172-173\)](#)

City Attorney

Council Business for Good of the Order Adjournment



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Appointment to Budget Committee

Preferred Agenda: April 28, 2020

Submitted By: Julie Fisher, Administrative Assistant

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution ____ Motion x Roll Call ____ Other ____

Relevant Code/Policy: [SHMC 2.10](#)

Towards Council Goal: #2 Develop transparency in all communication
Efficient and Effective local government

Attachments: Application for Budget Committee – D. Journey

Purpose of this RCA:

Appointment to the Budget Committee.

Background/Context:

Dave Journey has served on the Budget Committee since 2017. His term expired March 2020. Mr. Journey has requested reappointment to the Sweet Home Budget Committee. The Administration, Finance, and Property Committee conducted an interview on April 20, 2020 and they recommended Mr. Journey be reappointed to serve a three-year term on the Sweet Home Budget Committee.

The Challenge/Problem:

Vacancy on the Budget Committee

Stakeholders:

- City of Sweet Home Staff – Staff benefits by having full committees that provide direction and recommendations that are consistent with law.
- City of Sweet Home Management - Management is more effective and efficient with clear, updated, best practices for policy as recommended by committees.
- Sweet Home Residents – Residents and taxpayers essentially pay the price when policies lead to inefficient operations or practices.

Issues and Financial Impacts:

1. None Known

Elements of a Stable Solution:

Appoint committee members to vacancies who are willing to serve a full term and available for scheduled meetings of the committee.

Options:

1. Do Nothing
2. Seek Additional Applicants
3. Make a Motion to appoint Dave Journey to the Sweet Home Budget Committee for a three-year term to expire December 31, 2021,

Recommendation:

1. Make a Motion to appoint Dave Journey to the Sweet Home Budget Committee for a three-year term to expire December 31, 2021,



CITY MANAGER'S OFFICE

1140 12th Avenue
Sweet Home, OR 97386
541-367-8969 541-367-5113 FAX
wyounger@ci.sweet-home.or.us

BOARD/COMMITTEE/COMMISSION APPLICATION

Applicant Information (Please type/print clearly):

Name: THOMAS DAVID JURNLEY

Permanent Address: [REDACTED]

Mailing Address: _____

Contact Phone Number: [REDACTED]

E-Mail Address: — 0 —

Preferred method of contact: ☐ Mail ☒ Phone ☐ Email

Occupation: RETIRED Employer: _____

Please mark the Board, Commission or Committee in which you are interested in serving:

- ☒ Budget Committee ☐ Planning Commission ☐ Library Board
☐ Traffic Safety Committee ☐ Parks Board ☐ Tree Commission
☐ Board of Appeals ☐ All Hazard Mitigation Committee

Are you applying for reappointment: ☐ Yes ☐ No

If yes, how long have you served in this capacity: _____ Year(s) _____ Month(s)

- How long have you lived in the area: 6 Year(s) 3 Month(s)
- Please give a brief description of your experiences or training that you feel qualifies you for this particular position.
I HAVE BEEN ACTIVE IN MY COMMUNITIES MY WHOLE ADULT LIFE.
I HAVE BEEN RESPONSIBLE FOR BUDGETS, LARGE + SMALL.
- List current involvement in other community groups and/or activities.
KIWANAS - CHAMBER OF COMMERCE
- What special contribution do you feel you can make to the group/position you are applying for?
OPEN MINDED
NON COMBATANT

RESIDENCY:

The following applies for appointments that require residency and elector status:

I, *Johnney*, certify that I currently reside within the corporate limits of the City of Sweet Home and am an eligible elector as defined by ORS 246.012(5). I further acknowledge that should either my residency or my eligibility as an elector change I will notify the City of Sweet Home immediately.

CRIMINAL HISTORY BACKGROUND CHECK (CCH):

A Criminal History Check (CCH) may be performed as part of the City of Sweet Home appointment process for City Boards, Committees, and Commissions. I acknowledge that a refusal to allow the CCH to be performed, when required, will cause my application to no longer be considered.

PUBLIC DISCLOSURE:

The City sometimes receives requests for contact information for members serving on City boards, commissions and committees. As an appointed public body volunteer serving the City of Sweet Home, the information provided on this application is considered public record.

My signature acknowledges that the information I have provided on the application is true and complete to the best of my knowledge and I understand that a CCH may be performed, when required, and that the information provided on this application is considered public record.

Johnney
Signature

3-9-17
Date of Signature



CITY OF SWEET HOME CITY COUNCIL MINUTES

April 14, 2020, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM

Roll Call

PRESENT

Mayor Greg Mahler, President Pro Tem Diane Gerson, Councilor Cortney Nash (via video), Councilor Dave Trask, Councilor James Goble (via video), Councilor Lisa Gourley, Councilor Susan Coleman

Consent Agenda:

- a) Request for Council Action - Appointment to Park and Tree Committee
- b) Request for Council Action - Appointment to the Planning Commission

Approval of Minutes:

- a) 2020-03-10 City Council Minutes
- b) 2020-03-19 City Council Meeting Minutes

Motion to approve the Consent Agenda

Motion made by President Pro Tem Gerson, Seconded by Councilor Trask.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

Recognition of Visitors and Hearing of Petitions:

None

Old Business:

a) Request for Council Action – Temporary Policy Response to COVID-19

City Manager Towry introduced an updated COVID-19 Temporary Policy explaining the new policy is updated to include details of the Family First Coronavirus Response Act (FFCRA). The policy is designed to help stop the spread of the virus. A graph was included to show leave available to an employee under various scenarios. The FFCRA requires employers to provide 80 hours or 2 weeks of pay at 2/3 rate of pay for qualifying COVID related issues. The new City policy is proposing the COVID leave be paid to employees at 100% of their rate of pay for the 80 hours or 2 weeks (pro-rated for part time employees.)

Motion to approve the Temporary Policy Response to COVID-19.

Motion made by Councilor Gourley, Seconded by President Pro Tem Gerson.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

b) Request for Council Action - 2021 Water Rate Review

City Manager Ray Towry discussed the proposed 2021 Water Rates which were reviewed by the City Council during a work session held on February 25, 2020. The proposed rates were calculated with consideration for essential projects such as; continued meter replacements, the need for Variable Frequency Drive pumps at the utility plant, and the replacement of an aging 2" galvanized water line servicing 9th Avenue.

As Council requested, the sale of the 9th Avenue property will be included in the rate to offset cost to consumers, most of whom will see an increase of \$1.71 per month.

If approved, the new rates will take effect for collection in July.

Motion to approve Resolution No. 7 for 2020 - A Resolution Setting Rates and Fees for Water Service.

Motion made by Councilor Trask, Seconded by Councilor Nash.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask

Voting Nay: Councilor Goble, Councilor Gourley, Councilor Coleman

New Business:

a) Proclamation - Child Abuse Prevention Month

Mayor Mahler read the Child Abuse Prevention Month Proclamation.

b) Public Hearing LA20-01 - A Public Hearing to consider text amendments to Chapter 15.12, Flood Hazard Area Regulations, of the Sweet Home Municipal Code (SHMC).

Mayor Mahler opened the Public Hearing at 6:40 pm. The Public Hearing will be postponed until April 28, 2020.

CEDD Larsen explained the Public Hearing is to consider text amendments to the development code of flood hazard areas to maintain flood insurance by the National Flood Insurance Program. During the Planning Commission Public Hearing, questions were asked

that required additional research. Staff is asking to continue the hearing on April 28th. Additional material will be available for public comment.

c) For Information Only - 2020 Fee Schedule Update

City Manager Towry introduced the draft 2020 Fee Schedule and explained any updated or new fees from the 2019 Fee Schedule are in red text. Staff is continuing to work to include any and all fees into the fee schedule and has found a few additional fees that will be added to this draft. The draft fee schedule is for information only and will be presented at the next City Council meeting.

d) Request for Council Action - Resolution No. 6 for 2020 USDA Rural Development Grant Application Resolution

Chief Lynn introduced the USDA Rural Grant request for assistance in replace the aging K9 patrol vehicle, purchase ballistic shields and vest carriers. Funding is a shared cost with 65% (\$38,000) funding thru the Police Department and the remaining 35% (\$20,000) being funding thru the USDA Grant. The Sweet Home Police Department, thru this project, receive a fully equipped K9 vehicle, 7 ballistic vest carriers, and shields. The shields and vest carriers are another layer of protection for first line officers, adding to the body armor protecting officers against rifle rounds.

Officer McDonald was commended in her grant efforts. If approved, the grant would fund in the 2021 fiscal year.

Motion to approve Resolution No. 6 for 2020 - USDA Rural Development Grant Application Resolution.

Motion made by Councilor Coleman, Seconded by Councilor Gourley.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

e) Discussion Only - Operational Update - COVID-19

Each Department gave an update on operational changes during the COVID-19 Pandemic.

Public Works Director Springman reported Public Works crews have staggered schedules to practice appropriate social distancing and are riding alone in vehicles.

Community and Economic Development Director Larsen reported some CEDD staff are working from home as much of the work can be done electronically. Hard copy plans, permits, and applications can be dropped off in a box at the side door. The Code Enforcement Officer is also the City's Emergency Manager, so there has been a decrease in code enforcement as efforts are focused on emergency management during this pandemic. CEDD is promoting a website called recovers.org which partners community needs with volunteers. Economic Development work is being focused on connecting businesses to federal and state programs and resources to help survive and recover from the effects of COVID on their business.

Police Chief Lynn reported the lobby remains open, however there is limited access to other portions of the building to keep staff protected. The School Resource Officer and Detective are temporarily assigned to patrol. The service of delivering prescriptions to the elderly is being utilized 2-4 per week.

Library Services Director Peda reported curbside pick-up of library materials and the receipt of a Trust Management Grant for replacement of furniture.

Finance Director Neish reported payments can be made online, via phone or thru the drop box. 116 accounts were flagged for non-payment, however were not shut off per the City's temporary policy. Staff has contacted those accounts and have received some payments, partial payments, and have made payment arrangements. The Finance Department has noticed a 5.5% decrease in revenues compared to last year.

City Manager Towry reported all City staff has been cleaning worksites as Sunshine Industries has not been able to service the buildings. City Manager Towry commended all city staff for their hard work and dedication to the community during this trying time.

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

None

Second Reading of Ordinance Bills

- a) Request for Council Action - Ordinance No. 5 for 2020 - Sweet Home Ordinance Pertaining to Special Events

City Manager Towry read by title only Ordinance No. 5 for 2020 - Sweet Home Ordinance Pertaining to Special Events.

Motion to move Ordinance No. 5 for 2020 - Sweet Home Ordinance Pertaining to Special Events to third and final reading.

Motion made by Councilor Gourley, Seconded by Councilor Goble.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

Third Reading of Ordinance Bills (Roll Call Vote Required)

- a) Request for Council Action - Ordinance No. 3 for 2020 - An Ordinance Amending the Official Zoning Map

Ordinance No. 3 for 2020 - An Ordinance Amending the Official Zoning Map was read by title only.

Motion to approve Ordinance No. 3 for 2020 - An Ordinance Amending the Official Zoning Map

Motion made by Councilor Coleman, Seconded by President Pro Tem Gerson.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

Voting Nay: Councilor Nash

- b) Request for Council Action - Ordinance No. 4 for 2020 - An Ordinance Amending the Official Zoning Map

Ordinance No. 4 for 2020 - An Ordinance Amending the Official Zoning Map was read by title only.

Motion to approve Ordinance No. 4 for 2020 - Ordinance No. 1284 - An Ordinance Amending the Official Zoning Map.

Motion made by President Pro Tem Gerson, Seconded by Councilor Trask.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

Reports of Committees:

Park and Tree Committee: Councilor Trask reported continued progress at Sankey Park.

Chamber of Commerce: Councilor Gerson reported the Chamber Board will meet on Thursday for a Zoom conference call.

Reports of City Officials:

Mayor's Report: Mayor Mahler encouraged everyone to stay safe and keep healthy.

City Manager's Report

City Manager Towry reported on the arrival of the new City Hall sign.

The donation of an Incident Command Vehicle to Street Outreach Resource Team (SORT) will aid efforts in providing those who are homeless or experiencing housing instability with masks, gloves and hand sanitizer.

City Manager Towry reported he will be working from home the remainder of the week allowing him home school his children.

The City Manager Self-Evaluation will be emailed to Councilors tomorrow for review and completion of their assessment.

Department Director's Reports (1st meeting of the Month)

Library Services Director

- a) Library Services Director Reports

Community and Economic Development Director

- a) CEDD Monthly Report - March 2020

Public Works Director

- a) Public Works Department Monthly Report of Activities - March 2020

Department Director's Reports (2nd meeting of the Month)

Police Chief

- a) Police Department Monthly Report

Council Business for Good of the Order

Councilor Gerson reported SHOWCASE received a grant for \$5,000.

Councilor Gourley suggested the formulation of a strategic plan for community events scheduled for this summer.

Adjournment

With no further business, the meeting adjourned at 7:47 PM

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



CITY OF SWEET HOME CITY COUNCIL EXECUTIVE SESSION MINUTES

April 22, 2020, 6:00 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Call to Order

The meeting was called to order at 6:04 PM

Mayor Mahler read the Executive Session Announcement.

The executive session is held pursuant to ORS192.660(2)(i)

Executive Session as authorized by ORS 192.660 (2) (i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing, in this case, the City Manager.

Representatives of the news media and designated staff shall be allowed to attend the Executive Session. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced.

This video session is allowed under Council Rules, meets the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting. No final action or final decision may be made in executive session.

Roll Call

PRESENT

Mayor Greg Mahler

President Pro Tem Diane Gerson

Councilor Cortney Nash (via video)

Councilor Dave Trask

Councilor James Goble (via video)

Councilor Lisa Gourley

Councilor Susan Coleman

Staff in Attendance: City Manager Ray Towry and Administrative Assistant Julie Fisher

Media: Sean Morgan, The New Era (via video)

The City Council reviewed and discussed the City Manager's evaluation. The Council will complete the evaluation and return completed forms to the Administrative Assistant by Monday, April 27th.

There were no decisions made during the Executive Session.

Adjournment

The meeting adjourned at 7:05 PM.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – City Council FY 2020-2021 Goals

Preferred Agenda: April 28, 2020

Submitted By: Julie Fisher, Administrative Assistant

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution X Motion Roll Call Other

Relevant Code/Policy:

Towards Council Goal: City Council FY 2020-2021 Goals

Attachments: FY 2020-2020 City Council Goals, Resolution No. 8 for 2020

Purpose of this RCA:

Should the City Council of Sweet Home adopt the Council Goals for Fiscal Year 2020-2021?

Background/Context:

The City Council and City Management Staff participated in goal setting sessions on February 7-9, 2020, and a Public Hearing on March 10, 2020. The Vision Statement, Mission Statement and Goals identified in Resolution No. 8 for 2020 are a result of that process and establish the priorities of the City Council for the fiscal year ending June 30, 2021. Following adoption of the goals, City Staff will prepare work plans in support of the adopted goals. The goals will be reviewed regularly to evaluate accomplishments towards same.

The Challenge/Problem:

Often organizations face issues when leadership and staff are not in alignment on the direction of the organization. A clear Vision Statement, Mission Statement and Goals utilized to formulate a work plan will help create alignment, so leadership and professional staff are working to move the organization in the same direction. Failure to have these in place will lead to miscommunication, misunderstanding and disarray within the organization.

Further, it creates a check for the Council members to check alignment with their voting public. Should the community not agree with any of the items it allows the community an opportunity to redirect the Council in a direction they see more fit.

Stakeholders:

1. **Citizens:** A Vision, Mission and Goals utilized to formulate a work plan will help create transparency in local government operations. Citizens deserve to have a clear understanding of the direction their Elected Officials are taking their local government as an organization and what issues their elected representatives will be working toward.

2. **Elected Council**: Establishing a Vision, Mission and Goals utilized to formulate a work plan will help create transparency in local government operations, clarity for staff on how to make decisions and guide daily operations.
3. **Professional Staff**: Having a clear Vision, Mission and Goals to formulate a work plan will help create alignment in daily operations as staff makes decisions they believe to meet the Council's wishes.

Issues and Financial Impacts:

1. The FY 2020-2021 goals will be incorporated into the budget as necessary to move priorities forward to completion.

Elements of a Stable Solution:

A clear Vision Statement, Mission Statement and Goals so staff will be able to develop work plans around them, steering the City's limited resources in the most efficient manner possible.

Options:

1. Do Nothing
2. Make Modifications to the identified goals
3. Make a Motion to approve Resolution No. 8 for 2020 adopting the Fiscal Year 2020-2021 City Council Goals.

Recommendation:

It is recommended that the City Council choose option #3 Make a Motion to approve Resolution No. 8 for 2020 adopting the Fiscal Year 2020-2021 City Council Goals.

City of Sweet Home Vision Statement, Mission Statement and Fiscal Year 2020 City Council Goals

VISION STATEMENT

WE, as City Council, have been entrusted to make decisions that do the most good, for the most people, for the longest period of time to enhance the quality of life for our community.

- I. WE ASPIRE to make Sweet Home a community people find desirable to live in.
- II. WE ASPIRE to have an effective and efficient local government.
- III. WE ASPIRE to provide viable and sustainable infrastructure.
- IV. WE ASPIRE to provide viable and sustainable essential services.
- V. WE ASPIRE to create an economically strong environment in which businesses prosper.

MISSION STATEMENT

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

GOAL #1 INFRASTRUCTURE

1. Develop specific steps for implementation of the adopted infrastructure master plans.
 - a. Water
 - b. Sewer
 - c. Streets
 - d. Parks
 - e. Property
2. Increase community awareness of infrastructure needs and appropriate planning documents.
 - a. Water
 - b. Sewer
 - c. Streets
 - d. Parks
 - e. Property

GOAL #2 BE AN EFFECTIVE AND EFFICIENT GOVERNMENT

1. Update and streamline processes
2. Develop continuity in planning and permitting processes.
3. Invest in long-term staff stability & training.
4. Continue to implement strong financial “best” practices.
5. Employ sound technology to maximize efficiency.

City of Sweet Home Vision Statement, Mission Statement and Fiscal Year 2020 City Council Goals

GOAL #3 ESSENTIAL SERVICES

1. Increase access to quality healthcare services in Sweet Home.
 - a. Memory Care
 - b. Senior Assisted Living
 - c. Physical Therapy
 - d. Urgent Care
 - e. Mental/Behavior Health
2. Improve community safety, Police, Community Design, etc.
3. Develop partnerships with regional services and work to connect them with the appropriate members of the public.

GOAL #4 ECONOMIC STRENGTH

1. Implement vitalization programs
2. Lead community economic development efforts.
3. Develop economic opportunities with regional partners
4. Develop a downtown streetscape plan.

RESOLUTION NO. 8 FOR 2020

A RESOLUTION ADOPTING THE CITY OF SWEET HOME VISION STATEMENT, MISSION STATEMENT AND FISCAL YEAR 2020-2021 CITY COUNCIL GOALS.

WHEREAS, the Sweet Home City Council periodically establishes goals to guide its actions in carryout out the business of the City; and

WHEREAS, the City Council considered and identified its goals on February 7, February 8, and February 9, 2020; and

WHEREAS, the City Council encouraged and heard public comments and input at its February 7, February 8, and February 9 Goal Setting Sessions, and April 10, 2020 Public Hearing; and

WHEREAS, the City Council has identified the following goals to be worked toward during Fiscal Year 2020-2021.

NOW, THEREFORE, THE CITY OF SWEET HOME DOES RESOLVE AS FOLLOWS:

That the following Vision Statement, Mission Statement and City Council goals are adopted for Fiscal Year 2020-2021

VISION STATEMENT

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GOAL #4 ECONOMIC STRENGTH

- 1. Implement vitalization programs
- 2. Lead community economic development efforts.
- 3. Develop economic opportunities with regional partners
- 4. Develop a downtown streetscape plan.

PASSED by the Council and approved by the Mayor this 28th day of April 2020.

Mayor

City Manager – Ex Officio City Recorder



PROCLAMATION Mental Health Month May 2020

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that support user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, faith-based organization, health care provider, veteran's groups and citizen has a responsibility to promote mental wellness and support prevention efforts; and

WHEREAS, Linn County, as well as the nation as a whole, is going through an infectious disease outbreak, it is important to remember that feeling anxious, confused, overwhelmed or powerless is very common and quite normal. By limiting media consumption, staying connected with loved ones and staying active we can maintain our mental health as we try to protect our physical health; and

WHEREAS, the Linn County Mental Health Advisory Board is emphasizing that there is no health without mental health by being involved with Public Service Announcements, Health Fairs, public speakers and various trainings regarding mental health issues;

THEREFORE, I Greg Mahler, do hereby proclaim May 2020 as Mental Health Month in the City of Sweet Home. As the Mayor, I also call upon the citizens, governmental agencies, public and private institutions, businesses and schools in Sweet Home to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action - Resolution No. 9 for 2020 - A Resolution Setting Fees

Preferred Agenda: April 28, 2020

Submitted By: City Manager Ray Towry

Reviewed By: City Manager Ray Towry

Type of Action: Resolution X Motion Roll Call Other

Relevant Code/Policy: City of Sweet Home Financial Policy

Towards Council Goal: Vision Statement II. WE ASPIRE to have an effective and efficient local government.

Attachments: Resolution No. 9 for 2020 – A Resolution to Establish Public Information, Records, Research, Service and Miscellaneous City Fees.

Purpose of this RCA:

To update the city's Public Information, Records, Research, Service and Miscellaneous City fee schedule

Background/Context:

Last year, in an effort to streamline and consolidate various city fees, staff moved fees associated with the building department and Parks and Recreation from multiple resolutions to the fee schedule with all other city fees. All fees will now be reviewed annually and located in one fee schedule.

Fees are based on a costing basis; the City does not profit or attempt to profit from any fees we set.

The building permit fees, are set at the state level, not by the City.

The Challenge/Problem:

How to create an easy to understand, single location for the City's fees that can be updated and reviewed on an annual basis?

Stakeholders:

- City of Sweet Home citizens – Adopting this resolution ensures residents have one place to go to see any and all fees within the city. As staff works to consolidate and simplify processes, citizens should find it easier to find basic information without having to bounce between code and resolutions that may not be easily accessible.
- City of Sweet Home City Council – Council is to review all fees annually.

- City of Sweet Home Staff – works diligently to keep fees updated annually to cover cost of city expenses.

Issues and Financial Impacts:

There are no financial impacts from this resolution as the fees currently exist

Elements of a Stable Solution:

A transparent and just fee schedule that is easy to understand and locate various city fees quickly.

Options:

1. Do Nothing
2. Make a motion to adopt Resolution No.9 for 2020, A Resolution establishing certain Public Information, Records, Research, Service and Miscellaneous City fees in accordance with City of Sweet Home's Financial Policies.

Recommendation:

Staff recommends option 2; make a motion to adopt Resolution No. 9 for 2020, A Resolution establishing certain Public Information, Records, Research, Service and Miscellaneous City fees in accordance with City of Sweet Home's Financial Policies.

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

GENERAL FEES	
Photocopies Black and white 8.5 X 11	.25 per side
Color 8.5 X 11	.50 per side
Black and white 11 x 17	.50 per side
Color 11 x 17	1.00 per side
Fax – local only	.25 per page
Public Meeting Records – Audio CD	5.00 each
Packaging, Mailing and Postage	Actual Costs
Returned Check Fee	\$35.00
Recording Fees – Recording of Easements, Improvement Agreements and Liens	Current Linn County recording fees PLUS \$10.00 administrative fee

City Recorder	
Filing Fee for declaration of candidacy for an elective position	\$10.00
Annual Subscription Mailed - City Council Packet	\$240.00
Annual Subscription Mailed - City Council Agenda	\$24.00
Annual Subscription Mailed - All Public Meeting Agendas	\$36.00
Liquor License	
Liquor License, New	\$100.00
Liquor License, Temporary Sales	\$35.00
Liquor License, Change of Ownership, Additional Privileges	\$75.00
Liquor License, Renewal	\$35.00
Hero Banner	\$100.00
Veteran's Memorial Brick	\$25 Paver \$35 Paver with Logo
Taxi License Fee	\$25.00 First Vehicle, \$10.00 Each Vehicle Thereafter, fees for the remainder of the year.

FACILITY RENTAL FEES			
	Conference Rooms		
HOURLY FEES	Ames	Santiam	Wiley
During Operating Hours			
Government & Non-Profit Groups	\$10/hr	\$15/hr	\$20/hr
Public Groups	\$15/hr	\$20/hr	\$25/hr
Private Groups	\$20/hr	\$25/hr	\$30/hr
During Hours of Closure			
Government & Non-Profit Groups	\$20/hr	\$30/hr	\$40/hr
Public Groups	\$30/hr	\$40/hr	\$50/hr
Private Groups	\$40/hr	\$50/hr	\$60/hr
EQUIPMENT RENTAL RATES			
AV/IT System	\$20	\$20	\$20
Tables and Chairs	<i>Included</i>	<i>Included</i>	<i>Included</i>
Keruig Coffee Machine & Pods (15 gue	\$10	\$10	\$10
PA System	\$20	\$20	\$20
OTHER FEES AND DEPOSITS			
Non-Refundable Fee (After Hour Use)	\$50	\$50	\$50
Refundable Deposit for Non-profit, Govt & Public Groups	\$100	\$100	\$100
Refundable Deposit for Private Groups / Businesses	\$150	\$150	\$150
Refundable Key Deposit	\$200	\$200	\$200
Non-Refundable Cleaning Fee	<i>Included</i>	<i>Included</i>	<i>Included</i>

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

COMMUNITY DEVELOPMENT FEES	
Packaging, Mailing and Postage	Actual Costs
Annexation & Rezone	\$1,545.00
Appeal	\$610.00
Comprehensive Plan Amendment	\$1,470.00 (plus notice costs)
Conditional Use (Public Hearing)	\$615.00
Development Plan Review	\$75.00
Fence Permit	\$20.00
Land Use Compatibility Statement Sign-Off	\$35.00
Measure 56 Mailing	Actual Notice Costs
Compensation Claim Appeal SHMC 03.30.150	Initial Deposit \$1,000.00. Balance in Excess of Actual Cost to be Refunded
Open Storage Permit	Non Refundable Fee of Zero Dollars Per Year
Ordinance Legal Interpretation	\$155.00
Other Land Use Decisions	Cost of Service (\$150 deposit)
Partition	\$315.00
Planned Development	\$1,000.00
Planning Research and Letters	\$60.00/hr.(1 hour minimum)
Property Line Adjustment	\$160.00
Property Line Adjustment Replat	\$200.00
Secondary applications file concurrently	50% of regular fee
Subdivision – Tentative and Final	925.00 + \$20.00 per lot
Vacation of Right of Way	\$1,030.00
Variance (Public Hearing)	\$590.00
Zone Map Amendment	\$1,030.00
Zone Text Amendment	\$1,030.00
Temporary Recreation Vehicle Occupancy Permit	
See Resolution No. 3 for 2014	
0-7 days per rolling twelve (12) month period	No permit or permit fee required
1-15 days per rolling twelve (12) month period	\$50.00 - Permit Required
Permit extension for period of time greater than that stated in the original permit not to exceed sixty (60) days based on a rolling twelve (12) month period	\$35.00 - Permit Required
1-60 days per rolling twelve (12) month period	\$85.00 - Permit Required

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Park/Facility Use Processing Fees	
Racquetball Court City Resident Individual	\$50.00/year
Racquetball Court City Resident Household	\$75.00/year
Racquetball Court Non-City Resident Individual	\$75.00/year
Racquetball Court Non-City Resident Household	\$100.00/year
Racquetball Court Employee Only	No Fee
Racquetball Court Employee Household	\$25.00/year
Bandstand	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Outdoor Event Center	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Gazebo	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Girl Scout Hut	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Weddle Bridge	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Equipment Rental	
Items described below are subject to availability. A 24-hour notice is required before pick-up. Two-day maximum rental.	
Table	\$5.00/table \$100.00 refundable deposit Replacement cost \$60.00
Chairs	\$1.00/chair \$100.00 refundable deposit Replacement cost \$35.00
2' Fold Up Barricade	\$3.00/ Barricade Replacement cost \$35.00
2' Fold Up Plastic Barricades	\$3.00/Barricade Replacement Cost \$48.00
8' Barricade	\$3.00/Barricade Replacement Cost \$97.00
Small Barricade – “No Park”	\$3.00/Barricade Replacement Cost \$40.00
Photo Cell Battery Light	\$3.00/Light Replacement Cost \$40.00
18” Traffic Cones	\$3.00/Cone Replacement Cost \$15.00
28” Traffic Cones with Reflective Strip	\$3.00/Cone Replacement Cost \$20.00
Construction Signs with Sign Holders	\$10.00/Sign Replacement Cost \$165.00 set

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Slow/Stop Paddle	\$3.00/Each Replacement Cost \$30.00
Slow/Stop Paddle with 30" Handle	\$5.00/Each Replacement Cost \$38.00
Slow/Stop Paddle with 60" Handle	\$5.00/Each Replacement Cost \$21.00
Hydrant Wrench	\$5.00/Each Replacement Cost \$35.00
Safety Vests	Replacement Cost \$12.00 each

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

BUILDING PERMIT FEES	
Structural Permits	
Building Permit Fees: Permit fees are based on the value of construction as per the most current ICC Building Valuation Table.	
Total Value 1.00 to 500.00	\$50.00
Total Value 501.00 to 2,000.00	50.00 for the first 500.00 plus 2.52 for each additional 100.00 or fraction thereof, to and including 2,000.00
Total Value 2,001.00 to 25,000.00	87.80 for the first 2,000.00 plus 10.08 for each additional 100.00 or fraction thereof, to and including 25,000.00
Total Value 25,001.00 to 50,000.00	319.64 for the first 25,000.00 plus 7.56 for each additional 1,000.00 or fraction thereof, to and including 50,000.00
Total Value 50,001 to 100,000.00	508.64 for the first 50,000.00 plus 5.04 for each additional 1,000.00 or fraction thereof, to and including 100,000.00
Total Value 100,001.00 and up	760.64 for the first 100,000.00 plus 4.00 for each additional 1,000.00 or fraction thereof
Residential - One and Two Family, stand alone, Fire Suppresion System - as noted in OAR 918-050-0140 Use Structural Permit Fee valuation table above for Commercial Fire Suppression System permit fees	
0 – 2,000 square feet	\$100.00
2,001 – 3,600 square feet	\$150.00
3,601 – 7,200 square feet	\$200.00
Over 7,200 square feet	\$250.00
Other Structural Inspections	
Plan Review Fee	65% of the Building Permit Fee
Fire, Life, Safety Review	40% of the Building Permit Fee
Inspections outside of normal business hours under special circumstances with pre-arrangement - Two Hour Minimum	100.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	65.00 per hour
Re-Inspection Fee	50.00 per inspection
Additional Plan Review required by changes, additions, or revisions to approved plans - One Hour Minimum	65.00 per hour
Deferred Plans Submittal – Portions of a building design are allowed to be submitted separately. Does not apply to deferred permits. In addition to the project plan review fee based on total project value.	65% of the building permit fee calculated using the value of the particular deferred portion or portions of the project with a minimum fee of 250.00 per deferral. Deferrals are defined by Plan Review Staff
Structural Investigation Fee: In addition to the permit fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fees \$100.00 Minimum

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Phased Permitting – Allows construction to begin on a portion or portions of a building before the construction	
Single family dwellings and duplexes – in addition to standard permit fees	\$150.00 application fee per phase plus 10% of the total building permit fee not to exceed \$1,500.00
All other structures – in addition to standard permit fees	\$250.00 application fee per phase plus 10% of the total building permit fee not to exceed \$1,500.00.
3rd Party Plan Review per OAR 918-020-0090(3)(E) (customer contracted) – Administrative processing fee	10% of the building permit fee, maximum fee of \$250.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Manufactured Dwelling Permits	
Manufactured Dwelling Placement Fee: per installation (fee includes the concrete slab, runners or foundations, electrical feeder and plumbing connections and all cross-over connections, OAR 918-050-0130(1) - Fee includes inspection on items required at each site, installation, and final inspections. This fee does not include plumbing or electrical service installation permits fees.	\$250.00
State Manufactured Dwelling and Cabana Installation Administrative Fee (per permit)	\$30.00
Other Manufactured Dwelling Inspections	
Inspections outside of normal business hours under special circumstances with pre-arrangement - Two Hour Minimum	\$100.00 per hour
Inspections for which no fee is specifically indicated- One Hour Minimum	\$65.00 per hour
Re-inspection fee	\$50.00 per inspection
Additional plan review required by changes, additions, or revisions to approved plans - One Hour Minimum	\$65.00 per hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Demolition Permits	
Structural Removal Flat Fee	\$50.00
Each Additional 1,000 sq. ft. or fraction thereof	\$15.00
Plumbing Fixture Capping Fee	\$20.00 per fixture
Electrical Disconnect - PPL Responsibility	N/A
Inspections for which no fee is specifically indicated - One Hour Minimum	\$65.00 per hour

**2020 City of Sweet Home
Fee Schedule
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Solar Installation Speciality Code	
Engineered Systems Permit Fees: Permit fees are based on the market value of the work to be	
See Structural Permit Fee valuation table for Permit Fee	
Prescriptive Path Installations: As per the Oregon Solar Installation Specialty Code 305.4 (Includes plan review and one inspection)	\$150.00
Plan Review for Engineered Systems	65% of Permit Fee
Inspections of Prescriptive Path Installations (after the first inspection) One Hour Minimum	\$65.00 per Hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Grading Permits	
10 cubic yards or less	No fee
11 to 50 cubic yards	\$23.50
51 to 100 cubic yards	\$37.00
101 to 1,000 cubic yards	\$37.50 for the first 100 cubic yards, plus \$17.50 for each additional 1,000 cubic yards
1,001 to 10,000 cubic yards	\$194.50 for the first 1,000 cubic yards, plus \$14.50 for each additional 1,000 cubic yards
10,001 to 100,000 cubic yards	\$325 for the first 10,000 cubic yards, plus \$66.00 for each additional 10,000 cubic yards
100,001 cubic yards or more	\$919.00 for the first 100,000 cubic yards, plus \$36.50 for each additional 10,000 cubic yards
Grading Plan Review	
50 cubic yards or less	No fee
51 to 100 cubic yards	\$23.50
101 to 1,000 cubic yards	\$37.00
1,001 to 10,000 cubic yards	\$49.25
10,001 to 100,000 cubic yards	\$49.25 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards
100,001 to 200,000 cubic yards	\$269.75 for the first 100,000 cubic yards, plus \$13.25 for each additional 10,000 cubic yards
200,001 cubic yards or more	\$404.25 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof
Other Grading Inspections	
Inspections outside of normal business hours under special circumstances with pre-arrangement - Two Hour Minimum	\$100.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	\$65.00 per hour
Re-Inspection Fee	\$50.00
Additional plan review required by changes, additions, or revisions to approved plans - One Hour Minimum	\$65.00 per hour

**2020 City of Sweet Home
Fee Schedule
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Mechanical Permit Fees	
Residential Mechanical Permit	
Minimum Permit Fee	\$65.00
Installation/relocation forced air or gravity type furnace or burner, including attached ducts and vents, up to 100,000BTU	\$25.00
Installation/relocation forced air or gravity type furnace or burner, including attached ducts and vents, over 100,000BTU	\$30.00
Installation/relocation floor furnace	\$20.00
Installation/relocation suspended heater	\$20.00
Installation, relocation, or replacement of appliance vents not included in an appliance permit	\$15.00
Repair of, alteration of, or addition to each heating, refrigeration, cooling, absorption, or evaporative unit or system, including controls	\$20.00
Boiler or compressor up to 3 horsepower, or each absorption system up to 100,000 BTU/h	\$20.00
Boiler or compressor over 3 and up to 15 horsepower, or each absorption system over 100,000 and up to 500,000 BTU/h	\$25.00
Boiler or compressor over 15 and up to 30 horsepower, or each absorption system over 500,000 and up to 1,000,000 BTU/h	\$40.00
Boiler or compressor over 30 and up to 50 horsepower, over 500,000 and up to 1,750,000 BTU/h	\$55.00
Installation or relocation of each boiler or refrigeration compressor over 50 horsepower or absorption system over 1,750,000 BTU/h	\$55.00
Each air handling unit up to 10,000 cubic feet per minute, including attached ducts	\$15.00
Each air handling unit exceeding 10,000 cfm	\$25.00
Each evaporative cooler, other than portable types, air conditioning units and/or heat pumps	\$20.00
Each ventilation fan connected to a single duct	\$15.00
Each ventilation system which is not a portion of heating or air conditioning system authorized by permit	\$20.00
Installation of each hood served by mechanical exhaust, including ducts	\$20.00
Installation or relocation of each domestic type incinerator	\$20.00
Each appliance or piece of equipment regulation by this code, but not classed in other applicant categories, or no other fee is listed.	\$20.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Fuel piping system with 1 to 4 outlets	\$20.00
Fuel piping system with 5 or more outlets	\$5.00 per outlet
Other Mechanical Inspections	
Mechanical Plan Review – Residential	25% of Residential Mechanical Permit Fee
Inspections outside of normal business hours (Two Hour Minimum)	\$100.00 per/hour
Inspections for which no fee is specifically indicated (One Hour Minimum)	\$65.00 per hour
Reinspection fee	\$50.00 per inspection
Additional plan review required by changes, additions, or revisions to approved plans (One Hour Minimum)	\$65.00 per hour
Mechanical Investigation Fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fees - \$100.00 Minimum.
Commercial Mechanical Permit Fees	
Total Valuation \$1.00 to \$2,000.00	\$65.00
Total Valuation \$2,001.00 to \$25,000.00	\$65.00 for the first \$2,000 plus \$11.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
Total Valuation \$25,001.00 to \$50,000.00	\$318.00 for the first \$25,000 plus \$9.00 for each additional \$1,000, or fraction thereof, to and including \$50,000
Total Valuation \$50,001.00 to \$100,000.00	\$543.00 for the first \$50,000 plus \$6.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
Total Valuation \$100,001.00 and up	\$843.00 for the first \$100,000 plus \$4.00 for each additional \$1,000, or fraction thereof
Other Commercial Mechanical Inspection	
Mechanical Plan Review – Commercial	25% of the Commercial Mechanical permit fee
Reinspection Fee	\$50.00 per inspection
Inspections outside of normal business hours - Two Hour Minimum	\$100.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	\$65.00 per hour
Additional Plan Review required by changes, additions, or revisions to the approved plans - One Hour Minimum	\$65.00 per hour
Mechanical Investigation Fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fees - \$100 Minimum

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Plumbing Permits	
Residential Plumbing Permit Fees	
Minimum Permit Fee	\$90.00
Plan Review, if required	30% of permit fee
Water Service/Building Sewer/Storm Sewer	
Water service – first 100 feet or fraction thereof	\$50.00
Water service – each additional 100 feet of fraction thereof	\$30.00
Sanitary sewer – first 100 feet or fraction thereof	\$50.00
Sanitary sewer – each additional 100 feet of fraction thereof	\$30.00
Storm sewer (includes rain drain and footing) – first 100 feet of fraction thereof	\$50.00
Storm sewer (includes rain drain and footing) – each additional 100 feet of fraction thereof	\$30.00
New One- and Two-Family Dwellings	
Includes one kitchen, first 100 feet of water and sewer, hose bibs, ice maker, underfloor low-point drains, and rain-drain packages (including piping, gutters, downspouts and perimeter system)	
1 Bath	\$260.00
2 Bath	\$320.00
3 Bath	\$370.00
Each additional bathroom in addition to 3	\$80.00
Each additional kitchen in addition to 1	\$80.00
Fixture Fee	\$20.00
Backflow preventer / Backwater Valve	\$40.00
One- and Two-Family Continuous Loop/Multipurpose Fire Suppression System Permit as noted in OAR 918-050-0140	
0 - 2000 square feet	\$100.00
2001 - 3600 square feet	\$150.00
3601 - 7,200 square feet	\$200.00
Over 7,200 square feet	\$250.00
Manufactured Homes Utilities– sewer collection and water distribution	\$110.00
Commercial Plumbing Permit	
Commercial, Industrial,	
Minimum Fee	\$150.00
Site Utilities for Water / Sanitary / Storm Sewer (exterior of foundation) trench drains (length of pipe):	
First 100 feet or fraction thereof	\$80.00
Each additional 100 feet of fraction thereof	\$40.00
Storm water retention / detention tank / facility – Flat Fee	\$80.00
Pressure reducing valve	\$25.00
Fixture cap	\$25.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Man holes	\$25.00
Catch basin or area drain	\$25.00
Absorption valve	\$25.00
Bath tub/shower/shower pan	\$25.00
Clothes washer	\$25.00
Dishwasher	\$25.00
Drinking fountain	\$25.00
Expansion tank	\$25.00
Fixture cap	\$25.00
Floor or roof drain / floor sink / hub	\$25.00
Garbage disposal	\$25.00
Hose Bib	\$25.00
Ice maker	\$25.00
Interceptor / grease trap	\$25.00
Laundry tray	\$25.00
Sink / basin / lavatory	\$25.00
Trap primer	\$25.00
Water closet / urinal	\$25.00
Water heater	\$25.00
Other fixture	\$25.00
Backflow Preventer/Backflow Valve	\$80.00
Plan Review, if required	30% of Permit Fee
Manufactured Dwelling Parks / RV Parks – Per Space/Site Fee	\$70.00
Medical Gas Piping – Fee based upon value (Plan Review Required)	
Valuation \$1.00 - \$2,000.00	\$75.00
Valuation \$2,001.00 - \$25,000.00	\$75.00 for first \$2000.00 + \$12.00 for each additional \$1,000 or fraction thereof, to and including \$25,000.00
Valuation \$25,001.00 - \$50,000.00	\$351.00 for first \$25,000 + \$10.00 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
Valuation \$50,001.00 - \$100,000.00	\$601.00 for first \$50,000 + \$6.00 for each additional \$1,000 or fraction thereof, to and including \$100,000.00
Valuation \$100,000.00 and up	\$901.00 for first \$100,000 + \$4.00 for each additional \$1,000 or fraction thereof
Other Plumbing Inspection – Residential & Commercial	
Re-inspections	\$90.00 per inspection
Inspections outside of normal business hours - Under special circumstances with pre-arrangement - Three Hour Minimum	\$160.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	\$90.00 per hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Additional Plan Review required by changes, additions, or revisions to the approved plans. One Hour Minimum	\$90.00 per hour
Plumbing Investigation Fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fee - \$100 Minimum

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Manufactured Home and Mobile Home/RV Parks [1] OAR 918-600-0030	
Valuation \$1.00 to \$500.00	\$15.00
Valuation \$501.00 to \$2,000.00	\$15.00 for first \$500 plus \$2.00 for each additional \$100 or fraction thereof, to and including \$2,000
Valuation \$2,001.00 to \$25,000.00	\$45.00 for first \$2,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$25,000
Valuation \$25,001.00 to \$50,000.00	\$252.00 for first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
Valuation \$50,001.00 to \$100,000.00	\$414.50 for first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
Valuation \$100,001.00 to \$500,000.00	\$639.50 for first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
Valuation \$500,001.00 to \$1,000,000.00	\$2,039.50 for first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
Valuation of \$1,000,001.00 and up	\$3,539.50 for first \$1,000 plus \$2 for each additional \$1,000 or fraction thereof
Other Inspections	
Re-inspection Fee	\$50.00 per inspection
Inspections outside of normal business hours - Two Hour Minimum	\$50.00 per hour
Inspections for which no fee is specifically indicated - One-Half Hour Minimum	\$50.00 per hour
Additional Plan Review required by changes, additions, or revisions to the approved plans - One-Half Hour Minimum	\$50.00 per hour
Consultation Fee - One Hour Minimum	\$30.00 per hour

[1] This permit does not include permits or related fees for park facilities constructed under building, mechanical, plumbing, electrical or manufactured dwelling placement permits.

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

**Manufactured Dwelling / Mobile Home / RV Park Valuation Table
Table 2**

Space per Acre

Park Class	4	5	6	7	8	9	10	11	12
A	5,901	5,517	5,197	4,941	4,685	4,493	4,365	4,301	4,237
B	5,504	5,120	4,800	4,544	4,288	4,096	3,968	3,904	3,804
C	5,312	5,028	4,608	4,352	4,269	3,904	3,776	3,712	3,648

Class A = parks contain paved streets curbs & sidewalks

Class B = parks contain paved streets no curbs no sidewalks

Class C = parks contain no paved streets, no curbs but have sidewalks on one side or each street

When a park contains spaces in more than one class, figure the spaces in each class; then add them together to obtain the total valuation of the park.

Plan Review fee is 65% of permit fee.

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

POLICE DEPARTMENT FEES	
Photo Copies	.25 per side
Public Fingerprinting Services (Two Cards)	
Residents	\$20.00
Non-Residents	\$30.00
Bicycle License per bicycle – current owner	\$2.00
Peddler License Applications	\$25.00
False Alarm Fees	
1st and 2nd Alarm	No Charge
3rd and 4th Alarm	\$25.00
5th and 6th Alarm	\$50.00
7th + Alarm	\$100.00
Reports and Recordings	
Research Fee per unknown case number	\$10.00
Archived Reports prior to 2001 or reports requiring redaction of confidential information:	Actual Staff Costs – 1 hour minimum Applicable reproduction cost
Incident Reports (up to 25 pages)	\$10.00
Additional pages	\$0.50
Report postage minimum up to 10 pages	\$3.00
Additional pages	.10/each
Evidence Recording (digital audio)	
Digital Audio	\$30.00
Video (minimum up to 2 hours maximum)	\$50.00
Each additional 2 hours	\$50.00
Recording postage per CD/DVD	\$5.00
Evidence Photographs	
Film converted to digital	\$50.00
	\$25.00
Photos per case CD/DVD or sent electronically	
Digital printed photos per sheet (max 4/sheet)	\$10.00
Photograph Postage	
Postage per photo CD	\$5.00
Postage min to 10 printed pages	\$5.00
Per pages after 10	\$0.10
Record Checks	
Letters of Clearance (per individual)	\$15.00
Location/Person overview per individual	\$10.00
Postage for records checks minimum to 10 pages	\$2.00
Per page after 10	\$0.10
License Investigations	
Second Hand Dealer License Processing	\$20.00
Texas Hold-Em License (annual)	\$200.00
Social Games	\$25.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

LIBRARY SERVICES FEES	
Photocopies (self service)	
Black and white 8.5 X 11	.15 per side
Color 8.5x11	.50 per side
Overdue Library Materials	
Books, Magazines, Books on CDs per item per day	.10 (maximum 3.00/item)
Videos, DVD's, per item/per day	1.00 (maximum 5.00/item)
Out of City Library Card	
Per household and/or single card per year issued	\$35.00
Lost/Destroyed Library Materials	Actual replacement cost plus 5.00 processing fee

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

FINANCE DEPARTMENT	
Miscellaneous Service and Research Fees	
Budget Document (bound copy) Available online	\$15.00
Audit/CAFR Document (bound copy) Available online	\$15.00
Municipal Lien Search Fee per Tax Lot	\$25.00
Reconveyance Fee	\$160.00
Packaging, Mailing and Postage	Actual Costs
Passport Processing Fees/each	\$35.00
Passport Photographs – 1 set of two	\$15.00

Water Service Fees	
Reinstating Water Service	\$40.00
Turning water service on that has been turned off without permit	\$40.00
Turning off and turning on water service after hours	\$40.00
Turning off and turning on water service during regular hours	\$20.00
Re-reading the water meter at request of the user	\$20.00
Reinstallation of water meters at the request of the user	~~\$125~~ \$200
Vacationers' water on/off	20.00 each visit
Tampering with a water meter	\$250.00
Utility Account Deposit	\$150.00
Temporary Water Service Fee	\$40.00
Late fee for delinquent accounts	5.00/per month
Interest rate on outstanding delinquent account balance including all interest, service charges, or other relevant fees/charges	1.5%/per month
Refunds will not be made for amounts less than	\$10.00

User Rates for City Storm Drainage System	
Customer Charge Equivalent Dwelling Unit (3,200 sq. ft)	\$0.20
Commodity Charge EDU	\$0.80

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

PUBLIC WORKS FEES	
PW Permit Fees	
Basic Right-of-Way Permit (includes sidewalk reconstruction/repair, sidewalk new construction behind existing curb, tree removal, and heavy haul routes; fee doubles upon incurred damage).	\$60.00
Recording of Easements and Improvement Agreements. (Not subject to basic permit fee if no other right-of-way work being done.)	Linn Co. Fee + 10.00 administrative fee
Utility Franchise Permit: fees governed by individual Utility Franchise Agreements.	
Service Connections Inspection Fees (Typical of Residential & Small Commercial Construction)	
Driveway Access (new/widen/reconstruction):	\$30.00
Driveway Culvert (new/extension)	\$20.00
Sewer lateral connection to main	\$30.00
Storm drainage connection to curb, main, or channel	\$10.00
Connection to City Water System when installed by contractor	\$60.00
Infrastructure Inspection Fees (Typical of Subdivision and Large Commercial Construction)	
"1000 lf incr" means per 1000 linear feet increment	
Half Street Improvements	100.00 per 1000 lf incr
Full Street Improvements	350.00 per 1000 lf incr
Storm Sewer Mainline (new or extended)	60.00 per 1000 lf incr
Sanitary Sewer Mainline (new or extended)	150.00 per 1000 lf incr
Water Mainline (new or extended), Private Fire Supply Line or Service which requires public testing	300.00 per 1000 lf incr
Stormwater Management - Water Quality / Detention / Retention / Open Channel / Swale	\$60.00
Development Plan Review up to 5 hours	\$350.00
Development Plan Review over 5 hours	60.00/hr
Erosion Control Plan Review	
Parcel 10,000 sq. ft to 43,559 sq. ft (1 Acre)	\$50.00
Over 1 Acre w/o Erosion Control Certificate	\$75.00
Industrial Waste Pretreatment	
Discharge Application Review	\$100.00
Discharge Permit	\$100.00
Monitoring & Inspection	Cost or 30.00 min
Response to Accidental Discharge	Cost or 30.00 min
Filing Appeals	Cost or 30.00 min
Administration for Abatement Procedures	\$25.00
Bulk Water Service Fees	
Hydrant Meter Deposit (refundable)	\$1,650.00
Bulk Water Permit Base Fee	40.00 inside City
	60.00 outside City

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Bulk Water Commodity Fee	See Bulk user rate as per Water Utility Fees resolution
System Development Charges and Utility Assessments	
Water SDC, ¾" meter	\$1,215.00
Water SDC, 1" meter	\$2,574.00
Water SDC, 1.5" meter	\$9,665.00
Water SDC, 2" meter	\$18,374.00
Water SDC, 3" meter	\$34,052.00
Water SDC, 4" meter	\$55,076.00
Water SDC, 6" meter	\$89,685.00
Sanitary Sewer SDC, based on ¾" water meter	\$624.00
Sanitary Sewer SDC, based on 1" water meter	\$1,322.00
Sanitary Sewer SDC, based on 1.5" water meter	\$4,965.00
Sanitary Sewer SDC, based on 2" water meter	\$9,439.00
Sanitary Sewer SDC, based on 3" water meter	\$17,494.00
Sanitary Sewer SDC, based on 4" water meter	\$28,295.00
Sanitary Sewer SDC, based on 6" water meter	\$46,074.00
Foster Midway Sewer Assessment	\$900.00
Fed Fund EPA #C-410432-02-2 or EDA #07-51-23386	
Transportation SDC	\$0.00
Stormwater SDC	\$0.00
Parks SDC	\$0.00
Water Service Site Installation by City	
Water Service Installation by City, 3/4" Meter, through Asphalt/Concrete	\$2,500.00
Water Service Installation by City, 3/4" Meter, through Gravel/Soil	\$2,100.00
Water Service Installation by City, 1" Meter, through Asphalt/Concrete	\$2,600.00
Water Service Installation by City, 1" Meter, through Gravel/Soil	\$2,200.00
Water Service Installation by City, 1.5" Meter, through Asphalt/Concrete	\$2,800.00
Water Service Installation by City, 1.5" Meter, through Gravel/Soil	\$2,500.00
Water Service Installation by City, 2" and larger Meter & Service	Project Specific w/ Const.
Water Service Installation by City, Custom Non-standard Installation, various meter sizes	Time and Materials

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Engineering Document Plan Copies	
Size	Paper/Photo
18 X 24	2.50/5.00
24 X 36	4.00/8.00
36 X 48	8.00/16.00
Electronic Data Files.	
GIS Aerial Photographs, .SID or .TIF	20.00 / per image (1/4) section
GIS Attributed Vector Data, .SHP	20.00/per layer
AutoCAD Electronic Data Files, .DWG or .DWF	20.00/per requested area
Custom map work in increments of 1/4 hour, subject to staff availability	60.00/hour + printing fees

RESOLUTION NO. 9 FOR 2020

A RESOLUTION TO SET PUBLIC INFORMATION, RECORDS, RESEARCH, SERVICE AND MISCELLANEOUS FEES.

WHEREAS, except as otherwise prescribed by law, the City Council deems it desirable to establish fees which are reflective of actual staff and material costs for copying reports, documents and other items specifically requested by the general public; and

WHEREAS, except as otherwise prescribed by law, the City Council deems it desirable to establish fees which are reflective of actual staff and material costs for City Staff performing research and other miscellaneous tasks specifically requested by the general public; and

WHEREAS, except as otherwise prescribed by law, the City Council deems it desirable to establish fees which are reflective of actual staff and material costs for City Staff providing certain services specifically requested by the general public; and

WHEREAS, the application of these fees shall not apply to City sponsored public information meetings or City initiated information distribution.

NOW, THEREFORE, the City Council resolves that the following fees shown in Exhibit 1 are hereby established and made effective immediately:

If items are not covered in this resolution, the City Manager is authorized to set a temporary fee until it can be approved by City Council.

It has been determined that these rates and fees are classified as not being subject to Oregon Constitution, Article XI, Section 11b limitations.

This Resolution replaces and supersedes Resolution No. 7 for 2019.

This Resolution shall be effective April 28, 2020.

PASSED by the Council and approved by the Mayor, this 28th day of April, 2020.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



2020
FEE
SCHEDULE

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

GENERAL FEES	
Photocopies Black and white 8.5 X 11	.25 per side
Color 8.5 X 11	.50 per side
Black and white 11 x 17	.50 per side
Color 11 x 17	1.00 per side
Fax – local only	.25 per page
Public Meeting Records – Audio CD	5.00 each
Packaging, Mailing and Postage	Actual Costs
Returned Check Fee	\$35.00
Recording Fees – Recording of Easements, Improvement Agreements and Liens	Current Linn County recording fees PLUS \$10.00 administrative fee

City Recorder	
Filing Fee for declaration of candidacy for an elective position	\$10.00
Annual Subscription Mailed - City Council Packet	\$240.00
Annual Subscription Mailed - City Council Agenda	\$24.00
Annual Subscription Mailed - All Public Meeting Agendas	\$36.00
Liquor License	
Liquor License, New	\$100.00
Liquor License, Temporary Sales	\$35.00
Liquor License, Change of Ownership, Additional Privileges	\$75.00
Liquor License, Renewal	\$35.00
Hero Banner	\$100.00
Veteran's Memorial Brick	\$25 Paver \$35 Paver with Logo

Taxi License Fee	\$25.00 First Vehicle, \$10.00 Each Vehicle Thereafter, fees for the remainder of the year.
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FACILITY RENTAL FEES			
	Conference Rooms		
HOURLY FEES	Ames	Santiam	Wiley
During Operating Hours			
Government & Non-Profit Groups	\$10/hr	\$15/hr	\$20/hr
Public Groups	\$15/hr	\$20/hr	\$25/hr
Private Groups	\$20/hr	\$25/hr	\$30/hr
During Hours of Closure			
Government & Non-Profit Groups	\$20/hr	\$30/hr	\$40/hr
Public Groups	\$30/hr	\$40/hr	\$50/hr
Private Groups	\$40/hr	\$50/hr	\$60/hr
EQUIPMENT RENTAL RATES			
AV/IT System	\$20	\$20	\$20
Tables and Chairs	<i>Included</i>	<i>Included</i>	<i>Included</i>
Keruig Coffee Machine & Pods (15 gue	\$10	\$10	\$10
PA System	\$20	\$20	\$20
OTHER FEES AND DEPOSITS			
Non-Refundable Fee (After Hour Use)	\$50	\$50	\$50
Refundable Deposit for Non-profit, Govt & Public Groups	\$100	\$100	\$100
Refundable Deposit for Private Groups / Businesses	\$150	\$150	\$150
Refundable Key Deposit	\$200	\$200	\$200
Non-Refundable Cleaning Fee	<i>Included</i>	<i>Included</i>	<i>Included</i>

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

COMMUNITY DEVELOPMENT FEES	
Packaging, Mailing and Postage	Actual Costs
Annexation & Rezone	\$1,545.00
Appeal	\$610.00
Comprehensive Plan Amendment	\$1,470.00 (plus notice costs)
Conditional Use (Public Hearing)	\$615.00
Development Plan Review	\$75.00
Fence Permit	\$20.00
Land Use Compatibility Statement Sign-Off	\$35.00
Measure 56 Mailing	Actual Notice Costs
Compensation Claim Appeal SHMC 03.30.150	Initial Deposit \$1,000.00. Balance in Excess of Actual Cost to be Refunded
Open Storage Permit	Non Refundable Fee of Zero Dollars Per Year
Ordinance Legal Interpretation	\$155.00
Other Land Use Decisions	Cost of Service (\$150 deposit)
Partition	\$315.00
Planned Development	\$1,000.00
Planning Research and Letters	\$60.00/hr.(1 hour minimum)
Property Line Adjustment	\$160.00
Property Line Adjustment Replat	\$200.00
Secondary applications file concurrently	50% of regular fee
Subdivision – Tentative and Final	925.00 + \$20.00 per lot
Vacation of Right of Way	\$1,030.00
Variance (Public Hearing)	\$590.00
Zone Map Amendment	\$1,030.00
Zone Text Amendment	\$1,030.00
Temporary Recreation Vehicle Occupancy Permit	
See Resolution No. 3 for 2014	
0-7 days per rolling twelve (12) month period	No permit or permit fee required
1-15 days per rolling twelve (12) month period	\$50.00 - Permit Required
Permit extension for period of time greater than that stated in the original permit not to exceed sixty (60) days based on a rolling twelve (12) month period	\$35.00 - Permit Required
1-60 days per rolling twelve (12) month period	\$85.00 - Permit Required

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Park/Facility Use Processing Fees	
Racquetball Court City Resident Individual	\$50.00/year
Racquetball Court City Resident Household	\$75.00/year
Racquetball Court Non-City Resident Individual	\$75.00/year
Racquetball Court Non-City Resident Household	\$100.00/year
Racquetball Court Employee Only	No Fee
Racquetball Court Employee Household	\$25.00/year
Bandstand	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Outdoor Event Center	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Gazebo	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Girl Scout Hut	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Weddle Bridge	\$15.00/hour or \$100.00 maximum \$100.00 refundable deposit
Equipment Rental	
Items described below are subject to availability. A 24-hour notice is required before pick-up. Two-day maximum rental.	
Table	\$5.00/table \$100.00 refundable deposit Replacement cost \$60.00
Chairs	\$1.00/chair \$100.00 refundable deposit Replacement cost \$35.00
2' Fold Up Barricade	\$3.00/ Barricade Replacement cost \$35.00
2' Fold Up Plastic Barricades	\$3.00/Barricade Replacement Cost \$48.00
8' Barricade	\$3.00/Barricade Replacement Cost \$97.00
Small Barricade – “No Park”	\$3.00/Barricade Replacement Cost \$40.00
Photo Cell Battery Light	\$3.00/Light Replacement Cost \$40.00
18” Traffic Cones	\$3.00/Cone Replacement Cost \$15.00
28” Traffic Cones with Reflective Strip	\$3.00/Cone Replacement Cost \$20.00
Construction Signs with Sign Holders	\$10.00/Sign Replacement Cost \$165.00 set

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Slow/Stop Paddle	\$3.00/Each Replacement Cost \$30.00
Slow/Stop Paddle with 30" Handle	\$5.00/Each Replacement Cost \$38.00
Slow/Stop Paddle with 60" Handle	\$5.00/Each Replacement Cost \$21.00
Hydrant Wrench	\$5.00/Each Replacement Cost \$35.00
Safety Vests	Replacement Cost \$12.00 each

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

BUILDING PERMIT FEES	
Structural Permits	
Building Permit Fees: Permit fees are based on the value of construction as per the most current ICC Building Valuation Table.	
Total Value 1.00 to 500.00	\$50.00
Total Value 501.00 to 2,000.00	50.00 for the first 500.00 plus 2.52 for each additional 100.00 or fraction thereof, to and including 2,000.00
Total Value 2,001.00 to 25,000.00	87.80 for the first 2,000.00 plus 10.08 for each additional 100.00 or fraction thereof, to and including 25,000.00
Total Value 25,001.00 to 50,000.00	319.64 for the first 25,000.00 plus 7.56 for each additional 1,000.00 or fraction thereof, to and including 50,000.00
Total Value 50,001 to 100,000.00	508.64 for the first 50,000.00 plus 5.04 for each additional 1,000.00 or fraction thereof, to and including 100,000.00
Total Value 100,001.00 and up	760.64 for the first 100,000.00 plus 4.00 for each additional 1,000.00 or fraction thereof
Residential - One and Two Family, stand alone, Fire Suppresion System - as noted in OAR 918-050-0140 Use Structural Permit Fee valuation table above for Commercial Fire Suppression System permit fees	
0 – 2,000 square feet	\$100.00
2,001 – 3,600 square feet	\$150.00
3,601 – 7,200 square feet	\$200.00
Over 7,200 square feet	\$250.00
Other Structural Inspections	
Plan Review Fee	65% of the Building Permit Fee
Fire, Life, Safety Review	40% of the Building Permit Fee
Inspections outside of normal business hours under special circumstances with pre-arrangement - Two Hour Minimum	100.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	65.00 per hour
Re-Inspection Fee	50.00 per inspection
Additional Plan Review required by changes, additions, or revisions to approved plans - One Hour Minimum	65.00 per hour
Deferred Plans Submittal – Portions of a building design are allowed to be submitted separately. Does not apply to deferred permits. In addition to the project plan review fee based on total project value.	65% of the building permit fee calculated using the value of the particular deferred portion or portions of the project with a minimum fee of 250.00 per deferral. Deferrals are defined by Plan Review Staff
Structural Investigation Fee: In addition to the permit fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fees \$100.00 Minimum

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Phased Permitting – Allows construction to begin on a portion or portions of a building before the construction	
Single family dwellings and duplexes – in addition to standard permit fees	\$150.00 application fee per phase plus 10% of the total building permit fee not to exceed \$1,500.00
All other structures – in addition to standard permit fees	\$250.00 application fee per phase plus 10% of the total building permit fee not to exceed \$1,500.00.
3rd Party Plan Review per OAR 918-020-0090(3)(E) (customer contracted) – Administrative processing fee	10% of the building permit fee, maximum fee of \$250.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Manufactured Dwelling Permits	
Manufactured Dwelling Placement Fee: per installation (fee includes the concrete slab, runners or foundations, electrical feeder and plumbing connections and all cross-over connections, OAR 918-050-0130(1) - Fee includes inspection on items required at each site, installation, and final inspections. This fee does not include plumbing or electrical service installation permits fees.	\$250.00
State Manufactured Dwelling and Cabana Installation Administrative Fee (per permit)	\$30.00
Other Manufactured Dwelling Inspections	
Inspections outside of normal business hours under special circumstances with pre-arrangement - Two Hour Minimum	\$100.00 per hour
Inspections for which no fee is specifically indicated- One Hour Minimum	\$65.00 per hour
Re-inspection fee	\$50.00 per inspection
Additional plan review required by changes, additions, or revisions to approved plans - One Hour Minimum	\$65.00 per hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Demolition Permits	
Structural Removal Flat Fee	\$50.00
Each Additional 1,000 sq. ft. or fraction thereof	\$15.00
Plumbing Fixture Capping Fee	\$20.00 per fixture
Electrical Disconnect - PPL Responsibility	N/A
Inspections for which no fee is specifically indicated - One Hour Minimum	\$65.00 per hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Solar Installation Speciality Code	
Engineered Systems Permit Fees: Permit fees are based on the market value of the work to be	
See Structural Permit Fee valuation table for Permit Fee	
Prescriptive Path Installations: As per the Oregon Solar Installation Specialty Code 305.4 (Includes plan review and one inspection)	\$150.00
Plan Review for Engineered Systems	65% of Permit Fee
Inspections of Prescriptive Path Installations (after the first inspection) One Hour Minimum	\$65.00 per Hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Grading Permits	
10 cubic yards or less	No fee
11 to 50 cubic yards	\$23.50
51 to 100 cubic yards	\$37.00
101 to 1,000 cubic yards	\$37.50 for the first 100 cubic yards, plus \$17.50 for each additional 1,000 cubic yards
1,001 to 10,000 cubic yards	\$194.50 for the first 1,000 cubic yards, plus \$14.50 for each additional 1,000 cubic yards
10,001 to 100,000 cubic yards	\$325 for the first 10,000 cubic yards, plus \$66.00 for each additional 10,000 cubic yards
100,001 cubic yards or more	\$919.00 for the first 100,000 cubic yards, plus \$36.50 for each additional 10,000 cubic yards
Grading Plan Review	
50 cubic yards or less	No fee
51 to 100 cubic yards	\$23.50
101 to 1,000 cubic yards	\$37.00
1,001 to 10,000 cubic yards	\$49.25
10,001 to 100,000 cubic yards	\$49.25 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards
100,001 to 200,000 cubic yards	\$269.75 for the first 100,000 cubic yards, plus \$13.25 for each additional 10,000 cubic yards
200,001 cubic yards or more	\$404.25 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof
Other Grading Inspections	
Inspections outside of normal business hours under special circumstances with pre-arrangement - Two Hour Minimum	\$100.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	\$65.00 per hour
Re-Inspection Fee	\$50.00
Additional plan review required by changes, additions, or revisions to approved plans - One Hour Minimum	\$65.00 per hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Mechanical Permit Fees	
Residential Mechanical Permit	
Minimum Permit Fee	\$65.00
Installation/relocation forced air or gravity type furnace or burner, including attached ducts and vents, up to 100,000BTU	\$25.00
Installation/relocation forced air or gravity type furnace or burner, including attached ducts and vents, over 100,000BTU	\$30.00
Installation/relocation floor furnace	\$20.00
Installation/relocation suspended heater	\$20.00
Installation, relocation, or replacement of appliance vents not included in an appliance permit	\$15.00
Repair of, alteration of, or addition to each heating, refrigeration, cooling, absorption, or evaporative unit or system, including controls	\$20.00
Boiler or compressor up to 3 horsepower, or each absorption system up to 100,000 BTU/h	\$20.00
Boiler or compressor over 3 and up to 15 horsepower, or each absorption system over 100,000 and up to 500,000 BTU/h	\$25.00
Boiler or compressor over 15 and up to 30 horsepower, or each absorption system over 500,000 and up to 1,000,000 BTU/h	\$40.00
Boiler or compressor over 30 and up to 50 horsepower, over 500,000 and up to 1,750,000 BTU/h	\$55.00
Installation or relocation of each boiler or refrigeration compressor over 50 horsepower or absorption system over 1,750,000 BTU/h	\$55.00
Each air handling unit up to 10,000 cubic feet per minute, including attached ducts	\$15.00
Each air handling unit exceeding 10,000 cfm	\$25.00
Each evaporative cooler, other than portable types, air conditioning units and/or heat pumps	\$20.00
Each ventilation fan connected to a single duct	\$15.00
Each ventilation system which is not a portion of heating or air conditioning system authorized by permit	\$20.00
Installation of each hood served by mechanical exhaust, including ducts	\$20.00
Installation or relocation of each domestic type incinerator	\$20.00
Each appliance or piece of equipment regulation by this code, but not classed in other applicant categories, or no other fee is listed.	\$20.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Fuel piping system with 1 to 4 outlets	\$20.00
Fuel piping system with 5 or more outlets	\$5.00 per outlet
Other Mechanical Inspections	
Mechanical Plan Review – Residential	25% of Residential Mechanical Permit Fee
Inspections outside of normal business hours (Two Hour Minimum)	\$100.00 per/hour
Inspections for which no fee is specifically indicated (One Hour Minimum)	\$65.00 per hour
Reinspection fee	\$50.00 per inspection
Additional plan review required by changes, additions, or revisions to approved plans (One Hour Minimum)	\$65.00 per hour
Mechanical Investigation Fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fees - \$100.00 Minimum.
Commercial Mechanical Permit Fees	
Total Valuation \$1.00 to \$2,000.00	\$65.00
Total Valuation \$2,001.00 to \$25,000.00	\$65.00 for the first \$2,000 plus \$11.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
Total Valuation \$25,001.00 to \$50,000.00	\$318.00 for the first \$25,000 plus \$9.00 for each additional \$1,000, or fraction thereof, to and including \$50,000
Total Valuation \$50,001.00 to \$100,000.00	\$543.00 for the first \$50,000 plus \$6.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
Total Valuation \$100,001.00 and up	\$843.00 for the first \$100,000 plus \$4.00 for each additional \$1,000, or fraction thereof
Other Commercial Mechanical Inspection	
Mechanical Plan Review – Commercial	25% of the Commercial Mechanical permit fee
Reinspection Fee	\$50.00 per inspection
Inspections outside of normal business hours - Two Hour Minimum	\$100.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	\$65.00 per hour
Additional Plan Review required by changes, additions, or revisions to the approved plans - One Hour Minimum	\$65.00 per hour
Mechanical Investigation Fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fees - \$100 Minimum

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Plumbing Permits	
Residential Plumbing Permit Fees	
Minimum Permit Fee	\$90.00
Plan Review, if required	30% of permit fee
Water Service/Building Sewer/Storm Sewer	
Water service – first 100 feet or fraction thereof	\$50.00
Water service – each additional 100 feet of fraction thereof	\$30.00
Sanitary sewer – first 100 feet or fraction thereof	\$50.00
Sanitary sewer – each additional 100 feet of fraction thereof	\$30.00
Storm sewer (includes rain drain and footing) – first 100 feet of fraction thereof	\$50.00
Storm sewer (includes rain drain and footing) – each additional 100 feet of fraction thereof	\$30.00
New One- and Two-Family Dwellings	
Includes one kitchen, first 100 feet of water and sewer, hose bibs, ice maker, underfloor low-point drains, and rain-drain packages (including piping, gutters, downspouts and perimeter system)	
1 Bath	\$260.00
2 Bath	\$320.00
3 Bath	\$370.00
Each additional bathroom in addition to 3	\$80.00
Each additional kitchen in addition to 1	\$80.00
Fixture Fee	\$20.00
Backflow preventer / Backwater Valve	\$40.00
One- and Two-Family Continuous Loop/Multipurpose Fire Suppression System Permit as noted in OAR 918-050-0140	
0 - 2000 square feet	\$100.00
2001 - 3600 square feet	\$150.00
3601 - 7,200 square feet	\$200.00
Over 7,200 square feet	\$250.00
Manufactured Homes Utilities– sewer collection and water distribution	\$110.00
Commercial Plumbing Permit	
Commercial, Industrial,	
Minimum Fee	\$150.00
Site Utilities for Water / Sanitary / Storm Sewer (exterior of foundation) trench drains (length of pipe):	
First 100 feet or fraction thereof	\$80.00
Each additional 100 feet of fraction thereof	\$40.00
Storm water retention / detention tank / facility – Flat Fee	\$80.00
Pressure reducing valve	\$25.00
Fixture cap	\$25.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Man holes	\$25.00
Catch basin or area drain	\$25.00
Absorption valve	\$25.00
Bath tub/shower/shower pan	\$25.00
Clothes washer	\$25.00
Dishwasher	\$25.00
Drinking fountain	\$25.00
Expansion tank	\$25.00
Fixture cap	\$25.00
Floor or roof drain / floor sink / hub	\$25.00
Garbage disposal	\$25.00
Hose Bib	\$25.00
Ice maker	\$25.00
Interceptor / grease trap	\$25.00
Laundry tray	\$25.00
Sink / basin / lavatory	\$25.00
Trap primer	\$25.00
Water closet / urinal	\$25.00
Water heater	\$25.00
Other fixture	\$25.00
Backflow Preventer/Backflow Valve	\$80.00
Plan Review, if required	30% of Permit Fee
Manufactured Dwelling Parks / RV Parks – Per Space/Site Fee	\$70.00
Medical Gas Piping – Fee based upon value (Plan Review Required)	
Valuation \$1.00 - \$2,000.00	\$75.00
Valuation \$2,001.00 - \$25,000.00	\$75.00 for first \$2000.00 + \$12.00 for each additional \$1,000 or fraction thereof, to and including \$25,000.00
Valuation \$25,001.00 - \$50,000.00	\$351.00 for first \$25,000 + \$10.00 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
Valuation \$50,001.00 - \$100,000.00	\$601.00 for first \$50,000 + \$6.00 for each additional \$1,000 or fraction thereof, to and including \$100,000.00
Valuation \$100,000.00 and up	\$901.00 for first \$100,000 + \$4.00 for each additional \$1,000 or fraction thereof
Other Plumbing Inspection – Residential & Commercial	
Re-inspections	\$90.00 per inspection
Inspections outside of normal business hours - Under special circumstances with pre-arrangement - Three Hour Minimum	\$160.00 per hour
Inspections for which no fee is specifically indicated - One Hour Minimum	\$90.00 per hour

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Additional Plan Review required by changes, additions, or revisions to the approved plans. One Hour Minimum	\$90.00 per hour
Plumbing Investigation Fee	Average or actual additional cost of ensuring compliance with this code and shall be in addition to required permit fee - \$100 Minimum

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Manufactured Home and Mobile Home/RV Parks [1] OAR 918-600-0030	
Valuation \$1.00 to \$500.00	\$15.00
Valuation \$501.00 to \$2,000.00	\$15.00 for first \$500 plus \$2.00 for each additional \$100 or fraction thereof, to and including \$2,000
Valuation \$2,001.00 to \$25,000.00	\$45.00 for first \$2,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$25,000
Valuation \$25,001.00 to \$50,000.00	\$252.00 for first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
Valuation \$50,001.00 to \$100,000.00	\$414.50 for first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
Valuation \$100,001.00 to \$500,000.00	\$639.50 for first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
Valuation \$500,001.00 to \$1,000,000.00	\$2,039.50 for first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
Valuation of \$1,000,001.00 and up	\$3,539.50 for first \$1,000 plus \$2 for each additional \$1,000 or fraction thereof
Other Inspections	
Re-inspection Fee	\$50.00 per inspection
Inspections outside of normal business hours - Two Hour Minimum	\$50.00 per hour
Inspections for which no fee is specifically indicated - One-Half Hour Minimum	\$50.00 per hour
Additional Plan Review required by changes, additions, or revisions to the approved plans - One-Half Hour Minimum	\$50.00 per hour
Consultation Fee - One Hour Minimum	\$30.00 per hour

[1] This permit does not include permits or related fees for park facilities constructed under building, mechanical, plumbing, electrical or manufactured dwelling placement permits.

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

**Manufactured Dwelling / Mobile Home / RV Park Valuation Table
Table 2**

Space per Acre

Park Class	4	5	6	7	8	9	10	11	12
A	5,901	5,517	5,197	4,941	4,685	4,493	4,365	4,301	4,237
B	5,504	5,120	4,800	4,544	4,288	4,096	3,968	3,904	3,804
C	5,312	5,028	4,608	4,352	4,269	3,904	3,776	3,712	3,648

Class A = parks contain paved streets curbs & sidewalks

Class B = parks contain paved streets no curbs no sidewalks

Class C = parks contain no paved streets, no curbs but have sidewalks on one side or each street

When a park contains spaces in more than one class, figure the spaces in each class; then add them together to obtain the total valuation of the park.

Plan Review fee is 65% of permit fee.

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

POLICE DEPARTMENT FEES	
Photo Copies	.25 per side
Public Fingerprinting Services (Two Cards)	
Residents	\$20.00
Non-Residents	\$30.00
Bicycle License per bicycle – current owner	\$2.00
Peddler License Applications	\$25.00
False Alarm Fees	
1st and 2nd Alarm	No Charge
3rd and 4th Alarm	\$25.00
5th and 6th Alarm	\$50.00
7th + Alarm	\$100.00
Reports and Recordings	
Research Fee per unknown case number	\$10.00
Archived Reports prior to 2001 or reports requiring redaction of confidential information:	Actual Staff Costs – 1 hour minimum Applicable reproduction cost
Incident Reports (up to 25 pages)	\$10.00
Additional pages	\$0.50
Report postage minimum up to 10 pages	\$3.00
Additional pages	.10/each
Evidence Recording (digital audio)	
Digital Audio	\$30.00
Video (minimum up to 2 hours maximum)	\$50.00
Each additional 2 hours	\$50.00
Recording postage per CD/DVD	\$5.00
Evidence Photographs	
Film converted to digital	\$50.00
	\$25.00
Photos per case CD/DVD or sent electronically	
Digital printed photos per sheet (max 4/sheet)	\$10.00
Photograph Postage	
Postage per photo CD	\$5.00
Postage min to 10 printed pages	\$5.00
Per pages after 10	\$0.10
Record Checks	
Letters of Clearance (per individual)	\$15.00
Location/Person overview per individual	\$10.00
Postage for records checks minimum to 10 pages	\$2.00
Per page after 10	\$0.10
License Investigations	
Second Hand Dealer License Processing	\$20.00
Texas Hold-Em License (annual)	\$200.00
Social Games	\$25.00

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

LIBRARY SERVICES FEES	
Photocopies (self service)	
Black and white 8.5 X 11	.15 per side
Color 8.5x11	.50 per side
Overdue Library Materials	
Books, Magazines, Books on CDs per item per day	.10 (maximum 3.00/item)
Videos, DVD's, per item/per day	1.00 (maximum 5.00/item)
Out of City Library Card	
Per household and/or single card per year issued	\$35.00
Lost/Destroyed Library Materials	Actual replacement cost plus 5.00 processing fee

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

FINANCE DEPARTMENT	
Miscellaneous Service and Research Fees	
Budget Document (bound copy) Available online	\$15.00
Audit/CAFR Document (bound copy) Available online	\$15.00
Municipal Lien Search Fee per Tax Lot	\$25.00
Reconveyance Fee	\$160.00
Packaging, Mailing and Postage	Actual Costs
Passport Processing Fees/each	\$35.00
Passport Photographs – 1 set of two	\$15.00

Water Service Fees	
Reinstating Water Service	\$40.00
Turning water service on that has been turned off without permit	\$40.00
Turning off and turning on water service after hours	\$40.00
Turning off and turning on water service during regular hours	\$20.00
Re-reading the water meter at request of the user	\$20.00
Reinstallation of water meters at the request of the user	\$200.00
Vacationers' water on/off	20.00 each visit
Tampering with a water meter	\$250.00
Utility Account Deposit	\$150.00
Temporary Water Service Fee	\$40.00
Late fee for delinquent accounts	5.00/per month
Interest rate on outstanding delinquent account balance including all interest, service charges, or other relevant fees/charges	1.5%/per month
Refunds will not be made for amounts less than	\$10.00

User Rates for City Storm Drainage System	
Customer Charge Equivalent Dwelling Unit (3,200 sq. ft)	\$0.20
Commodity Charge EDU	\$0.80

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

PUBLIC WORKS FEES	
PW Permit Fees	
Basic Right-of-Way Permit (includes sidewalk reconstruction/repair, sidewalk new construction behind existing curb, tree removal, and heavy haul routes; fee doubles upon incurred damage).	\$60.00
Recording of Easements and Improvement Agreements. (Not subject to basic permit fee if no other right-of-way work being done.)	Linn Co. Fee + 10.00 administrative fee
Utility Franchise Permit: fees governed by individual Utility Franchise Agreements.	
Service Connections Inspection Fees (Typical of Residential & Small Commercial Construction)	
Driveway Access (new/widen/reconstruction):	\$30.00
Driveway Culvert (new/extension)	\$20.00
Sewer lateral connection to main	\$30.00
Storm drainage connection to curb, main, or channel	\$10.00
Connection to City Water System when installed by contractor	\$60.00
Infrastructure Inspection Fees (Typical of Subdivision and Large Commercial Construction)	
"1000 lf incr" means per 1000 linear feet increment	
Half Street Improvements	100.00 per 1000 lf incr
Full Street Improvements	350.00 per 1000 lf incr
Storm Sewer Mainline (new or extended)	60.00 per 1000 lf incr
Sanitary Sewer Mainline (new or extended)	150.00 per 1000 lf incr
Water Mainline (new or extended), Private Fire Supply Line or Service which requires public testing	300.00 per 1000 lf incr
Stormwater Management - Water Quality / Detention / Retention / Open Channel / Swale	\$60.00
Development Plan Review up to 5 hours	\$350.00
Development Plan Review over 5 hours	60.00/hr
Erosion Control Plan Review	
Parcel 10,000 sq. ft to 43,559 sq. ft (1 Acre)	\$50.00
Over 1 Acre w/o Erosion Control Certificate	\$75.00
Industrial Waste Pretreatment	
Discharge Application Review	\$100.00
Discharge Permit	\$100.00
Monitoring & Inspection	Cost or 30.00 min
Response to Accidental Discharge	Cost or 30.00 min
Filing Appeals	Cost or 30.00 min
Administration for Abatement Procedures	\$25.00
Bulk Water Service Fees	
Hydrant Meter Deposit (refundable)	\$1,650.00
Bulk Water Permit Base Fee	40.00 inside City
	60.00 outside City

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Bulk Water Commodity Fee	See Bulk user rate as per Water Utility Fees resolution
System Development Charges and Utility Assessments	
Water SDC, ¾" meter	\$1,215.00
Water SDC, 1" meter	\$2,574.00
Water SDC, 1.5" meter	\$9,665.00
Water SDC, 2" meter	\$18,374.00
Water SDC, 3" meter	\$34,052.00
Water SDC, 4" meter	\$55,076.00
Water SDC, 6" meter	\$89,685.00
Sanitary Sewer SDC, based on ¾" water meter	\$624.00
Sanitary Sewer SDC, based on 1" water meter	\$1,322.00
Sanitary Sewer SDC, based on 1.5" water meter	\$4,965.00
Sanitary Sewer SDC, based on 2" water meter	\$9,439.00
Sanitary Sewer SDC, based on 3" water meter	\$17,494.00
Sanitary Sewer SDC, based on 4" water meter	\$28,295.00
Sanitary Sewer SDC, based on 6" water meter	\$46,074.00
Foster Midway Sewer Assessment	\$900.00
Fed Fund EPA #C-410432-02-2 or EDA #07-51-23386	
Transportation SDC	\$0.00
Stormwater SDC	\$0.00
Parks SDC	\$0.00
Water Service Site Installation by City	
Water Service Installation by City, 3/4" Meter, through Asphalt/Concrete	\$2,500.00
Water Service Installation by City, 3/4" Meter, through Gravel/Soil	\$2,100.00
Water Service Installation by City, 1" Meter, through Asphalt/Concrete	\$2,600.00
Water Service Installation by City, 1" Meter, through Gravel/Soil	\$2,200.00
Water Service Installation by City, 1.5" Meter, through Asphalt/Concrete	\$2,800.00
Water Service Installation by City, 1.5" Meter, through Gravel/Soil	\$2,500.00
Water Service Installation by City, 2" and larger Meter & Service	Project Specific w/ Const.
Water Service Installation by City, Custom Non-standard Installation, various meter sizes	Time and Materials

**2020 City of Sweet Home
Fee Schedule
Resolution No. 9 for 2020 - Exhibit 1**

Engineering Document Plan Copies	
Size	Paper/Photo
18 X 24	2.50/5.00
24 X 36	4.00/8.00
36 X 48	8.00/16.00
Electronic Data Files.	
GIS Aerial Photographs, .SID or .TIF	20.00 / per image (1/4) section
GIS Attributed Vector Data, .SHP	20.00/per layer
AutoCAD Electronic Data Files, .DWG or .DWF	20.00/per requested area
Custom map work in increments of 1/4 hour, subject to staff availability	60.00/hour + printing fees



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action - Local Improvement District Amendments

Preferred Agenda: April 28, 2020

Submitted By: City Attorney, Robert Snyder

Reviewed By: City Manager, Ray Towry

Type of Action: Resolution ____ Motion x Roll Call ____ Other ____

Relevant Code/Policy: Vision Statement III WE ASPIRE to provide viable and sustainable infrastructure

Towards Council Goal: Goal 2 section 1 Update and streamline

Attachments: Proposed Ordinance No. 6 for 2020 and SHMC Track Changes

Purpose of this RCA:

The purpose of this ordinance is to update [SHMC Chapter 3.16](#) pertaining to Local Improvement District (LID) procedures. A Local Improvement District is used by the city to help process the building and financing of improvements like water, sewer, streets etc. in a given area of Sweet Home and assessing each property in the area (district) benefited by the improvements.

Background/Context:

The City Council may have a LID before them to process in the near future. In reviewing the current [SHMC Chapter 3.16](#) setting forth the process for a LID some updates need to be looked at to see what the City wants for a LID. The proposed changes in the amendment ordinance presented herewith, are explained by Section as follows: (Please read the “track changes copy” of the current ordinance first to put the proposed amendments in context.)

Section 1. In [SHMC 3.16.010](#) the reference to “City Engineer” in the title is not needed since no City Engineer is referred to in the section. The word “survey” does not need to be in the ordinance since the city does not do an official survey in the LID (Local Improvement District) process but uses maps etc. to define the LID boundaries. In the section the reference to “lien” holder receiving notice like the owner would require the city to do title searches on each property which is not warranted. Unless the city does the lien search through a title company there is no guarantee that you will find the lien and if the city uses a title insurance company it will be costly. The code already requires notification to the owner of the property so that they can object to cost of the project if they think that is needed. I checked two other city codes and found that they only notify the owner in their LID process.

Section 2. In [SHMC 3.16.060 A](#) the removal of the words “and charge” has the Ordinance use the same words as the ORS.

Section 3. In [SHMC 3.16.060 B](#) the change is an update to match the current ORS.

Section 4. In [SHMC 3.16.100](#) the references to “having a lien” are to be removed on the same criteria as stated in Section 1 above for “lien” holder.

Section 5. In [SHMC 3.16.120](#), the last sentence of the section refers to a jury making a decision on an appeal. The fact is an appellant might choose to have the case decided by the Judge, so the amendment language reflexes both.

Section 6. In [SHMC 3.16.140](#) the reference to “and have deferred the sewer hookup charges and sanitary sewer systems development charges for sanitary sewer service to their residences.” in the section does not need to be in the code since it is in effect covered by the general reference to improvements referred to just before it in the same sentence. In talking with Joe, he thinks, the above specific words to the sewer were because when the LID ordinance was adopted that was the project that was then in the works.

Section 7. In [SHMC 3.16.160](#) first line of text refers to “charges” that have been deleted as referred to in Section 6.

Section 8. In [SHMC 3.16.160 C](#) the current code has a Senior Citizen deferral program that uses threshold numbers that have not been updated for a long time. I have checked nine cities and state law and none have in their LID sections a Senior Citizen deferral program. The Finance Director has comparable figures of \$18,210 for \$6,620 gross annual income; of \$24,462 for \$8,800 married couple and of \$1,100 for \$400 each dependent at today’s income levels.

Section 9. In [SHMC 3.16.170](#) the changes in this section are the same as in Section 6 referring to sewer charges that are not needed since general improvements are referred to in the same sentence.

Section 10. In [SHMC 3.16.180](#) the change is to remove the reference to “charges” since as stated above it has been removed and is covered by the reference to “assessment” therein.

Section 11. In [SHMC 3.16.190](#) the change is the same as Section 6 in regard to “charges” and the reference to “chapter” is changed to “Article II” because the section is referring to deferred assessments as set forth in said article.

Section 12. In [SHMC 3.16.200](#) the change is the same as Section 6 in regard to “charges.” and section 11 in regard to “Article II”.

The Challenge/Problem:

Should the city pass the proposed ordinance to update its LID code sections?

Stakeholders:

- **Property Owners:** The owners of properties in the LID area would have up to date figures to use for Senior Deferral status.
- **City Staff:** The City would be making its code reflect what process it is using to do a LID.

Issues and Financial Impacts:

There is a financial impact on deferring payments for Senior Citizens since repayment will not be made until a later specified pay off date.

Elements of a Stable Solution:

These proposed amendments reflect what the LID process is to entail and make the code reflect what the LID process is to be.

Options:

1. Do nothing. Leave the code as written.
2. Request staff to make additional revision. City Council to decide what amendments they want in the code, if any, and direct staff to revise the proposed ordinance.
3. Make a Motion to move Ordinance No. 6 for 2020 to first reading.

Recommendation:

Option 3: Make a Motion to move Ordinance No. 6 for 2020 to first reading.

CHAPTER 3.16: LOCAL IMPROVEMENT AND SPECIAL ASSESSMENTS

Section

Article I. Generally

[3.16.010](#) ~~City Report~~~~Report from City Engineer~~—Appointment of viewers—Recommendations.

[3.16.020](#) Notices—Objections and claims.

[3.16.030](#) Hearings—Estimated assessments—Increase in proposed assessments—Connection charge in lieu of assessment—Initiation of project.

[3.16.040](#) Assumption of portion of cost by city.

[3.16.050](#) Time of assessments—Assessment ordinance.

[3.16.060](#) Lien recording—Collection of assessments.

[3.16.070](#) Deficit assessment.

[3.16.080](#) Rebate.

[3.16.090](#) Abandonment of proceedings.

[3.16.100](#) Curative provisions.

[3.16.110](#) Bonding of improvements.

[3.16.120](#) Appeal.

[3.16.130](#) Reassessment—Appeals.

Article II. Senior Citizens

[3.16.140](#) Purpose.

[3.16.150](#) Definitions.

[3.16.160](#) Qualifications.

[3.16.170](#) Deferral of assessments, ~~and charges.~~

[3.16.180](#) Investigation of status of land.

[3.16.190](#) Assessment ~~and charges~~ to be a lien.

[3.16.200](#) Election.

ARTICLE I. GENERALLY

§ 3.16.010 CITY REPORT ~~REPORT FROM CITY ENGINEER~~—APPOINTMENT OF VIEWERS—RECOMMENDATIONS.

Whenever the Council shall deem it expedient to construct, alter, repair or improve any streets, sidewalks, curbing or gutter, or any sanitary sewer or storm drain, or to construct, alter, improve, repair or extend any water mains, lateral or other water pipe lines, or any other improvement provided for by O.R.S. 223.205, 223.387 and 223.805 to 223.880 and 223.930, for which it is anticipated special assessments will be levied, it shall direct the City Manager to have prepared a ~~survey and~~ plat of the project and a description of each lot, tract or parcel of land, or portion thereof, specially benefitted thereby, the description to be either a legal description or a reference to a recorded deed containing the legal description, with the name of the owner or owners and other persons who he or she may find to have any interest in ~~or lien upon~~ the property; a description of the boundaries of the district benefitted and to be assessed for the improvement, the description to be either a legal description or a map clearly showing the boundaries of the project district; and an estimate of the probable cost of the project, which estimate shall include legal, administrative and engineering costs attributable to the project. Thereupon, the City Council shall forthwith appoint, by resolution, three freeholders, who are qualified electors of the city, as viewers, who shall investigate the ~~survey, plat~~ and report and shall make recommendations to the Council with regard to the project together with a just estimated assessment of the benefits to the property that they determine to be specially benefitted by the project. The City Recorder shall act as Clerk for the viewers.
(Ord. 1036, § 2R, 1991; Ord. 505, § 1, 1966)

§ 3.16.020 NOTICES—OBJECTIONS AND CLAIMS.

After the filing of the viewers' report, the Recorder shall cause a notice to be published for a period of two successive publications in the city's official newspaper stating that the report is on file in his or her office subject to examination, giving the date when the same was filed, the estimated probable cost of the proposed improvement, a statement of the properties proposed to be assessed therefor and identifying the district, and notifying all persons interested to present their objections to the report, if any they have, and that the objections, if any there be, will be heard by the Council on a date specified in such notice, not less than ten days after the date of the first publication of the notice. Similar notices shall be sent to the owner of each parcel of property benefitted, the notices to be sent by registered or certified mail.

(Ord. 505, § 2, 1966)

§ 3.16.030 HEARINGS—ESTIMATED ASSESSMENTS—INCREASE IN PROPOSED ASSESSMENTS—CONNECTION CHARGE IN LIEU OF ASSESSMENT—INITIATION OF PROJECT.

After the public hearing and after hearing any objections, if the Council finds the viewers' report to be reasonable and just, it may, by ordinance, establish the improvement district and may direct and order the work to be done. If it appears to the Council that the estimated benefits assessed are unreasonable, unjust or improper in any respect, it shall make what it may deem to be a reasonable, just and proper estimated assessment of benefits, and for that purpose it may require a supplementary or further report from the City Manager and/or viewers. When the Council, after the hearing, shall have ascertained what it deems to be a fair, just and proper estimated assessment of benefits, it may pass an ordinance specifying in detail the estimated assessments, which ordinance may be passed at any time after the hearing hereinbefore specified. But if the Council deems it just and proper to increase the amount of any proposed estimated assessment against any parcel of land embraced in the viewers' report, it shall fix a time for a further hearing with respect to the increase, cause the Recorder to send a notice by registered or certified mail to each person who is the owner of, or interested in, the property thus affected, stating what is proposed with respect to the property and giving the date of the further hearing. After the hearing, the Council may pass an ordinance establishing the improvement district and ordering the work to be done in the manner provided by § [3.16.040](#).

(Ord. 1036, § 2S, 1991; Ord. 505, § 3, 1966)

§ 3.16.040 ASSUMPTION OF PORTION OF COST BY CITY.

When, in the opinion of the Council, on account of topographical or physical layout, unusual or excessive public travel or other character of work involved, or when the Council otherwise believes the situation warrants it, it may contribute what it deems a fair proportion of the cost of the improvement from funds of the city; and the amount to be assessed to the property specially benefitted shall be proportionately reduced. The City Council may provide that certain portions of the projects may be met by funds of the city, with the balance to be paid by special assessments.

(Ord. 505, § 5, 1966)

§ 3.16.050 TIME OF ASSESSMENTS—ASSESSMENT ORDINANCE.

The City Council shall determine whether assessments are to be levied before the construction work is begun, based on the estimate of assessments, whether the assessments shall be levied after the work is completed and based on actual cost. If assessments are levied after the work is completed, based on actual cost, an ordinance shall be approved by the Council setting forth the actual costs to be assessed to each property.

(Ord. 505, § 7, 1966)

§ 3.16.060 LIEN RECORDING—COLLECTION OF ASSESSMENTS.

A. The Council, in the assessment ordinance, shall direct the recorder to enter in the docket of city liens a statement of the respective amounts of benefits assessed upon each parcel lot or

parcel of land with the names of the owners thereof. Upon each entry in the lien docket, the amounts so entered shall be a lien ~~and charge~~ upon the respective lots, tracts and parcels of land against which the same are placed. The liens shall be first and prior to all other liens that the law of Oregon will allow them to be against the property.

B. If the Council deems it more expedient, for the purpose of avoiding the necessity of a deficit assessment or rebate as hereinafter provided for when assessments are levied before the project is completed, it may delay the adoption of the ordinance and resolution until the completion of the project and the actual cost thereof and the amount of each assessment is known. The city may proceed to foreclose any lien to which it shall be entitled under this chapter 30 days after the same shall have been entered in the lien docket and arrangements are not made for payment thereof, or becomes delinquent, as provided for foreclosure of liens in O.R.S. 223.505 to ~~223.650~~223.595.

(Ord. 505, § 8, 1966)

§ 3.16.070 DEFICIT ASSESSMENT.

If the Council has the project done after assessments are levied, and if it be found afterwards that the amount previously assessed was insufficient to defray the expenses of the project, the Council may, by resolution, declare the deficit, and order the preparation of proposed deficit assessment, and set a public hearing date. The Recorder shall give notice thereof and of the hearing of objections thereto as above prescribed with reference to the original report, and the Council upon the hearing shall make a just and equitable deficit assessment. The deficit assessment shall be consolidated with the assessment in the lien docket.

(Ord. 505, § 9, 1966)

§ 3.16.080 REBATE.

If the assessments are levied before the project is done, and if, upon the completion of the project, it is found that the sum assessed therefor upon any property is more than sufficient to pay the cost thereof, the Council must ascertain and declare the same, and when so declared it must be entered as in case of a deficit in the docket of city liens, and thereafter the person who paid the surplus, or his or her legal representative, shall be entitled to the payment of the same by a warrant on the City Treasurer.

(Ord. 505, § 10, 1966)

§ 3.16.090 ABANDONMENT OF PROCEEDINGS.

The Council shall have full power and authority to abandon and rescind proceedings for projects hereunder at any time prior to the final consummation of the proceedings.

(Ord. 505, § 11, 1966)

§ 3.16.100 CURATIVE PROVISIONS.

No such assessment shall be invalid by reason of a failure to give, in any report, in the proposed assessment, in the ordinance creating the district making the assessment, in the final assessment ordinances, in the lien docket or elsewhere in the proceedings, the name of the owner of any lot, tract or parcel of land or the name of any person having ~~an~~ a lien upon or interest therein or by a mistake in the name of any such person or the entry of a name other than the name of the owner or other person having ~~an~~ a lien upon or interest in the property, or by reason of any error, delay, omission, irregularity or other act, jurisdictional or otherwise, in any of the proceedings or steps hereinbefore specified, unless it appears that reasonable notice has not been given of the hearing upon the proposed assessment or that the assessment as made, insofar as it affects the person complaining, is unfair and unjust, and the Council shall have power and authority to remedy and correct all such matters by suitable action and proceedings.

(Ord. 505, § 12, 1966)

§ 3.16.110 BONDING OF IMPROVEMENTS.

The provisions of O.R.S. 223.205 to 223.295 (which is known as the Bancroft Bonding Act) are adopted and made a part hereof by reference, except that the unpaid assessments shall bear interest at a rate to be determined by the City Council in its assessment ordinances. (Ord. 1036, § 2T, 1991; Ord. 794, § 1, 1980; Ord. 505, § 13, 1966)

§ 3.16.120 APPEAL.

Any person feeling aggrieved by assessments made, as provided in this chapter may, within 30 days from the making of the assessment by the Council, appeal therefrom to the Circuit Court of the State of Oregon for Linn County. Any number of persons interested may join in the appeal and the only question to be determined by the appeal shall be the question of the amount of the assessment. The notice of appeal shall be served upon the Mayor, Recorder or City Attorney. The appeal shall be heard and ~~determined~~determined, and the judgment thereon rendered and enforced so far as practicable in the same manner as an action at law. The decision of the Judge or verdict of the Jury shall be a final and conclusive determination of the matter of the assessment, except with respect to the city's right of reassessment as provided in this chapter. ~~The verdict of the jury shall be a final and conclusive determination of the matter of the assessment, except with respect to the city's right of reassessment as provided in this chapter.~~

(Ord. 505, § 14, 1966)

§ 3.16.130 REASSESSMENT—APPEALS.

A. Whenever an assessment for any local improvement which has been or may hereafter be made by the city has been or shall be hereafter set aside, annulled, declared or rendered void, or its enforcement refused by any court of this state, or any federal court, having jurisdiction therein, whether directly or by virtue of any decision of the court, or when the Council shall be in doubt as to the validity of the assessment or any part thereof, the Council may by ordinance make a new assessment or reassessment of the lots, blocks or parcels of land which have been benefitted by the improvement to the extent of their respective and proportionate shares of the full value thereof.

B. The reassessment shall be based upon the special and peculiar benefit of the improvement to the respective parcels of land assessed at the time of its original assessment. Interest thereon from the date of delinquency of the original assessment may be added at the discretion of the Council. The reassessment shall be made in an equitable manner, as nearly as may be in accordance with the law in force at the time it is made. But the Council may adopt a different plan of apportionment of benefits when, in its judgment, this is essential to secure an equitable assessment.

C. The proceedings required by this chapter to be had prior to the making of the original assessment shall not be required to be taken within the intent of this section.

D. Such reassessment shall be made and shall become a charge upon the property upon which the same is laid, notwithstanding the omission, failure or neglect of any officer, body or person to comply with the provisions of this chapter connected with or relating to the improvement and assessment and notwithstanding that the proceedings of the Council or any officer, contractor or other person connected with the work may have been irregular, or defective, whether the irregularity be jurisdictional or otherwise.

E. The Council shall by resolution declare the district that will be benefitted by the improvement for which the reassessment is made, and shall appoint a time and place not less than 20 days distant when it will meet for the purpose of making the reassessment. The Recorder shall give notice to the property owners within the reassessment district of the time and place fixed by the Council for making the reassessment in the manner provided for the original assessment, except that four successive published notices shall be given as required by O.R.S. 223.430. At the time appointed therefor, unless at such time the Council shall adjourn until a future time or day for such purpose or appoint another time therefor, and in such event at

such adjourned for further appointed meeting, the Council shall proceed to make such reassessment in the manner prescribed. The Council, in making the reassessment, shall give an opportunity to any property owner within the assessment district to appear and be heard in reference thereto. After having made the reassessment, the Council shall declare the same by ordinance and the same shall be a final determination of the regularity, ~~validity~~validity, and correctness of the reassessment except as herein otherwise provided. The reassessment shall be entered in the docket of city liens and shall be enforced and collected in like manner as ordinary assessments for local improvements are enforced and collected under this chapter. All sums paid upon the former assessment shall be credited to the property on account of which the same were paid as of the date of the payment.

F. The fact that the city may have sold any such property on the former assessment, or purchased the same for the amount thereof, shall not preclude the enforcement or collection of the reassessment.

G. Any person or persons may appeal to the Circuit Court of the State of Oregon for the County of Linn upon reassessment against any property owned by him or her, or in which he or she has an interest, in the same manner as provided for peals in § [3.16.120](#) and the appeal shall be subject to the provisions of § [3.16.120](#).

ARTICLE II. SENIOR CITIZENS

§ 3.16.140 PURPOSE.

~~The purpose of this article is to permit qualified senior citizens to have deferred the special assessments that may be levied against their residences for improvements. The purpose of this article is to permit qualified senior citizens to have deferred the special assessments that may be levied against their residences for improvements and have deferred the sewer hookup charges and sanitary sewer systems development charges for sanitary sewer service to their residences.~~

(Ord. 745, § 1, 1978)

§ 3.16.150 DEFINITIONS.

A **SENIOR CITIZEN** is a person who is 65 years of age or more at the time that the deferral of payment is granted.

(Ord. 745, § 2, 1978)

§ 3.16.160 QUALIFICATIONS.

To qualify for this senior citizens' assessment ~~and charges~~ deferral program:

A. The property to be assessed or served must be owned by a senior citizen; or, if owned by a husband and wife, then only one of them needs to be a senior citizen;

B. The property to be assessed or served must be the residence of the senior citizen; and

C. ~~C. The senior citizen shall have a gross annual income not to exceed \$18,210 and if he or she is married, then their joint gross annual income shall not exceed \$24,462; and further, not to exceed an increase of more than \$1,100 for each additional dependent that is living with them at the time of the application and during the calendar year preceding the one in which the assessment is to be levied. The senior citizen shall have a gross annual income not to exceed \$6,620 and if he or she is married, then their joint gross annual income shall not exceed \$8,800; and further, not to exceed an increase of more than \$400 for each additional dependent that is living with them at the time of the application and during the calendar year preceding the one in which the assessment is to be levied or the charges are imposed.~~ The gross annual income shall include the gain or loss from the sale or exchange of property and from the operation of a farm or business and shall include all other income. The gross annual income for the calendar year in which the application is made shall be estimated and shall be the amount used to determine whether or not the applicant is qualified. The current monthly income, the prospect for income in the calendar year, the gross annual income during the previous calendar year shall all be considered in estimating the gross annual income. The City Manager may require such information from the applicant as the City Manager deems necessary to make the estimate and the City Manager shall then determine the gross annual income of the applicant and whether or not he or she qualifies.

(Ord. 1036, § 2U, 1991; Ord. 745, § 3, 1978)

§ 3.16.170 DEFERRAL OF ASSESSMENT ~~AND CHARGES.~~

To the extent that funds are conveniently available to the city, a qualified senior citizen may choose to have deferred the special assessment for improvements that is to be or has been levied against his or her residence, ~~and have deferred the sewer hookup charges and sanitary sewer systems development charges for sanitary sewer service to his or her residence.~~ The assessment may be deferred, even if a part thereof has been paid. The assessment shall bear interest at the rate of 7% per annum from the date that the assessment is levied against the residence and until paid, and shall become due when the property ceases to be the residence of

the senior citizen or his or her spouse. This may be by reason of the sale or rental of the property, or the death of both the senior citizen and his or her spouse, or for any other reason whatsoever. The assessments and charges may be deferred, even if a part thereof has been paid. The assessments and charges shall bear interest at the rate of 7% per annum from the date that the assessment is levied against the residence, or the charges are imposed, and until paid, and shall become due when the property ceases to be the residence of the senior citizen or his or her spouse. This may be by reason of the sale or rental of the property, or the death of both the senior citizen and his or her spouse, or for any other reason whatsoever.
(Ord. 745, § 4, 1978)

§ 3.16.180 INVESTIGATION OF STATUS OF LAND.

As frequently as appears appropriate, the City Manager shall review the county records relating to ~~deferred special~~ a deferred special assessment ~~assessments and charges~~ and shall also make such investigations as appear appropriate to learn of any other material changes in the status of the subject land.
(Ord. 745, § 5, 1978)

§ 3.16.190 ASSESSMENT AND CHARGES TO BE A LIEN.

Any assessment that is deferred by the terms of this Article II shall become a lien on the land just as though this Article II had not been adopted. When the assessment becomes due by the terms of SHMC 3.16.170 of this Article II, it may be enforced and collected as though it had not been deferred.

~~Any assessment and charges that are deferred by the terms of this chapter shall become a lien on the land just as though this chapter had not been adopted. When the assessments and charges become due by the terms of § 3.16.170 of this chapter, they may be enforced and collected as though they had not been deferred.~~
(Ord. 745, § 6, 1978)

§ 3.16.200 ELECTION.

A qualified senior citizen, who elects to have an assessment ~~or charges~~ deferred pursuant to the provisions of this Article II ~~this chapter~~, shall enter into a contract with the city, as may be required by the city.

ORDINANCE BILL NO. 6 FOR 2020

ORDINANCE NO. _____

SWEET HOME ORDINANCE AMENDING SHMC CHAPTER 3.16 PERTAINING TO LOCAL IMPROVEMENT DISTRICTS

The City of Sweet Home does ordain as follows:

Section 1. Sweet Home Municipal Code Section 3.16.010 titled REPORT FROM CITY ENGINEER-APPOINTMENT OF VIEWERS-RECOMMENDATIONS. is changed to read CITY REPORT-APPOINTMENT OF VIEWERS-RECOMMENDATIONS. and is amended by removing therefrom the words “survey and” and “or lien upon” in the first sentence and by removing the word and comma “survey,” in the second sentence of the section.

Section 2. Sweet Home Municipal Code Subsection 3.16.060 A. second sentence is amended by removing therefrom the words “and charge”.

Section 3. Sweet Home Municipal Code Subsection 3.16.060 B. last sentence is amended by removing therefrom ORS reference “223.595” and inserting ORS reference “223.650”.

Section 4. Sweet Home Municipal Code Section 3.16.100 is amended by removing therefrom the words “a lien upon or” where it appears twice therein and inserting the word “an” in place thereof.

Section 5. Sweet Home Municipal Code Section 3.16.120 last sentence is amended to read as follows:

The decision of the Judge or verdict of the Jury shall be a final and conclusive determination of the matter of the assessment, except with respect to the city’s right of reassessment as provided in this chapter.

Section 6. Sweet Home Municipal Code Section 3.16.140 is amended to read as follows:

The purpose of this article is to permit qualified senior citizens to have deferred the special assessments that may be levied against their residences for improvements.

Section 7. Sweet Home Municipal Code Section 3.16.160 the first line of text is amended to read as follows:

To qualify for this senior citizens’ assessment deferral program:

Section 8. Sweet Home Municipal Code Subsection 3.16.160 C. the first sentence is amended to read as follows:

C. The senior citizen shall have a gross annual income not to exceed \$18,210 and if he or she is married, then their joint gross annual income shall not exceed \$24,462; and further, not to exceed an increase of more than \$1,100 for each additional dependent that is living with them

at the time of the application and during the calendar year preceding the one in which the assessment is to be levied.

Section 9. Sweet Home Municipal Code Subsection 3.16.170 titled DEFERRAL OF ASSESSMENT AND CHARGES. is changed to read DEFERRAL OF ASSESSMENT. and is amended to read as follows:

To the extent that funds are conveniently available to the city, a qualified senior citizen may choose to have deferred the special assessment for improvements that is to be or has been levied against his or her residence. The assessment may be deferred, even if a part thereof has been paid. The assessment shall bear interest at the rate of 7% per annum from the date that the assessment is levied against the residence and until paid, and shall become due when the property ceases to be the residence of the senior citizen or his or her spouse. This may be by reason of the sale or rental of the property, or the death of both the senior citizen and his or her spouse, or for any other reason whatsoever.

Section 10. Sweet Home Municipal Code Section 3.16.180 is amended by removing therefrom the words "deferred special assessments and charges" and inserting the words "deferred special assessment" in place thereof.

Section 11. Sweet Home Municipal Code Section 3.16.190 titled ASSESSMENT AND CHARGES TO BE A LIEN. is changed to read ASSESSMENT TO BE A LIEN. and is amended to read as follows:

Any assessment that is deferred by the terms of this Article II shall become a lien on the land just as though this Article II had not been adopted. When the assessment becomes due by the terms of SHMC 3.16.170 of this Article II, it may be enforced and collected as though it had not been deferred.

Section 12. Sweet Home Municipal Code Section 3.16.200 is amended to read as follows:

A qualified senior citizen, who elects to have an assessment deferred pursuant to the provisions of this Article II, shall enter into a contract with the city, as may be required by the city.

PASSED by the Council and approved by the Mayor this __ day of _____, 2020.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Ordinance No. 7 for 2020 – Water System in Critically Affected Chemical Area

Preferred Agenda: April 28, 2020

Submitted By: R. Snyder, City Attorney

Reviewed By: R. Towry, City Manager

Type of Action: Resolution ____ Motion __X__ Roll Call ____ Other ____

Relevant Code/Policy: [SHMC 13.20](#) and work DEQ

Towards Council Goal: Goal 3.3 Develop partnerships with Regional Services

Attachments: Sweet Home Ordinance Amending [SHMC 13.2](#)
Critical Area Map, Letter from DEQ and proposed Form

Purpose of this RCA:

The purpose of the proposed Ordinance is to amend [SHMC Chapter 13.20](#) that required connection to city water in Midway Contaminated Groundwater Area (chemical spill area) to specifically include a provision to allow a property owner in that area to not be required to hook up to city water by having his/her well tested as described in the amendment.

Background/Context:

In 1998 the City of Sweet Home passed Ordinance No. 1120 that concerned a chemical spillage (affecting wells) in the Midway area of Sweet Home. The Ordinance required that properties in the critical area (as determined by DEQ) and set forth in the Ordinance connect to and utilize the city water system. In 1998 the soil where the chemical spillage originated was removed and since that time DEQ has periodically tested wells in the critical area. The water quality has improved in the critical area to a point where some properties may no longer be affected by the contamination, and DEQ has drafted the proposed amendment that specifically provides a procedure for a property owner who has a well to not be required to be connected to the city water system. A map of the critical area is attached. A letter from the DEQ supporting the proposed ordinance and a sample form for processing the test results are enclosed herewith.

The Challenge/Problem:

Should the city amend its code to provide a specific procedure for a property owner in the critical area to not be required to be connected to the city water system?

Stakeholders:

Property Owners – The owners of properties in the critical area would have a specified procedure to follow to exercise the option of not having to be connected to the city water system.

- City of Sweet Home – The City would be providing an option in its code for its affected residents to receive their water needs from a well or city water.
- Department of Environmental Quality – DEQ would have additional information from any testing results for its continued monitoring of the critical area

Issues and Financial Impacts:

When a property is withdrawn from using the city water system there will be the loss of revenue for the water account not sewer account which will continue.

Elements of a Stable Solution:

An option to be on the city water system or not in the critical area will allow the property owners to decide for themselves (after testing indicates well water is consistently below safe drinking water standards) whether to be connected.

Options:

1. *Do Nothing.* Leave the code as written for mandatory hookups.
2. *Motion for additional revision.* Council could review these proposed changes and recommend additional revisions. Staff would take these recommendations and revise the proposed ordinance for review at a future Council meeting.
3. *Motion to move to first reading.* Council could make a motion to move Ordinance 5 for 2020, Sweet Home Ordinance Amending [SHMC Chapter 13.20](#) that Pertains to Connection to Water System in Critically Affected Chemical Area to first reading.

Recommendation:

Staff recommends option #3 – Make a motion to move Ordinance 7 for 2020, Sweet Home Ordinance Amending [SHMC Chapter 13.20](#) that Pertains to Connection to Water System in Critically Affected Chemical Area to first reading.

ORDINANCE BILL NO. 7 FOR 2020

ORDINANCE NO. _____

AN ORDINANCE AMENDING SHMC CHAPTER 13.20 THAT PERTAINS TO CONNECTION TO WATER SYSTEM IN CRITICALLY AFFECTED CHEMICAL AREA

WHEREAS, Ordinance No. 1120 was passed in 1998 (and codified at SHMC Chapter 13.20) requiring properties that had wells in a given area of Sweet Home that were affected by a chemical spill to connect to the city water system;

WHEREAS, the area has been tested by DEQ and it has been determined that groundwater quality in parts of the area has improved to a point where some wells within the area may not be affected by chemical spill contaminants;

WHEREAS, this amendment will allow well owners an option to have their well tested to show that the well has a water quality concentration below the federal standard for the chemicals of concern so that the mandatory hookup requirement will no longer be required on said property;

Now therefore,

The City of Sweet Home does ordain as follows:

Section 1. Sweet Home Municipal Code 13.20.025 is hereby titled EXEMPTION FROM REQUIRED CONNECTION and created to read as follows:

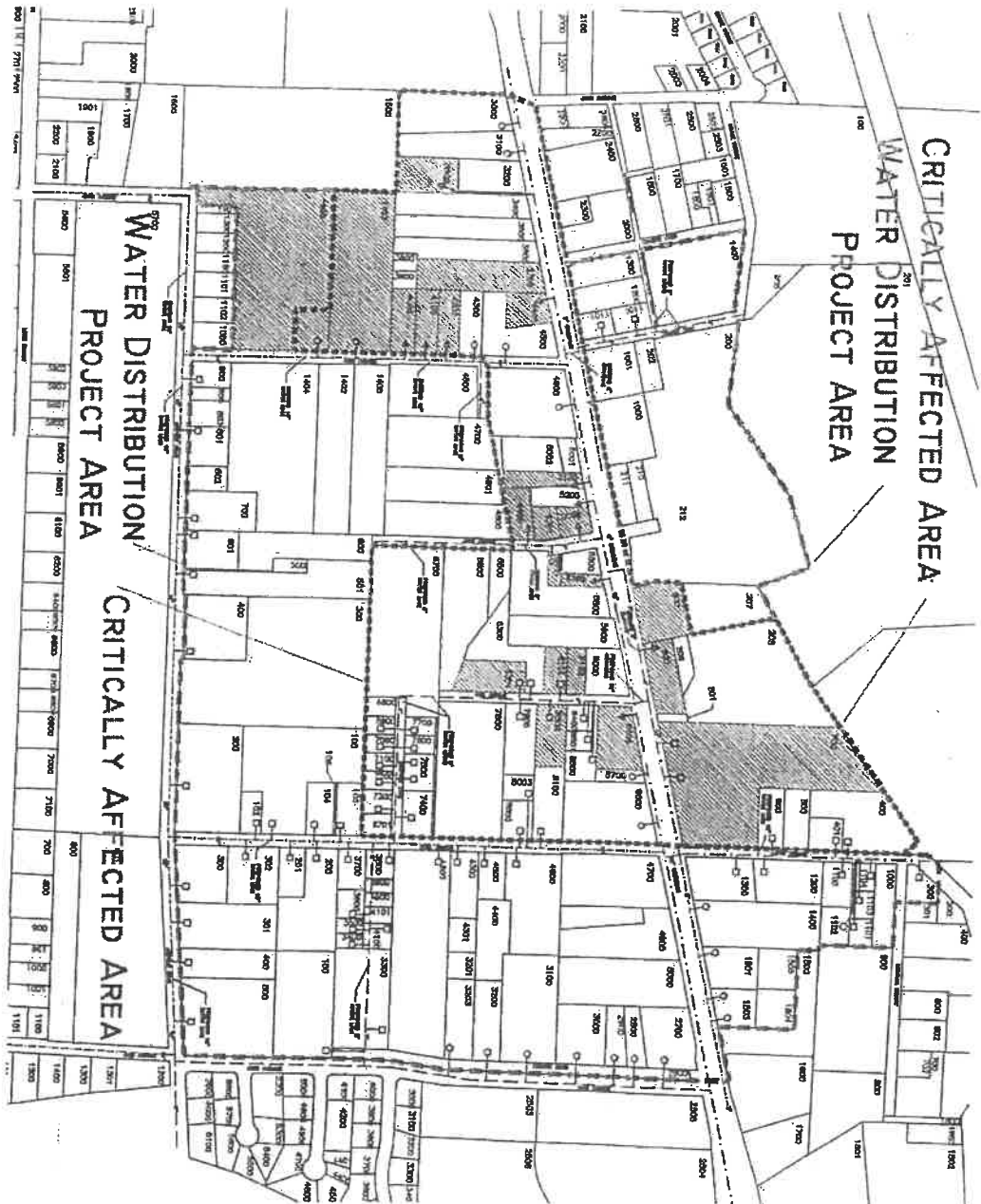
An owner of property located within the Critically Affected Area may petition the City for an exemption from the connection requirement, to allow use of well water at that property for domestic purposes. An exemption will be granted if the owner can demonstrate that the well water consistently does not contain concentrations of chemicals of concern above federal safe drinking water Maximum Contaminant Levels (MCLs). Chemicals of concern include tetrachloroethylene, trichloroethylene, and 1,1-dichloroethylene. At least two well water samples (one from the dry season-July through October-and one from the wet season-January through May) shall be tested and demonstrate that concentrations of chemicals of concern are consistently below the MCLs. Representative water samples must be collected by laboratory personnel or environmental professionals with experience in collecting water samples for testing of volatile organic compounds. Samples shall be analyzed by a laboratory accredited by the State of Oregon Laboratory Accreditation, using EPA Method 524.2 to test for volatile organic compounds, including the chemicals of concern. Detected concentrations of contaminants of concern must be below the respective MCLs for the dry and wet season samples.

PASSED by the Council and approved by the Mayor this _____ day of _____, 2020.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



WATERLINE KEY

1" P.W.	---
12" P.W.	---
18" P.W.	---
24" P.W.	---
30" P.W.	---
36" P.W.	---

NOTES:

- 1) ALL LOT'S OWNERS MUST BE NOTIFIED BY MAIL OF THE CITY'S ACTION PLAN FOR THE CORRECTIVE ACTION PROJECT.
- 2) THE CITY'S ACTION PLAN FOR THE CORRECTIVE ACTION PROJECT IS AVAILABLE AT THE CITY ENGINEERING DEPARTMENT.
- 3) THE CITY'S ACTION PLAN FOR THE CORRECTIVE ACTION PROJECT IS AVAILABLE AT THE CITY ENGINEERING DEPARTMENT.
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- 9) THE CITY'S ACTION PLAN FOR THE CORRECTIVE ACTION PROJECT IS AVAILABLE AT THE CITY ENGINEERING DEPARTMENT.
- 10) THE CITY'S ACTION PLAN FOR THE CORRECTIVE ACTION PROJECT IS AVAILABLE AT THE CITY ENGINEERING DEPARTMENT.

CITY OF SEATTLE, WASHINGTON PUBLIC WORKS DEPARTMENT WATER DIVISION 1500 4TH AVENUE SEATTLE, WA 98101 TEL: 206-462-3877 FAX: 206-462-3877		CONTRACT NO. L.A. 150		DATE 10/1/00	
PROJECT NAME Midway Wall Contaminated Corrective Action Project		SHEET NO. 1		TOTAL SHEETS 4	
PROJECT LOCATION 1500 4TH AVENUE SEATTLE, WA 98101		SHEET SCALE 1" = 200'		SHEET NO. 1	
PROJECT DESCRIPTION WATER DISTRIBUTION PROJECT		SHEET SCALE 1" = 200'		SHEET NO. 1	



Oregon

Kate Brown, Governor

Department of Environmental Quality

Western Region Eugene Office

165 East 7th Avenue, Suite 100

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY 711

March 6, 2020

Robert Snyder
City Attorney
City of Sweet Home
PO Box 486
Sweet Home, OR 97386

Subject: Concurrence with Proposed Ordinance Amending SHMC 13.20
Connection to Water System in Critically Affected Chemical Area
Sweet Home Areawide Groundwater Contamination, ECSI 1240

Dear Mr. Snyder:

Thank you for providing the Department of Environmental Quality with an opportunity to review proposed amendments to the City ordinance requiring properties affected by chemical spill contamination to connect to the city water system. I have previously provided you with comments on the proposed ordinance, Sweet Home Municipal Code 13.20.025.

DEQ is supportive of the Amendment which, if passed, would provide property owners within the affected area an option to have their well water tested to demonstrate that contamination levels are consistently below safe drinking water standards. I would be happy to work with you on the development of your procedures, if that would be helpful.

Thank you for coordinating with the DEQ on this proposed new ordinance in advance. If you have any questions, please do not hesitate to contact me. I can be reached by phone at 541-687-7349 or by email at hanson.don@deq.state.or.us.

Sincerely,

Donald Hanson, RG
Western Region Cleanup &
Emergency Response Section

cc: ECSI file 1240/COMM

CITY OF SWEET HOME FORM

PETITION FOR EXEMPTION FROM REQUIRED CONNECTION FOR MIDWAY CONTAMINATED GROUND WATER AREA

(Only for use by well owners in the critically affected area from a chemical spill under
Sweet Home Municipal Code Chapter 13.20)

SHMC 13.20.025 reads as follows: EXEMPTION FROM REQUIRED CONNECTION. An owner of property located within the Critically Affected Area may petition the City for an exemption from the connection requirement, to allow use of well water at that property for domestic purposes. An exemption will be granted if the owner can demonstrate that the well water consistently does not contain concentrations of chemicals of concern above federal safe drinking water Maximum Contaminant Levels (MCLs). Chemicals of concern include tetrachloroethylene, trichloroethylene, and 1,1-dichloroethylene. At least two well water samples (one from the dry season-July through October-and one from the wet season-January through May) shall be tested and demonstrate that concentrations of chemicals of concern are consistently below the MCLs. Representative water samples must be collected by laboratory personnel or environmental professionals with experience in collecting water samples for testing of volatile organic compounds. Samples shall be analyzed by a laboratory accredited by the State of Oregon Laboratory Accreditation, using EPA Method 524.2 to test for volatile organic compounds, including the chemicals of concern. Detected concentrations of contaminants of concern must be below the respective MCLs for the dry and wet season samples.

INFORMATION ABOUT PROPERTY OWNER WHERE WELL IS LOCATED:

Name

Address of well site

Well ID # (If Known)

Mailing Address of Property Owner

Phone Number of Property Owner

EXEMPTION PROCESS:

1. Property Owner to contact laboratory personnel or environmental professionals with experience in collecting water samples of volatile organic compounds to obtain the two water well samples (one in dry season-July through October/one in wet season-January through May).

2. _____ (Date and Initial Property Owner) After the second test Property Owner to return this form to City with the written results of the two tests. Property Owner must submit complete laboratory chemical analytical data reports with the Petition Form. The report needs to include a copy of the chain-of-custody form completed by the qualified laboratory personnel/environmental professionals who collected the samples. (Generally, a lab report for one test is typically between 4 and 8 pages in length, which includes quality control information, a copy of the chain-of-custody, etc.)

3. _____ (Date and Initial City) City to send this form and laboratory reports with a cover letter requesting review of the well testing data for exemption from required city water connection in City of Sweet Home to DEQ at the following address:

Oregon DEQ
Cleanup Program Manager
Attn: ECSI #1240/Sweet Home Areawide
165 E. 7th Avenue, Suite 100
Eugene, OR 97401

4. After checking the laboratory reports DEQ to date and initial one of the two lines below:

_____ (Date and Initial DEQ) DEQ recommends Exemption for
disconnection from city water.

_____ (Date and Initial DEQ) DEQ does not recommend
Exemption for the following reason(s):

5. _____ (Date and Initial DEQ) DEQ to send this form and results back to
City to be processed.

6. _____ (Date and Initial City) City to contact Property Owner with decision
to grant or deny exemption petition.

7. _____ (Date and Initial City) City to keep copy of form, lab report, tests
and DEQ results and return originals to Property Owner.

8. If Exemption is granted by DEQ the Property Owner to decide if he/she wants to disconnect
from city water and contacts City with his/her request to be processed as any other requested
disconnection from city water.



REQUEST FOR COUNCIL ACTION

Title: Continuance of Public Hearing – Ordinance No. 8 for 2020 -Text Amendments to Title 15.12 Flood Hazard Area Regulations

Preferred Agenda: April 28, 2020 (1st Reading)

Submitted By: Angela Clegg, Associate Planner

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution ____ Motion ____ Roll Call X Other ____

Relevant Code/Policy: SHMC 16.08.020 Amendment, SHMC 17.12.020 Public Hearings on Amendments

Towards Council Goal: Goal #2 – Be an effective and efficient government. Vision Statement #3 – WE ASPIRE to have an effective and efficient local government.

Attachments: LA 20-01 Staff Report, Attachment A, Attachment B, Attachment C, Ordinance Bill No. 8 for 2020

Purpose of this RCA:

The purpose of this RCA is to present Ordinance Bill No. 8 for 2020 for the first reading. This ordinance would adopt text amendments (LA 20-01) to the Flood Hazard Area Regulations, which are Title 15.12 of the Sweet Home Municipal Code (SHMC).

Background/Context:

This legislative amendment, LA 20-01, replaces Sweet Home Municipal Code (SHMC) Chapter 15.12 with the attached ordinance. The proposed text amendments were identified by a Department of Land Conservation and Development (DLCD) review and the text amendments are required for compliance with minimum National Flood Insurance Program (NFIP) and state standards.

This proposal amends SHMC Chapter 15.12.

The following is a timeline of meetings associated with this project:

- February 3, 2020: Oregon State Model Flood Ordinance introduced to the Planning Commission by staff: Updates to Title 15.12 of the SHMC.
- February 7, 2020: Staff submitted the online Post-Acknowledgement Plan Amendment (PAPA) to the Department of Land Conservation District (DLCD).
- March 2, 2020: Planning Commission Work Session: staff presented an overview of the Federal Emergency Management Agency (FEMA) update process to the Planning Commission.
- March 6, 2020: Notice of the proposed legislative amendments sent to City Staff and the New Era.

- March 10, 2020: City Council Work Session: Staff introduced the need for amendments to the Flood Hazard Area Regulations and the process for making the amendments to the City Council.
- March 11, 2020: Notice of the proposed legislative amendment and scheduled public hearings published in the New Era.
- April 6, 2020: The Planning Commission held a Public Hearing on the proposed text amendments. The Planning Commission voted to recommend that the City Council adopt the proposed amendments.
- April 14, 2020: The City Council held a Public Hearing that was continued until April 28, 2020.

The Challenge/Problem:

The question before City Council is whether the attached ordinance adequately implements the text amendments to the Sweet Home Municipal Code that were approved by the Planning Commission at the April 6, 2020 Public Hearing.

Stakeholders:

- City of Sweet Home Residents – The proposed text amendments benefit residents by ensuring that their properties are eligible for flood insurance
- Property Owners: benefit by being eligible for flood insurance.
- Developers: benefit by being eligible for flood insurance.

Issues and Financial Impacts:

Financial Impacts:

1. Compliance with the National Flood Insurance Program allows property owners to maintain their flood insurance policies. Noncompliance will negatively affect property values.

Elements of a Stable Solution:

Adoption of the attached ordinance is a key element of a stable solution. The text amendments to the SHMC would create local standards that are consistent with the vision for the community as reflected in the review by both the Planning Commission and City Council.

Options:

1. Conduct a first reading of Ordinance Bill No. 8 for 2020 and conduct a roll call vote;
2. Remand Ordinance Bill No. 8 for 2020 to staff and Planning Commission for revisions (specify).
3. Take no action; leave the code as is.
4. Other

Recommendation:

Staff recommends option 1: Conduct a first reading of Ordinance Bill No. 8 for 2020 and conduct a roll call vote.



Community and Economic Development Department

City of Sweet Home
3225 Main Street
Sweet Home, OR 97386
541-367-8113
Fax 541-367-5113
www.sweethomeor.gov

Legislative Amendment (LA) 20-01

This legislative amendment, LA 20-01, consists of text amendments to Chapter 15.12, Flood Hazard Area Regulations, of the Sweet Home Municipal Code (SHMC). The proposed text amendments were identified by a Department of Land Conservation and Development (DLCD) review and the text amendments are required for compliance with minimum National Flood Insurance Program (NFIP) and state standards.

This proposal includes amendments to following sections of the SHMC 15.12: 15.12.010 Statutory Authority; 15.12.020 Statement of Purpose; 15.12.025 Methods of reducing flood losses; 15.12.030 Definitions; 15.12.060 Abrogation and greater restrictions; 15.12.100 Designation of Building Official as local administrator; 15.12.110 Application for a Building Permit, 15.12.120 Duties and responsibilities of Building Inspector; 15.12.130 General Standards; 15.12.140 Lands to which chapter applies; 15.12.170 Appeal Board; 15.12.150 Floodways; and 15.12.190 Penalties for noncompliance.

FILE NUMBER:	LA 20-01
REVIEW AND DECISION CRITERIA:	Sweet Home Municipal Code Section(s): 15.12
PLANNING COMMISSION HEARING DATE & TIME:	<u>April 6, 2020 at 6:30 PM</u>
LOCATION:	City Hall Council Chambers 3225 Main Street, Sweet Home, Oregon 97386
CITY COUNCIL HEARING DATE & TIME:	<u>April 14, 2020 at 6:30 PM</u>
LOCATION:	City Hall Council Chambers 3225 Main Street, Sweet Home, Oregon 97386
STAFF CONTACT:	Angela Clegg, Associate Planner Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov
REPORT DATE:	March 30, 2020

Attachment A: Draft Ordinance

**CITY OF SWEET HOME
ORDINANCE NO. _____**

**AN ORDINANCE AMENDING THE SWEET HOME MUNICIPAL CODE CHAPTER 15.12 -
FLOOD HAZARD AREA REGULATIONS**

WHEREAS, the State of Oregon has, in ORS 197.175, delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, these floodplain management regulations include Sweet Home Municipal Code Chapter 15.12, the FEMA Flood Insurance Study dated September 29, 2010 and the revised date December 27, 2012, and the Flood Insurance Rate Maps dated September 29, 2010;

WHEREAS, after coordination between the State Department of Land Conservation and Development and the City, and as a member of the National Flood Insurance Program (NFIP), the City initiated these text changes to SHMC Title 15, Chapter 15.12, to amend the City Flood Hazard Area Regulations;

WHEREAS, pursuant to ORS 197.610, the City provided DLCD with Form 1 notice of these proposed SHMC Title 15, Chapter 15.12, text changes on February 7, 2020;

WHEREAS, the Planning Commission held a public work session on March 2, 2020, to provide an open forum for discussion of the amendments to Chapter 15.12;

WHEREAS, the City Council held a public work session on March 10, 2020, to provide an open forum for discussion of the amendments to Chapter 15.12;

WHEREAS, the Planning Commission held a public hearing on April 6, 2020 for the proposed amendments to Chapter 15.12;

WHEREAS, the Planning Commission followed the text amendment procedures under YMC 9.84.020 and has provided a report to the City Council along with its recommendation to consider the proposed text changes;

WHEREAS, the City Council held a public hearing on these proposed text changes on April 14, 2020;

NOW THEREFORE, the City of Sweet Home ordains as follows:

Section 1. Sweet Home Municipal Code Chapter 15.12, Flood Hazard Area Regulations

CHAPTER 15.12 – FLOOD HAZARD AREA REGULATIONS

15.12.010 STATUTORY AUTHORIZATION

The State of Oregon has in ORS 197.175 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Sweet Home does ordain as follows:

15.12.015 FINDINGS OF FACT

- A. The flood hazard areas of City of Sweet Home are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses may be caused by the cumulative effect of obstructions in special flood hazard areas which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood loss.

15.12.020 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in flood hazard areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in special flood hazard areas;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
- G. Notify potential buyers that the property is in a special flood hazard area
- H. Notify those who occupy special flood hazard areas that they assume responsibility for their actions
- I. Participate in and maintain eligibility for flood insurance and disaster relief.

15.12.025 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage;
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

15.12.030 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage.

Appeal: A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding: A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard: The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard".

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE): The elevation to which floodwater is anticipated to rise during the base flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Building: See "Structure."

Critical facility: Means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use, or store hazardous materials or hazardous waste.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Flood or Flooding:

- (a) A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
 - (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

Flood elevation study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM): The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS): See "Flood elevation study".

Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port

facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure: Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Letter of Map Change (LOMC): Means an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. The following are categories of LOMCs:

- (a) **Conditional Letter of Map Amendment (CLOMA):** A CLOMA is FEMA's comment on a proposed structure or group of structures that would, upon construction, be located on existing natural ground above the base (1-percent-annual-chance) flood elevation on a portion of a legally defined parcel of land that is partially inundated by the base flood.
- (b) **Conditional Letter of Map Revision (CLOMR):** A CLOMR is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.
- (c) **Conditional Letter of Map Revision based on Fill (CLOMR-F):** A CLOMR-F is FEMA's comment on a proposed project that would, upon construction, result in a modification of the special flood hazard area through the placement of fill outside the existing regulatory floodway.
- (d) **Letter of Map Amendment (LOMA):** An official amendment, by letter, to the Flood Insurance Rate Maps (FIRMs) based on technical data showing that an existing

structure, parcel of land or portion of a parcel of land that is naturally high ground, (i.e., has not been elevated by fill) above the base flood, that was inadvertently included in the special flood hazard area.

- (e) **Letter of Map Revision (LOMR):** A LOMR is FEMA's modification to an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the SFHA. The LOMR officially revises the FIRM or FBFM, and sometimes the Flood Insurance Study (FIS) report, and, when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
- (f) **Letter of Map Revision based on Fill (LOMR-F):** A LOMR-F is FEMA's modification of the special flood hazard area shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.
- (g) **PMR:** A PMR is FEMA's physical revision and republication of an effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS) report. PMRs are generally based on physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.

Lowest floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Manufactured dwelling: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home".

Manufactured dwelling park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

Mean sea level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction: For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by City of Sweet Home and includes any subsequent improvements to such structures.

Recreational vehicle: A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Special flood hazard area: See "Area of special flood hazard" for this definition.

Start of construction: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance: A grant of relief by City of Sweet Home from the terms of a flood plain management regulation.

Violation: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

GENERAL PROVISIONS

15.12.040 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all special flood hazard areas within the jurisdiction of City of Sweet Home.

15.12.050 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for "Flood Insurance Study for Linn County, Oregon and Incorporated Areas", dated September 29, 2010 and the revised date December 27, 2012, with accompanying Flood Insurance Rate Maps (FIRMs) 41043C0895G, 41043C0911G, 41043C0912G, 41043C0913G, 41043C0914G, 41043C0916G, 41043C0917G, 41043C0918G, and 41043C0919G are hereby adopted by reference and declared to be a part of this ordinance. The FIS and FIRM panels are on file at City of Sweet Home City Hall, 3225 Main Street, Sweet Home, Oregon.

15.12.055 COORDINATION WITH STATE OF OREGON SPECIALTY CODES

Pursuant to the requirement established in ORS 455 that the City of Sweet Home administers and enforces the State of Oregon Specialty Codes, the City of Sweet Home does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this ordinance is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

15.12.060 COMPLIANCE AND PENALTIES FOR NONCOMPLIANCE

A. COMPLIANCE

All development within special flood hazard areas is subject to the terms of this ordinance and required to comply with its provisions and all other applicable regulations.

B. PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation and may be prosecuted under the provisions of Sweet Home Municipal Code Chapter 9.36 and any amendments thereto. Abatement of the violations of this Sweet Home Municipal Code Chapter 15.12 can be accomplished by any remedy open to the city, including using the procedures set out in Sweet Home Municipal Code Chapter 8.04 for abatement of nuisances. Each day that a violation exists is a separate offense. Nothing contained herein shall prevent the City of Sweet Home from taking such other lawful action as is necessary to prevent or remedy any violation.

15.12.065 ABROGATION AND SEVERABILITY

A. ABROGATION

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

B. SEVERABILITY

This ordinance and the various parts thereof are hereby declared to be severable. If any section clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

15.12.070 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

15.12.080 WARNING AND DISCLAIMER OF LIABILITY

A. WARNING

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of

special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

B. DISCLAIMER OF LIABILITY

This ordinance shall not create liability on the part of the City of Sweet Home, any officer or employee thereof, or the Federal Insurance Administrator for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

15.12.100 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The City Manager, and the City Manager's designee, is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

15.12.120 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties of the floodplain administrator, or their designee, shall include, but not be limited to:

A. PERMIT REVIEW

Review all development permits to determine that:

1. The permit requirements of this ordinance have been satisfied;
2. All other required local, state, and federal permits have been obtained and approved.
3. Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway assure that the floodway provisions of this ordinance in section **15.12.180** are met; and
4. Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of sections **15.12.120(G)**; and
5. Provide to building officials the Base Flood Elevation (BFE) and freeboard, applicable to any building requiring a development permit.
6. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined in section **15.12.030**.
7. Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in section **15.12.120(A)**.

8. Review all development permits to determine if the proposed development activity includes the placement of fill or excavation.

B. INFORMATION TO BE OBTAINED AND MAINTAINED

The following information shall be obtained and maintained and shall be made available for public inspection as needed:

1. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where Base Flood Elevation (BFE) data is provided through the Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM), or obtained in accordance with section **15.12.120(G)**.
2. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of sections **15.12.180** and **15.12.120(B)** are adhered to.
3. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).
4. Where base flood elevation data are utilized, obtain As-built certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.
5. Maintain all Elevation Certificates (EC) submitted to City of Sweet Home;
6. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this ordinance and where Base Flood Elevation (BFE) data is provided through the FIS, FIRM, or obtained in accordance with section **15.12.150(G)**.
7. Maintain all floodproofing certificates required under this ordinance;
8. Record and maintain all variance actions, including justification for their issuance;
9. Obtain and maintain all hydrologic and hydraulic analyses performed as required under section **15.12.180**.
10. Record and maintain all Substantial Improvement and Substantial Damage calculations and determinations as required under section **15.12.120(F)**.
11. Maintain for public inspection all records pertaining to the provisions of this ordinance.

C. COMMUNITY BOUNDARY ALTERATIONS

The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps (FHBM) and Flood Insurance Rate Maps (FIRM) accurately represent the community's boundaries. Include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

D. WATERCOURSE ALTERATIONS

Notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision (LOMR) along with either:

- A. A proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or
- B. Certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance.

The applicant shall be required to submit a Conditional Letter of Map Revision (CLOMR) when required under section **15.12.120(E)**. Ensure compliance with all applicable requirements in sections **15.12.120(E)** and **15.12.150(A)**.

E. REQUIREMENT TO SUBMIT NEW TECHNICAL DATA

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Section 44 of the Code of Federal Regulations (CFR), Sub-Section 65.3. The community may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change (LOMC) process.

The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

- 1. Proposed floodway encroachments that increase the base flood elevation; and
- 2. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

An applicant shall notify FEMA within six (6) months of project completion when an applicant has obtained a Conditional Letter of Map Revision (CLOMR) from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision (LOMR).

The applicant shall be responsible for preparing all technical data to support CLOMR/LOMR applications and paying any processing or application fees associated with the CLOMR/LOMR-f

The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this code and all applicable state and federal laws.

F. SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE ASSESSMENTS AND DETERMINATIONS

Conduct Substantial Improvement (SI) (as defined in section 2.0) reviews for all structural development proposal applications and maintain a record of SI calculations within permit files in accordance with section **15.12.120(B)**. Conduct Substantial Damage (SD) (as defined in section 2.0) assessments when structures are damaged due to a natural hazard event or other causes. Make SD determinations whenever structures within the special flood hazard area (as established in section **15.12.050**) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

15.12.130 ESTABLISHMENT OF DEVELOPMENT PERMIT

A. FLOODPLAIN DEVELOPMENT PERMIT REQUIRED

A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in section **15.12.050**. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in section **15.12.030**, including fill and other development activities.

B. APPLICATION FOR DEVELOPMENT PERMIT

Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically the following information is required:

1. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of section **15.12.120(B)**.

2. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed.
3. Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any non-residential structure meet the floodproofing criteria for non-residential structures in section **15.12.170(C)(3)**.
4. Description of the extent to which any watercourse will be altered or relocated.
5. Base Flood Elevation data for subdivision proposals or other development when required per sections **15.12.120(A)** and **15.12.150(F)**.
6. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
7. The amount and location of any fill or excavation activities proposed.

15.12.140 VARIANCE PROCEDURE

The issuance of a variance is for floodplain management purposes only. Flood insurance premium rates are determined by federal statute according to actuarial risk and will not be modified by the granting of a variance.

A. CONDITIONS FOR VARIANCES

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of sections **15.12.140 (3) and (5), and 15.12.140(C)**. As the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases.
2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
5. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of section **15.12.140(2) – (4)** are met, and the structure or other development is

protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.'

B. APPEAL BOARD

1. The City Council shall hear and decide appeals and requests for variances from the requirements of Sweet Home Municipal Code Chapter 15.12.
2. The City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made in the enforcement or administration of Sweet Home Municipal Code Chapter 15.12.
3. Those aggrieved by the decision of the City Council may appeal the decision as provided for by law.
4. In passing upon the applications, the City Council shall consider technical evaluations, relevant factors and standards specified in other sections of this chapter:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on individual owners;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the Comprehensive Plan;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and
 - k. The costs of providing government services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer and water systems, streets and bridges.
5. Upon consideration of the factors of **15.12.140(A)** of this section, the City Council may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this chapter.
6. The city shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

C. VARIANCE NOTIFICATION

Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance and that such construction below the base flood elevation increases risks to life and property. Such notification and a record of all variance actions, including justification for their issuance shall be maintained in accordance with section **15.12.120(B)**.

15.12.150 PROVISIONS FOR FLOOD HAZARD REDUCTION- GENERAL STANDARDS

In all special flood hazard areas, the following standards shall be adhered to:

A. ALTERATION OF WATERCOURSES

Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with sections **15.12.120(D)** and **15.12.120(E)**.

B. ANCHORING

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. All manufactured dwellings shall be anchored per section **15.12.170(C)(4)**.

C. CONSTRUCTION MATERIALS AND METHODS

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

D. UTILITIES AND EQUIPMENT

1. WATER SUPPLY, SANITARY SEWER, AND ON-SITE WASTE DISPOSAL SYSTEMS

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

2. ELECTRICAL, MECHANICAL, PLUMBING, AND OTHER EQUIPMENT

Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated one (1) foot or more above the Base Flood Elevation (BFE) or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall meet all the requirements of this section if replaces as part of a substantial improvement.

E.TANKS

1. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.
2. Above-ground tanks shall be installed at or above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.

F. SUBDIVISION PROPOSALS & OTHER PROPOSED DEVELOPMENTS

1. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals, Base Flood Elevation data.
2. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:
 - a. Be consistent with the need to minimize flood damage.
 - b. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
 - c. Have adequate drainage provided to reduce exposure to flood hazards.

G. USE OF OTHER BASE FLOOD DATA

When Base Flood Elevation data has not been provided in accordance with section **15.12.050** the local floodplain administrator shall obtain, review, and reasonably utilize any Base Flood Elevation data available from a federal, state, or other source, in order to administer section **15.12.150 and 15.12.170**. All new subdivision proposals and other proposed new developments (including proposals for

manufactured dwelling parks and subdivisions) must meet the requirements of section **15.12.150(F)**.

Base Flood Elevations shall be determined for development proposals that are 5 acres or more in size or are 50 lots or more, whichever is lesser in any A zone that does not have an established base flood elevation. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided Base Level Engineering data, and photographs of past flooding, etc... where available. In unnumbered A zones, when no base flood elevation data is available, the minimum elevation requirement is two feet above the highest adjacent grade to reasonably safe from flooding. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

H. STRUCTURES LOCATED IN MULTIPLE OR PARTIAL FLOOD ZONES

In coordination with the State of Oregon Specialty Codes:

- A. When a structure is located in multiple flood zones on the community's Flood Insurance Rate Maps (FIRM) the provisions for the more restrictive flood zone shall apply.
- B. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.

15.12.160 CRITICAL FACILITIES

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three (3) feet above the Base Flood Elevation (BFE) or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

15.12.170 SPECIFIC STANDARDS FOR RIVERINE (INCLUDING ALL NON-COASTAL) FLOOD ZONES

These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in section **15.12.150** of this ordinance.

A. FLOOD OPENINGS

All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements. Enclosed areas below the Base Flood Elevation, including crawl spaces shall:

- a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;
- b. Be used solely for parking, storage, or building access;
- c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:
 - i. A minimum of two openings,
 - ii. The total net area of non-engineered openings shall be not less than one (1) square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,
 - iii. The bottom of all openings shall be no higher than one foot above grade.
 - iv. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area.
 - v. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

B. GARAGES

- 1. Attached garages may be constructed with the garage floor slab below the Base Flood Elevation (BFE) in riverine flood zones, if the following requirements are met:
 - i. If located within a floodway the proposed garage must comply with the requirements of section **15.12.180**.
 - ii. The floors are at or above grade on not less than one side;
 - iii. The garage is used solely for parking, building access, and/or storage;
 - iv. The garage is constructed with flood openings in compliance with section **15.12.170(A)** to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - v. The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;
 - vi. The garage is constructed in compliance with the standards in section **15.12.150**; and
 - vii. The garage is constructed with electrical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
- 2. Detached garages must be constructed in compliance with the standards for appurtenant structures in section **15.12.170(C)(6)** or non-residential structures in section **15.12.170(C)(3)** depending on the square footage of the garage.

C. FOR RIVERINE (NON-COASTAL) SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATIONS

In addition to the general standards listed in section **15.12.150** the following specific standards shall apply in Riverine (non-coastal) special flood hazard areas with Base Flood Elevations (BFE): Zones A1-A30, AH, and AE.

1. BEFORE REGULATORY FLOODWAY

In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's Flood Insurance Rate Map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

2. RESIDENTIAL CONSTRUCTION

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the Base Flood Elevation (BFE).
- b. Enclosed areas below the lowest floor shall comply with the flood opening requirements in section **15.12.170(A)**.

3. NON-RESIDENTIAL CONSTRUCTION

- a. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall:
 - i. Have the lowest floor, including basement elevated at or above the Base Flood Elevation (BFE); Or, together with attendant utility and sanitary facilities.
 - ii. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - iii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - iv. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth section **15.12.120(B)**.
- b. Non-residential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in section **15.12.170(A)**.

- c. Applicants floodproofing non-residential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one (1) foot below).
- d. Applicants shall supply a maintenance plan for the entire structure to include but not limited to: exterior envelop of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields, gates, barriers, or components; and, the location of all shields, gates, barriers, and components, as well as all associated hardware, and any materials or specialized tools necessary to seal the structure
- e. Applicants shall supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.

4. MANUFACTURED DWELLINGS

- a. New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with section **15.12.170(A)**;
- b. The bottom of the longitudinal chassis frame beam shall be at or above Base Flood Elevation;
- c. New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques), and;
- d. Electrical crossover connections shall be a minimum of twelve (12) inches above Base Flood Elevation (BFE).

5. RECREATIONAL VEHICLES

Recreational vehicles placed on sites are required to:

- a. Be on the site for fewer than 180 consecutive days; and
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the requirements of section **15.12.170(C)(4)**, including the anchoring and elevation requirements for manufactured dwellings.

6. APPURTENANT (ACCESSORY) STRUCTURES

Relief from elevation or floodproofing requirements for residential and non-residential structures in Riverine (Non-Coastal) flood zones may be granted for appurtenant structures that meet the following requirements:

- a. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in section **15.12.180**.
- b. Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation;
- c. In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as non-residential are limited in size to 120 square feet.
- d. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- e. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
- f. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in section **15.12.170(A)**;
- g. Appurtenant structures shall be located and constructed to have low damage potential;
- h. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with section **15.12.150(E)**.
- i. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

15.12.180 FLOODWAYS

Located within the special flood hazard areas established in section **15.12.050** are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:

1. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge;
Or,
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that a Conditional Letter of Map Revision (CLOMR) is applied for and approved by the Federal Insurance Administrator, and the requirements for such revision as established under Volume 44 of the Code of Federal Regulations, section 65.12 are fulfilled.
 - a. If an encroachment proposal resulting in an increase in Base Flood Elevation meets the following criteria:
 - a) Is for the purpose of fish enhancement,
 - b) Does not involve the placement of any structures (as defined in section 2.0) within the floodway,
 - c) Has a feasibility analysis completed documenting that fish enhancement will be achieved through the proposed project,
 - d) Has a maintenance plan in place to ensure that the stream carrying capacity is not impacted by the fish enhancement project,
 - e) Has approval by the National Marine Fisheries Service, the State of Oregon Department of Fish and Wildlife, or the equivalent federal or state agency, and
 - f) Has evidence to support that no existing structures will be negatively impacted by the proposed activity;

Then an approved CLOMR may be required prior to approval of a floodplain permit.

B. New installation of manufactured dwellings are prohibited (2002 Oregon Manufactured Dwelling and Park Specialty Code). Manufactured dwellings may only be located in floodways according to one of the following conditions:

1. If the manufactured dwelling already exists in the floodway, the placement was permitted at the time of the original installation, and the continued use is not a threat to life, health, property, or the general welfare of the public; or
2. A new manufactured dwelling is replacing an existing manufactured dwelling whose original placement was permitted at the time of installation and the replacement home will not be a threat to life, health, property, or general welfare of the public and it meets the following criteria:
 - a. As required by 44 CFR Ch. 1, Subpart 60.3(d)(3) and **15.12.180(A)(2)**, it must be demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the

manufactured dwelling and any accessory buildings, accessory structures, or property improvements (encroachments) will not result in any increase in flood levels during the occurrence of the base flood discharge;

- b. The replacement manufactured dwelling shall have the bottom of the longitudinal chassis frame beam elevated to or above the base flood elevation and any accessory buildings or structures (encroachments) shall have the finished floor elevated a minimum of 18 inches above the BFE as identified on the Flood Insurance Rate Map;
- c. The replacement manufactured dwelling is placed and secured to a foundation support system designed by an Oregon professional engineer or architect and approved by the city and anchored per section **15.12.170(C)(4)**;
- d. The replacement manufactured dwelling, its foundation supports, and any accessory buildings, or property improvements (encroachments) do not displace water to the degree that it causes a rise in the water level or diverts water in a manner that causes erosion or damage to other properties;
- e. The location of a replacement manufactured dwelling is allowed by Sweet Home Municipal Code Title 17;
- f. Electrical crossover connections shall be a minimum of twelve (12) inches above the base flood elevation; and
- g. Any other requirement deemed necessary by the city.

- C. If the requirements of section **15.12.180(A)** are satisfied, all new construction, substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of section **15.12.150** and **15.12.170**.



Community and Economic Development Department

City of Sweet Home
3225 Main Street
Sweet Home, OR 97386
541-367-8113
Fax 541-367-5113
www.sweethomeor.gov

Legislative Amendment LA 20-01

This legislative amendment, LA 20-01, consists of text amendments to Chapter 15.12, Flood Hazard Area Regulations, of the Sweet Home Municipal Code (SHMC). The proposed text amendments were identified by a Department of Land Conservation and Development (DLCD) review and the text amendments are required for compliance with minimum National Flood Insurance Program (NFIP) and state standards.

This proposal includes amendments to following sections of the SHMC 15.12: 15.12.010 Statutory Authority; 15.12.020 Statement of Purpose; 15.12.025 Methods of reducing flood losses; 15.12.030 Definitions; 15.12.060 Abrogation and greater restrictions; 15.12.100 Designation of Building Official as local administrator; 15.12.110 Application for a Building Permit, 15.12.120 Duties and responsibilities of Building Inspector; 15.12.130 General Standards; 15.12.140 Lands to which chapter applies; 15.12.170 Appeal Board; 15.12.150 Floodways; and 15.12.190 Penalties for noncompliance.

FILE NUMBER: LA 20-01

REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s): 15.12

CITY COUNCIL HEARING DATE & TIME: April 14, 2020 at 6:30 PM: City Council Memo

LOCATION: City Hall Council Chambers 3225 Main Street, Sweet Home, Oregon 97386

CITY COUNCIL HEARING DATE & TIME: April 28, 2020 at 6:30 PM: First Reading

LOCATION: City Hall Council Chambers 3225 Main Street, Sweet Home, Oregon 97386

STAFF CONTACT: Angela Clegg, Associate Planner
Phone: (541) 367-8113;
Email: aclegg@sweethomeor.gov

REPORT DATE: April 21, 2020

This Staff Report is an amendment to the Staff Report presented to the Planning Commission at the April 6, 2020 Public Hearing.

The Planning Commission moved to approve application LA20-01 on April 6, 2020 and thereby permit the legislative amendment, LA 20-01, consisting of text amendments to Chapter 15.12, Flood Hazard Area Regulations, of the Sweet Home Municipal Code (SHMC) with the additional recommendations listed below, and recommending the City Council hold a public hearing on Tuesday, April 28, 2020 at 6:30 PM and make a decision on the application.

During the Planning Commission Public Hearing held on April 6, 2020 at 6:30 PM, the following questions/recommendations were raised by the Planning Commissioners:

- Chairman Parker suggested an edit on Page 6, Recreational Vehicle, 2. Change 400 SF to 430 SF. 430 is the maximum size for a fifth-wheel style RV.
- Chairman Parker suggested an edit on Page 6, Recreational Vehicle, 3. Delete 'by a light duty truck'. The commissioners felt that by deleting it then it would eliminate any confusion as to what the definition of a light duty truck is. They felt that having it just say 'permanently towable' was enough.
- Page 21, 5.a. where did the '180' days come from? The Planning Commissioners would like clarification since the City of Sweet Home doesn't allow that amount of time.

Celinda Adair, DLCD, NFIP Coordinator responded with the following:

- The definition for "Recreational Vehicle" comes from the Code of Federal Regulations (CRR), Section 44 CFR 59.1. FEMA Region X requires the definition to be adopted verbatim for compliance with the NFIP minimum standards.
- The FEMA definition reflects the national standard is maximum of 400 square feet. Here is a link to the RV Industry Association's website that references this standard <https://www.rvia.org/advocacy/policies/dimensions>. The light-duty truck language is also in the definition of "Recreational Vehicle" in Section 44 CFR 59.1. The goal of that language is to ensure that the RV can be moved quickly and easily in the event of a flood. So, it needs to be towable by a light-duty truck. If the Planning Commission wants to add a definition to clarify what that is they can.
- DLCD does not have leeway to approve the language amendments proposed by the Planning Commission. DLCD is required by FEMA to ensure the definition of RV matches the definition in Section 44 CFR 59.1.

Recreation vehicles placed on sites are required to: (a) Be on site for fewer than 180 consecutive days:

- SHMC Title 10.28.030 Permitted Acts:
 - D. The City shall create a temporary construction residential permit, herein called the TCR permit, to be a form and content prescribed by the Building Official and required by Subsection E of this section.
 - E. Notwithstanding the provisions of § 10.28.020, a person can occupy a travel trailer or recreational vehicle, herein referred to as a temporary construction residence, in conjunction with the building of a structure that is to be used as a residence, upon the following conditions and terms.

Attachment A: Planning Commission Meeting Minutes; April 6, 2020

Attachment B: Planning Commission Staff Report

Attachment C: Draft Ordinance



CITY OF SWEET HOME PLANNING COMMISSION MEETING MINUTES

April 6, 2020, 6:30 PM
City Hall Council Chambers, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode:
guestwifi

Call to Order 6:42

Pledge of Allegiance

Roll Call of Commissioners:

In person: Jeff Parker (Chair), Henry Wolthuis, Greg Korn

Remote: Lance Gatchell (Vice Chair), Eva Journey, Greg Stephens

Staff: Blair Larsen, CEDD Director (remote); Angela Clegg, Associate Planner (in person), Brandon Neish, Finance Director (in person)

Visitors: None

Proposed Emergency Planning Commission Electronic Meeting Process

CEDD Director, Larsen, read the Memorandum dated April 6, 2020

Planning Commission discussed the memorandum timeline.

The emergency procedure will remain in place until the COVID-19 restrictions are lifted by the State.

Commissioner Gatchell moved to adopt the emergency procedures lasting until the COVID-19 restrictions are lifted.

Commissioner Stephens seconded the motion.

Question was Called:

Aye	6
Nay	0
Absent	0

Motion Passed (6) Ayes to (0) Nays

Voting procedures were later brought to the commissioner's attention and with direction from CEDD Director Larsen added procedure 8 to the memorandum.

"8. Any vote taken during electronic meetings will be by roll call vote."

Commissioner Journey moved to adopt the emergency procedures adding procedure 8. Any vote taken during electronic meetings will be by roll call vote.

Commissioner Stephens seconded the motion.

Question was Called:

Aye	6
Nay	0
Absent	0

Motion Passed (6) Ayes to (0) Nays

Public Comment. None

Review and Approval of Meeting Minutes: March 2, 2020

Commissioner Wolthuis moved to approve the March 2, 2020 meeting minutes without changes.

Commissioner Korn seconded the motion to approve the meeting minutes without changes

Question was Called:

Aye	6
Nay	
Absent	

Motion Passed () Ayes to () Nays

Public Hearing for File LA20-01: This legislative amendment, LA 20-01, consists of text amendments to Chapter 15.12, Flood Hazard Area Regulations, of the Sweet Home Municipal Code (SHMC). The proposed text amendments were identified by a Department of Land Conservation and Development (DLCD) review and the text amendments are required for compliance with minimum National Flood Insurance Program (NFIP) and state standards.

This proposal includes amendments to following sections of the SHMC 15.12: 15.12.010 Statutory Authority; 15.12.020 Statement of Purpose; 15.12.025 Methods of reducing flood losses; 15.12.030 Definitions; 15.12.060 Abrogation and greater restrictions; 15.12.100 Designation of Building Official as local administrator; 15.12.110 Application for a Building Permit, 15.12.120 Duties and responsibilities of Building Inspector; 15.12.130 General Standards; 15.12.140 Lands to which chapter applies; 15.12.170 Appeal Board; 15.12.150 Floodways; and 15.12.190 Penalties for noncompliance.

PUBLIC HEARING OPENED AT 6:55 PM

Chairman Parker read the description of the application and the Planning Commission criteria.

The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

Personal Bias: None
Conflict of Interest: None
Exparte Information: None

Comments/Discussion:

Angela introduced the Ordinance and read into record “The implementation of the proposed code amendments are consistent with the statewide planning goals and the acknowledged Sweet Home comprehensive plan policies.”

Chairman Parker suggested an edit on Page 6, Recreational Vehicle, 2. Change 400 SF to 430 SF. 430 is the maximum size for a fifth-wheel style RV.

Chairman Parker suggested and edit on Page 6, Recreational Vehicle, 3. Delete ‘by a light duty truck’. The commissioners felt that by deleting it then it would eliminate any confusion as to what the definition of a light duty truck is. They felt that having it just say ‘permanently towable’ was enough.

Page 21, 5.a. where did the ‘180’ days come from? They would like clarification since the City of Sweet Home doesn’t allow that amount of time.

Commission left phone lines open until 7:30 for public input.

Testimony in Favor: None
Testimony in Opposition: None
Neutral Testimony: None
Rebuttal: None

PUBLIC HEARING CLOSED AT 7:30 PM

Commissioner Gatchell moved to approve application LA20-01 and thereby permit the legislative amendment, LA 20-01, consisting of text amendments to Chapter 15.12, Flood Hazard Area Regulations, of the Sweet Home Municipal Code (SHMC).; adopting the findings of fact listed in Attachment A of the staff report with the additional recommendations listed above, and recommending the City Council hold a public hearing on Tuesday, April 28, 2020 at 6:30 PM and make a decision on the application.

Commissioner Journey seconded the motion to approve.

Question was called

Aye: 6

Nay: 0

Absent: 0

Motion Passed (6) Ayes to (0) Nays

Staff Update on Planning Projects

CEDD Director Larsen gave a code update from Walt regarding the code updates to Titles 16 and 17.

Mr. Larsen thanked the Commissioners for their willingness to continue to have public hearings and work with staff to work through the trials of the virtual meetings.

Associate Planner Clegg updated the Commissioners on applications that are pending, and that business is as usual in the Planning Department even with Clegg working remotely.

Adjournment 7:40 PM

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend.

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

Jeff Parker, Chairperson
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Associate Planner

Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
 - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:
READ: “The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.”
- Declarations by the Commission:
 - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
 - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
 - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
 - Review of application
 - Discussion of relative Criteria that must be used
 - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
 - Applicant's Testimony
 - Proponents' Testimony
 - Testimony from those wishing to speak in favor of the application
 - Opponents' Testimony
 - Testimony from those wishing to speak in opposition of the application
 - Neutral Testimony
 - Testimony from those that are neither in favor nor in opposition of the application.
 - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
 - Motion
 - Approval
 - Denial
 - Approval with Conditions
 - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
 - Recommendation made by Planning Commission—City Council makes final decision.

- If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.

DRAFT

ORDINANCE BILL NO. 8 FOR 2020

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE SWEET HOME MUNICIPAL CODE CHAPTER 15.12:
FLOOD HAZARD AREA REGULATIONS**

WHEREAS, the State of Oregon has, in ORS 197.175 Cities' and Counties' Planning Responsibilities, delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, these floodplain management regulations include Sweet Home Municipal Code Chapter 15.12 Flood Hazard Area Regulation, the FEMA Flood Insurance Study dated September 29, 2010 and the revised date December 27, 2012, and the Flood Insurance Rate Maps dated September 29, 2010;

WHEREAS, after coordination between the State Department of Land Conservation and Development (DLCD) and the City, and as a member of the National Flood Insurance Program (NFIP), the City initiated these text changes to SHMC Title 15 Building and Construction, Chapter 15.12 Flood Hazard Area Regulation, to amend the City Flood Hazard Area Regulations;

WHEREAS, pursuant to ORS 197.610 Submission of Proposed Comprehensive Plan or Land Use Regulation Changes to Department of Land Conservation and Development (DLCD), the City provided DLCD with Form 1 notice of these proposed SHMC Title 15 Building and Construction, Chapter 15.12 Flood Hazard Area Regulation, text changes on February 7, 2020;

WHEREAS, the Planning Commission held a public work session on March 2, 2020, to provide an open forum for discussion of the amendments to Chapter 15.12 Flood Hazard Area Regulation;

WHEREAS, the City Council held a public work session on March 10, 2020, to provide an open forum for discussion of the amendments to Chapter 15.12 Flood Hazard Area Regulation;

WHEREAS, the Planning Commission held a public hearing on April 6, 2020 for the proposed amendments to Chapter 15.12 Flood Hazard Area Regulation;

WHEREAS, the Planning Commission followed the text amendment procedures under Chapter 2.20.90 Powers and Duties, and has provided a report to the City Council along with its recommendation to consider the proposed text changes;

WHEREAS, the City Council held a public hearing on these proposed text changes on April 14, 2020 and continued the public hearing to April 28, 2020.

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

Section 1. Sweet Home Municipal Code Chapter 15.12: Flood Hazard Area Regulations is amended to read as follows:

CHAPTER 15.12: FLOOD HAZARD AREA REGULATIONS

15.12.010 STATUTORY AUTHORIZATION.

The State of Oregon has in ORS 197.175, Cities' and Counties' Planning Responsibilities, delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the public health, safety, and general welfare of its citizenry.

15.12.015 FINDINGS OF FACT.

- A. The flood hazard areas of The City of Sweet Home are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses may be caused by the cumulative effect of obstructions in special flood hazard areas which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood loss.

15.12.020 STATEMENT OF PURPOSE.

It is the purpose of this Chapter to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in flood hazard areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in special flood hazard areas;
- F. To Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
- G. Notify potential buyers that the property is in a special flood hazard area
- H. Notify those who occupy special flood hazard areas that they assume responsibility for their actions
- I. Participate in and maintain eligibility for flood insurance and disaster relief.

15.12.025 METHODS OF REDUCING FLOOD LOSSES.

In order to accomplish its purposes, this Chapter includes methods and provisions for:

- A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage;
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

15.12.030 DEFINITIONS.

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted so as to give them the meaning they have in common usage.

APPEAL. A request for a review of the interpretation of any provision of this Chapter or a request for a variance.

AREA OF SHALLOW FLOODING. A designated Zone AO, AH, AR/AO or AR/AH on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD. The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard".

BASE FLOOD. The flood having a one percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE). The elevation to which floodwater is anticipated to rise during the base flood.

BASEMENT. Any area of the building having its floor subgrade (below ground level) on all sides.

BUILDING. See "Structure."

CRITICAL FACILITY. Means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use, or store hazardous materials or hazardous waste.

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

FLOOD OR FLOODING.

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
 - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD ELEVATION STUDY. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD INSURANCE RATE MAP (FIRM). The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

FLOOD INSURANCE STUDY (FIS). See "Flood elevation study".

FLOOD PROOFING. Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE. Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior in states without approved programs.

LETTER OF MAPCHANGE (LOMC). Means an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. The following are categories of LOMCs:

1. **CONDITIONAL LETTER OF MAP AMENDMENT (CLOMA).** A CLOMA is FEMA's comment on a proposed structure or group of structures that would, upon construction, be located on existing natural ground above the base (1-percent-annual-change) flood elevation on a portion of a legally defined parcel of land that is partially inundated by the base flood.
2. **CONDITIONAL LETTER OF MAP REVISION (CLOMR).** A CLOMR is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.
3. **CONDITIONAL LETTER OF MAP REVISION BASED ON FILL (CLOMR-F).** A CLOMR-F is FEMA's comment on a proposed project that would, upon construction, result in a modification of the special flood hazard area through the placement of fill outside the existing regulatory floodway.
4. **LETTER OF MAP AMENDMENT (LOMA).** An official amendment, by letter, to the Flood Insurance Rate Maps (FIRMs) based on technical data showing that an existing structure, parcel of land or portion of a parcel of land that is naturally high ground, (i.e., has not been elevated by fill) above the base flood, that was inadvertently included in the special flood hazard area.
5. **LETTER OF MAP REVISION (LOMR).** A LOMR is FEMA's modification to an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the SFHA. The LOMR officially revises the FIRM or FBFM, and sometimes the Flood Insurance Study (FIS) report, and, when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

6. **LETTER OF MAP REVISION BASED ON FILL (LOMR-F).** A LOMR-F is FEMA's modification of the special flood hazard area shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.
7. **PMR.** A PMR is FEMA's physical revision and republication of an effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS) report. PMRs are generally based on physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter.

MANUFACTURED DWELLING. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home".

MANUFACTURED DWELLING PARK OR SUBDIVISION. A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

MEAN SEA LEVEL. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by The City of Sweet Home and includes any subsequent improvements to such structures.

RECREATIONAL VEHICLE. A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SPECIAL FLOOD HAZARD AREA. See "Area of special flood hazard" for this definition.

START OF CONSTRUCTION. Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the

construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE. A grant of relief by The City of Sweet Home from the terms of a flood plain management regulation.

VIOLATION. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Chapter is presumed to be in violation until such time as that documentation is provided.

15.12.040 LANDS TO WHICH THIS CHAPTER APPLIES.

This Chapter shall apply to all special flood hazard areas within the jurisdiction of The City of Sweet Home.

15.12.050 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for "Flood Insurance Study for Linn County, Oregon and Incorporated Areas", dates of September 29, 2010 and the revised date December 27, 2012, with accompanying Flood Insurance Rate Maps (FIRMs)

41043C0895G, 41043C0911G, 41043C0912G, 41043C0913G, 41043C0914G, 41043C0916G, 41043C0917G, 41043C0918G, and 41043C0919G are hereby adopted by reference and declared to be a part of this Chapter. The FIS and FIRM panels are on file at The City of Sweet Home City Hall, 3225 Main Street, Sweet Home, Oregon.

15.12.055 COORDINATION WITH STATE OF OREGON SPECIALTY CODES.

Pursuant to the requirement established in ORS Chapter 455 that The City of Sweet Home administers and enforces the State of Oregon Specialty Codes, The City of Sweet Home does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this Chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

15.12.060 COMPLIANCE AND PENALTIES FOR NONCOMPLIANCE.

- A. Compliance. All development within special flood hazard areas is subject to the terms of this Chapter and required to comply with its provisions and all other applicable regulations.
- B. Penalties for noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. Violations of the provisions of this Chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation and may be prosecuted under the provisions of sweet home municipal code chapter 9.36 and any amendments thereto. abatement of the violations of this Sweet Home Municipal Code chapter 15.12 can be accomplished by any remedy open to the city, including using the procedures set out in Sweet Home Municipal Code chapter 8.04 for abatement of nuisances. each day that a violation exists is a separate offense. nothing contained herein shall prevent The City of Sweet Home from taking such other lawful action as is necessary to prevent or remedy any violation.

15.12.065 ABROGATION AND SEVERABILITY.

- A. Abrogation. This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. however, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- B. Severability. This Chapter and the various parts thereof are hereby declared to be severable. if any section clause, sentence, or phrase of the Chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Chapter.

15.12.070 INTERPRETATION.

In the interpretation and application of this Chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

15.12.080 WARNING AND DISCLAIMER OF LIABILITY.

- A. Warning. The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.
- B. Disclaimer of liability. This Chapter shall not create liability on the part of the city of sweet home, any officer or employee thereof, or the federal insurance administrator for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made hereunder.

15.12.100 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR.

The City Manager, and the City Manager's designee, is hereby appointed to administer, implement, and enforce this Chapter by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

15.12.120 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.

Duties of the floodplain administrator, or their designee, shall include, but not be limited to:

- A. Permit review. Review all development permits to determine that:
 - 1. The permit requirements of this Chapter have been satisfied;
 - 2. All other required local, state, and federal permits have been obtained and approved.
 - 3. Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway assure that the floodway provisions of this Chapter in SHMC §15.12.180 are met; and
 - 4. Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of SHMC §15.12.120(G); and
 - 5. Provide to building officials the Base Flood Elevation (BFE) and freeboard, applicable to any building requiring a development permit.
 - 6. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined in SHMC §15.12.030.
 - 7. Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in SHMC §15.12.120(A).
 - 8. Review all development permits to determine if the proposed development activity includes the placement of fill or excavation.
- B. Information to be obtained and maintained. The following information shall be obtained and maintained and shall be made available for public inspection as needed:

1. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where Base Flood Elevation (BFE) data is provided through the Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM), or obtained in accordance with SHMC §15.12.120(G).
 2. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of SHMC §15.12.180 and §15.12.120(B) are adhered to.
 3. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).
 4. Where base flood elevation data are utilized, obtain as-built certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.
 5. Maintain all Elevation Certificates (EC) submitted to The City of Sweet Home;
 6. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this Chapter and where Base Flood Elevation (BFE) data is provided through the FIS, FIRM, or obtained in accordance with SHMC §15.12.150(G).
 7. Maintain all floodproofing certificates required under this Chapter;
 8. Record and maintain all variance actions, including justification for their issuance;
 9. Obtain and maintain all hydrologic and hydraulic analyses performed as required under SHMC §15.12.180.
 10. Record and maintain all Substantial Improvement and Substantial Damage calculations and determinations as required under SHMC §15.12.120(F).
 11. Maintain for public inspection all records pertaining to the provisions of this Chapter.
- C. Community boundary alterations. The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps (FHBM) and Flood Insurance Rate Maps (FIRM) accurately represent the community's boundaries. Include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
- D. Watercourse alterations. Notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision (LOMR) along with either:

1. A proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or
2. Certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance.

The applicant shall be required to submit a Conditional Letter of Map Revision (CLOMR) when required under SHMC §15.12.120(E). Ensure compliance with all applicable requirements in SHMC §15.12.120(E) and §15.12.150(A).

- E. Requirement to submit new technical data. A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. as soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Section 44 of the Code of Federal Regulations (CFR), Sub-Section 65.3. The community may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change (LOMC) process.

The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

1. Proposed floodway encroachments that increase the base flood elevation; and
2. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

An applicant shall notify FEMA within six (6) months of project completion when an applicant has obtained a Conditional Letter of Map Revision (CLOMR) from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision (LOMR).

The applicant shall be responsible for preparing all technical data to support CLOMR/LOMR applications and paying any processing or application fees associated with the CLOMR/LOMR-F

The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this code and all applicable state and federal laws.

- F. Substantial improvement and substantial damage assessments and determinations. Conduct Substantial Improvement (SI) (as defined in section 2.0) reviews for all structural development proposal applications and maintain a record of SI calculations within permit files in accordance with SHMC §15.12.120(b). Conduct Substantial Damage (SD) (as defined in section 2.0) assessments when structures are damaged due to a natural hazard event or other causes. Make SD determinations whenever structures within the special flood hazard area (as established in SHMC §15.12.050) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

15.12.130 ESTABLISHMENT OF DEVELOPMENT PERMIT.

- A. Floodplain development permit required. A development permit shall be obtained before construction or development begins within any area horizontally within the special flood

hazard area established in SHMC §15.12.050. the development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in SHMC §15.12.030, including fill and other development activities.

- B. Application for development permit. Application for a development permit may be made on forms furnished by the floodplain administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
1. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of SHMC §15.12.120(B).
 2. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed.
 3. Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any non-residential structure meet the floodproofing criteria for non-residential structures in SHMC §15.12.170(C)(3).
 4. Description of the extent to which any watercourse will be altered or relocated.
 5. Base Flood Elevation data for subdivision proposals or other development when required per SHMC §15.12.120(A) and §15.12.150(F).
 6. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
 7. The amount and location of any fill or excavation activities proposed.

15.12.140 VARIANCE PROCEDURE.

The issuance of a variance is for floodplain management purposes only. Flood insurance premium rates are determined by federal statute according to actuarial risk and will not be modified by the granting of a variance.

A. Conditions for variances.

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of SHMC §15.12.140 (3) and (5), and §15.12.140(C). As the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases.
2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon:

- a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or Ordinances.
5. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of SHMC §15.12.140(2) – (4) are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.’

B. Appeal board.

- 1. The City Council shall hear and decide appeals and requests for variances from the requirements of Sweet Home Municipal Code Chapter 15.12.
- 2. The City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made in the enforcement or administration of Sweet Home Municipal Code Chapter 15.12.
- 3. Those aggrieved by the decision of the City Council may appeal the decision as provided for by law.
- 4. In passing upon the applications, the City Council shall consider technical evaluations, relevant factors and standards specified in other sections of this chapter:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on individual owners;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the Comprehensive Plan;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and
 - k. The costs of providing government services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer and water systems, streets and bridges.

5. Upon consideration of the factors of SHMC §15.12.140(A), the City Council may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this chapter.
 6. The city shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.
- C. Variance notification. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance and that such construction below the base flood elevation increases risks to life and property. Such notification and a record of all variance actions, including justification for their issuance shall be maintained in accordance with SHMC §15.12.120(b).

15.12.150 PROVISIONS FOR FLOOD HAZARD REDUCTION- GENERAL STANDARDS.

In all special flood hazard areas, the following standards shall be adhered to:

- A. Alteration of watercourses. Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with SHMC §15.12.120(d) and §15.12.120(e).
- B. Anchoring.
1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 2. All manufactured dwellings shall be anchored per SHMC §15.12.170(C)(4).
- C. Construction materials and methods.
1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- D. Utilities and Equipment.
1. Water supply, sanitary sewer, and on-site waste disposal systems.
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

2. Electrical, mechanical, plumbing, and other equipment. Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall meet all the requirements of this section if replaces as part of a substantial improvement.
 - a. If replaced as part of substantial improvement, shall meet all the requirements of this section.

E. Tanks.

1. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.
2. Above-ground tanks shall be installed at or above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.

F. Subdivision proposals & other proposed developments,

1. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals, Base Flood Elevation data.
2. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:
 - a. Be consistent with the need to minimize flood damage.
 - b. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
 - c. Have adequate drainage provided to reduce exposure to flood hazards.

- G. Use of other base flood data. When base flood elevation data has not been provided in accordance with SHMC §15.12.050 the local floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other source, in order to administer SHMC §15.12.150 and §15.12.170. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of SHMC §15.12.150(f).

Base Flood Elevations shall be determined for development proposals that are 5 acres or more in size or are 50 lots or more, whichever is lesser in any A zone that does not have an established base flood elevation. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided Base Level Engineering data, and photographs of past flooding, etc.... where available. In unnumbered A zones, when no base flood elevation data is available, the minimum elevation requirement is two

feet above the highest adjacent grade to reasonably safe from flooding. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

H. Structures located in multiple or partial flood zones. In coordination with the State of Oregon specialty codes:

1. When a structure is located in multiple flood zones on the community's Flood Insurance Rate Maps (FIRM) the provisions for the more restrictive flood zone shall apply.
2. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.

15.12.160 CRITICAL FACILITIES.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three (3) feet above the Base Flood Elevation (BFE) or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

15.12.170 SPECIFIC STANDARDS FOR RIVERINE (INCLUDING ALL NON-COASTAL) FLOOD ZONES.

These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in SHMC §15.12.150.

A. Flood openings.

1. All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements.
2. Enclosed areas below the Base Flood Elevation, including crawl spaces shall:
 - a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;
 - b. Be used solely for parking, storage, or building access;
 - c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:
 - i. A minimum of two openings,
 - ii. The total net area of non-engineered openings shall be not less than one (1) square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,
 - iii. The bottom of all openings shall be no higher than one foot above grade.
 - iv. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and

out of the enclosed areas and shall be accounted for in the determination of the net open area.

- v. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

B. Garages.

1. Attached garages may be constructed with the garage floor slab below the Base Flood Elevation (BFE) in riverine flood zones, if the following requirements are met:
 - i. If located within a floodway the proposed garage must comply with the requirements of SHMC §15.12.180.
 - ii. The floors are at or above grade on not less than one side;
 - iii. The garage is used solely for parking, building access, and/or storage;
 - iv. The garage is constructed with flood openings in compliance with SHMC §15.12.170(A) to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - v. The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;
 - vi. The garage is constructed in compliance with the standards in SHMC §15.12.150; and
 - vii. The garage is constructed with electrical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
2. Detached garages must be constructed in compliance with the standards for appurtenant structures in SHMC §15.12.170(C)(6) or non-residential structures in SHMC §15.12.170(C)(3) depending on the square footage of the garage.

C. For riverine (non-coastal) special flood hazard areas with base flood elevations

In addition to the general standards listed in SHMC §15.12.150 the following specific standards shall apply in Riverine (non-coastal) special flood hazard areas with Base Flood Elevations (BFE): Zones A1-A30, AH, and AE.

1. Before regulatory floodway. In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within zones a1-30 and ae on the community's flood insurance rate map (firm), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
2. Residential construction.

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the Base Flood Elevation (BFE).
 - b. Enclosed areas below the lowest floor shall comply with the flood opening requirements in SHMC §15.12.170(A).
- 3. Non-residential construction.
 - a. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall:
 - i. Have the lowest floor, including basement elevated at or above the Base Flood Elevation (BFE); or, together with attendant utility and sanitary facilities.
 - ii. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - iii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - iv. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth SHMC §15.12.120(B).
 - b. Non-residential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in SHMC §15.12.170(A).
 - c. Applicants floodproofing non-residential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one (1) foot below).
 - d. Applicants shall supply a maintenance plan for the entire structure to include but not limited to: exterior envelop of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields, gates, barriers, or components; and, the location of all shields, gates, barriers, and components, as well as all associated hardware, and any materials or specialized tools necessary to seal the structure
 - e. Applicants shall supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.
- 4. Manufactured dwellings.
 - a. New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with SHMC §15.12.170(A);
 - b. The bottom of the longitudinal chassis frame beam shall be at or above Base Flood Elevation;

- c. New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques), and;
 - d. Electrical crossover connections shall be a minimum of twelve (12) inches above Base Flood Elevation (BFE).
5. Recreational vehicles. Recreational vehicles placed on sites are required to:
- a. Be on the site for fewer than 180 consecutive days; and
 - b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c. Meet the requirements of SHMC §15.12.170(C)(4), including the anchoring and elevation requirements for manufactured dwellings.
6. Appurtenant (accessory) structures. Relief from elevation or floodproofing requirements for residential and non-residential structures in riverine (non-coastal) flood zones may be granted for appurtenant structures that meet the following requirements:
- a. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in SHMC §15.12.180.
 - b. Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation;
 - c. In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as non-residential are limited in size to 120 square feet.
 - d. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
 - e. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
 - f. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in SHMC §15.12.170(A);
 - g. Appurtenant structures shall be located and constructed to have low damage potential;
 - h. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with SHMC §15.12.150(E).

- i. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

15.12.180 FLOODWAYS

Located within the special flood hazard areas established in SHMC §15.12.050 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:
 - 1. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge; or,
 - 2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that a Conditional Letter of Map Revision (CLOMR) is applied for and approved by the Federal Insurance Administrator, and the requirements for such revision as established under Volume 44 of the Code of Federal Regulations, section 65.12 are fulfilled.
 - a. If an encroachment proposal resulting in an increase in Base Flood Elevation meets the following criteria:
 - i. Is for the purpose of fish enhancement,
 - ii. Does not involve the placement of any structures (as defined in section 2.0) within the floodway,
 - iii. Has a feasibility analysis completed documenting that fish enhancement will be achieved through the proposed project,
 - iv. Has a maintenance plan in place to ensure that the stream carrying capacity is not impacted by the fish enhancement project,
 - v. Has approval by the National Marine Fisheries Service, the State of Oregon Department of Fish and Wildlife, or the equivalent federal or state agency, and
 - vi. Has evidence to support that no existing structures will be negatively impacted by the proposed activity;

Then an approved CLOMR may be required prior to approval of a floodplain permit.

- B. New installation of manufactured dwellings are prohibited (2002 Oregon Manufactured Dwelling and Park Specialty Code). Manufactured dwellings may only be located in floodways according to one of the following conditions:

1. If the manufactured dwelling already exists in the floodway, the placement was permitted at the time of the original installation, and the continued use is not a threat to life, health, property, or the general welfare of the public; or
2. A new manufactured dwelling is replacing an existing manufactured dwelling whose original placement was permitted at the time of installation and the replacement home will not be a threat to life, health, property, or general welfare of the public and it meets the following criteria:
 - a. As required by 44 CFR Ch. 1, Subpart 60.3(d)(3) and SHMC §15.12.180(A)(2), it must be demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the manufactured dwelling and any accessory buildings, accessory structures, or property improvements (encroachments) will not result in any increase in flood levels during the occurrence of the base flood discharge;
 - b. The replacement manufactured dwelling shall have the bottom of the longitudinal chassis frame beam elevated to or above the base flood elevation and any accessory buildings or structures (encroachments) shall have the finished floor elevated a minimum of 18 inches above the BFE as identified on the Flood Insurance Rate Map;
 - c. The replacement manufactured dwelling is placed and secured to a foundation support system designed by an Oregon professional engineer or architect and approved by the city and anchored per SHMC §15.12.170(C)(4);
 - d. The replacement manufactured dwelling, its foundation supports, and any accessory buildings, or property improvements (encroachments) do not displace water to the degree that it causes a rise in the water level or diverts water in a manner that causes erosion or damage to other properties;
 - e. The location of a replacement manufactured dwelling is allowed by Sweet Home Municipal Code Title 17;
 - f. Electrical crossover connections shall be a minimum of twelve (12) inches above the base flood elevation; and
 - g. Any other requirement deemed necessary by the city.
3. If the requirements of SHMC §15.12.180(A) are satisfied, all new construction, substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of SHMC §15.12.150 and §15.12.170.

Passed by the Council and approved by the Mayor this ___ day of _____, 2020.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Special Event Ordinance

Preferred Agenda: February 25, 2020 (Information Only)
March 10, 2020 (Introduction & First Reading)
April 14, 2020 (Second Reading)
April 28, 2020 (Third and Final Reading)

Submitted By: Blair Larsen

Reviewed By: Ray Towry

Type of Action: Resolution ____ Motion ☒ Roll Call ☒ Other ____

Relevant Code/Policy: SHMC Chapters [5.04](#), [10.04](#), [12.12](#).

Towards Council Goal: Vision Statement, Aspiration II: Effective and efficient local government; Mission Statement; Goal 2.1 Update and streamline processes; Goal 2.2 Develop continuity in planning and permitting processes; Goal 2.5: Implement financial “best” practices

Attachments: Ordinance Bill No. 5 for 2020

Purpose of this RCA:

The City’s current code does not include provisions to regulate special events, such as requiring event planners to carry liability insurance, pay for additional city services, or ensure for attendees’ health and safety. The purpose of this RCA is to inform the council of this lack protection and propose an ordinance that would govern such events and protect taxpayer property.

Background/Context:

The City’s current code includes the issuance of park permits but does not regulate large events that take place in public rights-of-way. Current requirements do not cover the impacts of the large events that our community often hosts. The City Manager directed that a permit process be established under his authority as a stop gap some time ago, but an ordinance is necessary to more fully protect City infrastructure and property while providing for visitors’ welfare.

The Challenge/Problem:

How do we encourage large public events while protecting the taxpayer’s property and infrastructure while ensuring public welfare?

Stakeholders:

City of Sweet Home Residents: Residents benefit from the entertainment and sense of community that comes from large public events, but also benefit from the protection of their parks and streets, and the efficient use of their tax and fee dollars.

Sweet Home City Council Members: Council members are elected to be stewards of public assets and to ensure that City processes serve the public and fulfill their goals.

City of Sweet Home Staff: Staff members benefit from clear policies and procedures that are backed up by clear and thorough City ordinances.

Event Planners: Event planners benefit from clear and objective requirements that help them to plan their events from the very beginning and minimize surprises.

Issues and Financial Impacts:

A proper ordinance on this subject will protect the City from liability and decrease maintenance and personnel costs by placing responsibility for such expenses on the event planners. This is difficult to quantify but will likely have either a neutral or positive financial impact.

Elements of a Stable Solution:

An ideal outcome would be the passage of a special events ordinance that properly assigns liability and responsibility for expenses.

Options:

1. Do Nothing. Continue without an ordinance that adequately regulates special events.
2. Direct staff to make changes to the ordinance.
3. Motion to conduct a first reading of this ordinance.
4. Direct staff to regulate special events in some other way.

Recommendation:

04/28/2020 – Staff recommends – Make a Motion to Approve Ordinance No. 5 for 2020 by Roll Call Vote.

04/14/2020 – Staff recommends – Make a Motion to move Ordinance No. 5 for 2020 to third and final reading.

02/25/2020 - Staff recommends option 3, motion to conduct a first reading of this ordinance.

ORDINANCE BILL NO. 5 FOR 2020

ORDINANCE NO. 1285

SWEET HOME ORDINANCE PERTAINING TO SPECIAL EVENTS

WHEREAS, the City of Sweet Home desires to ensure the safety of its citizens and visitors and protect public property during special events and to enable organizations and individuals to plan and hold special events.

NOW THEREFORE,

The City of Sweet Home does Ordain as follows:

Section 1. Sweet Home Municipal Code Chapter 5.25 titled SPECIAL EVENTS is created to read as follows:

§5.25.010 Purpose and policy.

Special events are of infrequent occurrence and temporary nature and may be associated with promotions, holidays, festivals, and the like. Special events shall be allowed by a special events permit granted by the City Manager or designee. It is the purpose of this chapter to:

- A. Ensure that special events, as defined in this chapter, held within the City of Sweet Home meet minimum standards in order to protect the peace, health, safety, and welfare of individuals attending special events in the City of Sweet Home, as well as the surrounding neighbors and areas of the special event.
- B. It is the intent of the City of Sweet Home to ensure that special events within the city limits meet minimum standards. These standards include, but are not limited to, the safety of the participants and the public, ensuring that responsible persons are directing or are in charge of the event, safeguards against unlawful use and abuse of drugs and alcohol are in effect, and that noise levels are limited so as to ensure the peace, health, safety, and welfare of those attending the special events, as well as the surrounding neighbors.
- C. It is the intent of the city to issue a permit as soon as these minimum health, safety, peace, and welfare criteria are met. However, city officials may also consider any history of noncompliance of a particular organizer and/or event with the minimum peace, health, safety, and welfare criteria of this chapter.
- D. Issuance of a permit does not constitute approval of the operation of any business on any particular piece of property.
- E. Issuance of a permit authorizes only temporary use of property. Approval does not constitute approval of any property use, construction or alteration of permanent structures. Any long-term use of a specific property or structures as a permanent or

developed event site must first be approved under the relevant provisions of the Sweet Home Municipal Code.

- F. It is the specific intent to place the obligation of complying with the requirements of this chapter upon the applicant and permittee, and nothing contained in this chapter is intended to be construed to create or form the basis for liability on the part of the city, or its officers, employees or agents for any injury or damage resulting from the failure of the applicant and/or permittee to comply with the provisions stated herein.

§5.25.020 Definitions.

For the purpose of this chapter, words and phrases used herein are as follows:

“Applicant” shall mean any person or organization who seeks a special event permit to conduct an event governed by this chapter.

“Athletic event” shall mean an occasion in which a group of persons collect to engage in or watch a sport or form of exercise on private or public property and/or on a city street, sidewalk, alley, or other street right- of-way, which obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws or controls. Athletic events include, but are not limited to, bicycle and foot races.

“Block party” shall mean a festive gathering on a street which may or may not require the closure of a street, or a portion thereof, to vehicular traffic, and/or use of the street for the festivity including barbecues, picnics, music or games.

“Expressive Activity” means conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas. Expressive Activity includes, but is not limited to, public oratory and the distribution of literature.

“Permit application fee” shall mean the fee to be paid by the special event permit applicant at the time the application is filed with the city.

“Permittee” shall mean any person or organization who has been issued a special events permit by the City Manager or designee. The permittee shall have authority, subject to approval by the city, to determine participation in any activities associated with the special event during the time period specified in the permit.

“Refundable deposit” shall mean the amount of money required of a permittee by the City in order to assure adequate cleanup of the special event site. The deposit shall be returned to the permittee upon the completion of the event and verification by the public works department that the site has been returned to the condition it was in prior to the event.

“Special Event” means:

- A. Any organized formation, parade, procession, demonstration or assembly which may include persons, animals, vehicles, or any combination thereof, which is to assemble or travel in unison on any street, sidewalk or other public right-of-way owned or controlled by the City which does not comply with applicable traffic regulations, laws or controls; or

- B. Any organized assemblage of seventy-five (75) or more persons at any public place, property, or facility, which is to gather for a common purpose under the direction or control of a person.
- C. Examples of special events include, but are not limited to, concerts, parades, circuses, fairs, festivals, block parties, street fairs, community events, on the water activities (such as boat races), mass participation sports (such as marathons and other running events), athletic or sporting events, and community celebrations and observances conducted on public property or public rights of way.

“Special events permit” shall mean the permit issued by the City Manager or designee after the applicant has met all applicable reviews and requirements set forth in this chapter.

§5.25.030 Exemptions.

The provisions of this chapter shall not apply to:

- A. Funeral processions;
- B. Groups required by law to be so assembled;
- C. Pedestrian processions along a route that is restricted to sidewalks and crossing streets only at pedestrian crosswalks in accordance with traffic regulations and controls;
- D. Expressive activities. If practicable, the organizers should give notice to the City at least four (4) hours prior to the event informing the City of the date and time of the event and provide an estimate of the approximate number of persons who will be participating.
- E. Activities of state and federal governmental agencies, including military units, which are performed within the scope of such agency's duties and functions.

§5.25.040 Administration.

The City Manager or designee shall, after consultation with appropriate departments and agencies, have discretionary authority regarding special event permits. The City Manager or designee may approve, modify, condition, or deny an application for a special events permit, in accordance with the principles of this Chapter.

§5.25.050 Permit required.

- A. Any person desiring to conduct a special event on public property, and/or which will necessitate the use of the public right-of-way, shall first obtain a special event permit.
- B. Any event subject to the provisions of this Chapter that is staged without complying with all conditions of this Chapter shall be subject to closure by the Sweet Home Police Department.

§5.25.060 Permit fee and deposit.

The fee for issuance of a special events permit shall be set by resolution of the city council. A clean-up deposit is required for applicants of special events involving the sale of food or

beverages for immediate consumption, the erection of structures, the use of horses or other animals, or the use of fireworks or other incendiary devices, in an amount reasonably anticipated to be incurred in removing debris or litter caused by such special event, as determined by the City Manager or designee. The clean-up deposit may be returned after the special event if the applicant or applicant organization cleans and restores the area used for the permitted event to the same condition as existed prior to the event. If the property used for the event has not been properly cleaned or restored, the clean-up deposit shall be applied toward the city's costs in cleaning up the permitted area. There may be requirements for police officers to control traffic, provide security, and protect people and property, and the Public Works Department may have costs for placing barricades, roadway preparation, and clean-up, which may impact the amount of the fee and deposit.

§5.25.070 Application and Fee Exemptions and Waivers.

- A. No fee shall apply to a block party
- B. The City Council may waive fees for special events that are sponsored by nonprofit agencies and which further the goals and objectives of the city.
- C. Upon a finding of good cause, the City Manager or designee may waive by order any time limit imposed by this chapter. In the order waiving any time limit, the City Manager or designee must state the new time limit. Any waiver of the time limits imposed by this chapter shall not require an applicant to submit an application more than one hundred twenty (120) days before the first day on which the public event is to be held.
- D. The City Manager or designee may waive all or part of the requirements of liability insurance upon a showing by the applicant of good cause to reduce or waive the insurance.

§5.25.080 Pre-application conference.

The city may require a pre-application conference take place before the application is deemed complete by the city. The pre-application conference, if required, shall be scheduled within ten (10) business days of receipt of the application by the city.

§5.25.090 Permit application.

- A. Any person or organization wishing to conduct a special event shall apply for a special event permit by filing an application with the city at least forty-five (45) days prior to the date on which the event is to begin to occur.
- B. The applicant shall provide the city with proof of commercial general liability insurance as detailed in §5.25.140.
- C. The City Manager or designee shall issue the special event permit once the application has been approved after review of appropriate agencies to include police, fire, public works, building and planning, and others as determined by the City Manager or designee, and the applicant has agreed in writing to comply with the terms and conditions of the permit.

- D. The City Manager or designee shall approve, conditionally approve, or deny an application based on the application's conformance to this chapter, and the recommendations of city departments involved in the review process.

§5.25.100 Permit requirements.

- A. Special event uses are to be temporary and approved for a particular zoning district by the City Manager or designee.
- B. Temporary signage and temporary structures will be allowed subject to provisions of this code pursuant to the interpretive authority and discretion of the City Manager or designee.
- C. Requests for temporary parking facilities for special events and street closures for special events shall be subject to provisions of this code pursuant to the interpretive authority and discretion of the police chief, or designee. Street closures for any portion of a state highway or right of way (such as Main Street) shall be subject to state requirements and approvals.
- D. Requests for fire and emergency medical services shall be subject to requirements and interpretive authority and discretion of the Sweet Home Fire District.
- E. Requests for police services shall be subject to provisions of this code pursuant to the interpretive authority and discretion of the police chief or designee.
- F. Expenses for fire, police, medical services, parks, and public works crews needed for coverage and cleanup at the special event shall be prepaid and the responsibility of the permittee, even if the permit fee has been waived. If the actual cost for city services and equipment on the date(s) of the event is greater than the estimated cost, the permittee is responsible for the cost and will be billed for the difference.
- G. Adequate sanitation and other required health facilities shall, as required by applicable statutes and the Linn County Department of Health Services, be provided or made available in or adjacent to any public assembly areas.
- H. Permittees must allow inspections by city and Sweet Home Fire District officials at all reasonable times before the special event and at all times during the actual hours of the special event in order to ensure compliance with this chapter and all applicable health and safety codes and statutes.

§5.25.110 Permit conditions.

The City Manager or designee may condition the issuance of a special event permit by imposing reasonable requirements concerning time, place, and manner of the event; and such requirements as are necessary to protect the safety and rights of persons and property and the control of traffic.

§5.25.120 Denial of application.

A special event permit may be denied based upon a determination that:

- A. The event would endanger public safety or health;

- B. The proposed event would seriously inconvenience or impair the general public's use of public property, services or facilities;
- C. The event would unreasonably infringe upon the rights of abutting properties;
- D. The event would conflict with another proximate event or interfere with construction or maintenance work in the immediate vicinity;
- E. There is not sufficient qualified safety personnel or other necessary city staff to accommodate the event;
- F. The applicant failed to complete the application form after being notified of the additional information or documents required;
- G. Information contained in the application or supplemental information requested from the applicant is found to be false in any material detail;
- H. The applicant cannot meet, or is unwilling to meet, all of the requirements of this chapter or any special conditions imposed by any of the reviewing agencies;
- I. Other issues in the public interest were identified by the City Manager, or designee;
- J. Failure to prepay expenses, fees, charges, deposits, or insurance;
- K. The proposed event is scheduled to occur at a route or location adjacent to a school or class during a time when such school or class is in session, and the noise created by the activities of the event would substantially disrupt the educational activities of the school or class;
- L. The purpose of the proposed event is to incite crime or the overthrow of the government by force or the event would engage in or encourage participants to engage in illegal acts; or
- M. The primary purpose of the special event is for advertising products, goods or events that are for private profit, and the special event is primarily for private profit. The prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the special event.

§5.25.130 Indemnification.

- A. Prior to the issuance of the special event permit, the applicant must agree to reimburse the city for any costs incurred by the city in repairing damage to city property occurring in connection with the permitted event.
- B. In consideration of being permitted to conduct this special event or activity or use of any city property or facilities in connection with this activity, the applicant ("indemnitor") agrees to the following:
 - 1. The indemnitor hereby agrees to release, indemnify and hold harmless the City of Sweet Home from any and all liability, claims, demands, causes of action, charges, expenses, and attorney fees (including attorney fees to establish the city's right to indemnity or incurred on appeal) resulting from involvement in this event whether caused by any negligent act or omission of the city or otherwise. This agreement shall not apply to any liability resulting from the sole negligence of the city.
 - 2. The indemnitor agrees to reimburse the city for any loss, theft of, or damage to city property, equipment and/or facilities.

3. The indemnitor agrees to comply with all applicable laws, statutes, ordinances, rules and requirements including, but not limited to, not admitting more attendees than designated by the Sweet Home Fire District as safe for the particular event or facility.
4. The indemnitor expressly agrees that this release and hold harmless agreement is intended to be as broad and inclusive as permitted by Oregon law and that if any portion thereof is held invalid, notwithstanding, the balance shall continue in full legal force and effect.
5. Falsification and/or misrepresentation in completing an application may result in rate adjustment or event cancellation. Changes to the detailed program require immediate notification to city.

§5.25.140 Insurance required.

- A. As required by the City Manager or designee, the permittee shall provide the city with proof of commercial general liability insurance generally in the amount of at least one-million dollars (\$1,000,000) (combined single limits per occurrence), two-million dollars (\$2,000,000) aggregate, and an endorsement naming the city of Sweet Home as an additional insured must be provided. Upon determination by the City Manager or designee, higher limits may be required for certain events.
- B. Certificates of insurance shall be submitted to the city for approval directly from the insuring agency via postal mail, fax or email. The insurance policy shall be written on an occurrence basis, shall name the city as an additional insured, shall be written for a period not less than twenty-four (24) hours prior to the event and extending for a period not less than twenty-four (24) hours following the completion of the event, and shall contain a provision prohibiting cancellation of the policy except upon thirty (30) days' written notice to the city. Acceptability of insurance is subject to approval by the City Manager or designee.

§5.25.150 Revocation or suspension.

- A. A special events permit issued under this chapter shall be temporary, shall vest no permanent rights in the permittee, and may be immediately revoked or suspended by the City Manager or designee if:
 1. The permittee has made a misstatement of material fact in the information supplied; the applicant has failed to fulfill a term or condition of the permit in a timely manner; or the check submitted by the applicant in payment of the fee or deposit for a permit has been dishonored;
 2. The permittee requests the cancellation of the permit or cancels the event;
 3. The activity endangers or threatens persons or property, or otherwise jeopardizes the health, safety or welfare of persons or property;
 4. The activity conducted is in violation of any of the terms or conditions of the special events permit;
 5. An emergency or supervening occurrence requires the cancellation or termination of the event in order to protect the public health or safety;
 6. The permittee fails to prepay expenses.

- B. The city shall refund the permit fee and/or deposit in the event of a revocation caused by an emergency or supervening occurrence; the city shall refund the balance of the fee, less the actual costs incurred if the cancellation occurs at the request of a permittee who is in compliance with this chapter.
- C. If any event, use or occupancy for which the permit has been revoked is not immediately discontinued, the City Manager or his designee may remove any structure or obstruction, or cause to be made, without obligation to do so, such repairs upon the structure or obstruction as may be necessary to render the same secure and safe, or adjourn any special event. The cost and expense of such removal, repair or adjournment shall be assessed against the permittee, including all professional fees associated with enforcement of the collection of the same.

§5.25.160 Appeal procedure.

The applicant or permittee shall have the right to appeal a denial of a special event permit, or a condition imposed thereby, including the amount of fees, expenses, or clean-up deposits imposed or a determination that the applicant's certificate of insurance does not comply with the city's requirements. A written notice of appeal shall be filed within five (5) business days from the date of the denial or conditional approval. The written notice of appeal shall set forth the specific grounds for the appeal and attach any relevant documents for consideration. The city council shall hear the appeal on the record provided from the designated city official, the appellant, and public comment given at the scheduled hearing before the council. The hearing shall be scheduled no later than ten (10) business days after receipt of a timely and proper notice of appeal. The decision of the city council on the appeal shall be final.

If there is insufficient time for a timely appeal to be heard by the city council prior to the date on which the event is scheduled, the applicant may, at the applicant's option, request that the Municipal Judge hear the appeal. The Municipal Judge shall hold a hearing no later than five business days after the filing of the appeal and shall render a decision no later than one business day after the hearing on the appeal is closed. If the appeal is requested and heard before the Municipal Judge, the Municipal Judge's decision shall be final.

§5.25.170 Penalty for violation.

Any person, association, firm, partnership, limited liability company, or corporation that violates any of the provisions of this chapter may be prosecuted under SHMC Chapter 9.36. Each day in which a violation is committed constitutes a separate offense.

§5.25.180 Severability.

If any part, provision or section of this chapter is held to be void or unconstitutional, all other parts not expressly so held shall continue in full force and effect.

Section 2.

A. Sweet Home Municipal Code Section 5.04.010 titled MISCELLANEOUS EVENTS is amended as follows:

§5.04.010 MISCELLANEOUS EVENTS

Carnivals, circuses, and similar entertainment are required to obtain a city license. The city may grant a license for each day or fraction thereof, during which the event shall operate, for a fee as set by City Council Resolution. Shows, exhibitions, lectures, concerts, and similar public entertainments shall operate subject to the same license requirement. Nothing in this chapter shall apply to entertainments sponsored by educational institutions. Such events taking place on public property or in the public right-of-way that involve 75 or more persons shall require a permit pursuant to Chapter 5.25 of this Code.

B. Sweet Home Municipal Code Section 10.04.060 titled PERMITS REQUIRED FOR PARADES is amended as follows:

§10.04.060 PERMITS REQUIRED FOR PARADES

No procession or parade, except a funeral procession, the forces of the United States Armed Forces and the military forces of the state shall occupy, march or proceed along any street except in accordance with a permit issued pursuant to Chapter 5.25 of this Code

C. Sweet Home Municipal Code Section 12.12.010 titled PURPOSE is amended as follows:

§ 12.12.010 PURPOSE.

The parks of the city are established and maintained as areas of recreation, relaxation and enjoyment for the public. It is intended that they shall be regulated and used to permit enjoyment for a maximum number of people engaged in widely diverse interests and activities as may be practical within the limits of space, design and accommodations available in each park unit. Limitations may be required to ensure the use of park areas in safety and to protect the rights of others in surrounding areas. In the parks of the city, the City Manager or Director can with prior notice for special events grant exceptions to the park rules for said event. Any activity that would require a permit under this chapter that involves 75 or more persons shall be regulated under Chapter 5.25 of this Code.

D. Sweet Home Municipal Code Section 12.12.100(D) of ALCOHOLIC BEVERAGES is added as follows:

- D. If the use and possession of alcoholic beverages in parks is in conjunction with a Special Event consisting of 75 or more persons, a permit must be obtained in accordance with Chapter 5.25 of this Code.

Passed by the Council and approved by the Mayor this 28th day of April, 2020.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



Finance Department

To: City Council
Ray Towry, City Manager

From: Brandon Neish, Finance Director

Subject: Finance Department Monthly Report – February & March 2020

The Finance Department is responsible for the for the fiscal management of the City of Sweet Home. This includes accounts payable, payroll, general accounting, preparing the annual budget and the city's annual audit. This department also administers the city's assessment docket, coordinates employee's benefits and maintains financial records relating to grants and contracts. The following information represents the department's activities during the months of **February & March 2020**.

Accounts Payable:

The Finance Department maintains a weekly schedule for AP disbursements when possible. City departments submit documentation through Springbrook to request payment to vendors. Once the Finance Department has a completed purchase order and invoice/receipt, a check is printed and mailed within seven (7) business days.

For February & March 2020, 416 checks were printed totaling \$1,575,767.12. A list of the checks is provided for your review. Below is a list of the checks that were equal to or exceeded \$5,000 and their purpose (if not clear on list).

<u>Check No.</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
90492	Wire Works, LLC	New Police Vehicles	\$19,728.01
90493	Withnell Motor Co	(Durango & Charger)	\$51,125.36
90609	Fisher's RPM Electric	Repair on WWTP pump	\$6,013.50
90662	Correct Equipment, Inc.	Water meters	\$9,477.60
90702	Ferguson Waterworks	Saddles for City-wide water line repairs	\$5,050.76
90772	Innovyze, Inc.	Info Water Pro software	\$10,710.00
90831	Woods Roadhouse	CEIP funds	\$5,000.00

Passports:

Since 2001, the city has been accepting passport applications for the United States Department of State. Travelers can call, stop by city hall or visit the city's website for information on application requirements.

For the month of February 2020, the city processed 19 passports and took 12 passport pictures. For the month of March 2020, the city processed 38 passports and took 31 passport pictures.

Lien Searches:

The city has various liens that can be applied to properties in Sweet Home. The city can apply a lien for past due utility balances or a property owner can place a lien on their property for improvement assessments per ORS. An internet database maintains a list of these liens and is searchable by title companies for paying off outstanding balances during a sale. Each lien search generates \$25.00 for the city.

100 lien searches were completed in February & March 2020.

Utility Billing:

Utility billing is responsible for the timely reading of water meters in the city and distribution of bills to residents and businesses. The revenue generated from the utility bills covers the costs associated with operating and maintaining the Water Treatment Plant and the Wastewater Treatment Plant as well as the maintenance of the city's distribution and collection systems.

For the month of February 2020, the city processed 140 service requests and saw 10 new customers open accounts in Sweet Home. In total, 42 accounts were opened and 32 were closed. The city processed 2,254 utility billing statements and 986 past due notices. **41 accounts were turned off for non-payment on February 12, 2020.**

For the month of March 2020, the city processed 181 service requests and saw 9 new customers open accounts in Sweet Home. In total, 32 accounts were opened and 35 were closed. The city processed 2,264 utility billing statements and 1,012 past due notices. **37 accounts were turned off for non-payment on March 11, 2020.**

Bank Reconciliation

Checks by Date

User: bneish
 Printed: 04/22/2020 - 1:19PM
 Cleared and Not Cleared Checks



Check No	Check Date	Name	Comment	Module	Clear Date	Amount
0	2/5/2020	Cardmember Services		AP		10,187.07
0	2/5/2020	UMPQUA BANK - ACH		AP		4,387.53
0	2/6/2020	CHILD SUPPORT ACCOUNTING UN		AP		917.00
0	2/6/2020	SWEET HOME POLICE EMPLOYEE!		AP		1,275.00
0	2/6/2020	Vantagepoint Trf. Agents 108524/10904		AP		29,073.47
0	2/6/2020	FICA PAYROLL TAXES		AP		37,055.84
0	2/6/2020	MEDICARE		AP		8,827.50
0	2/6/2020	AFLAC		AP		685.12
0	2/6/2020	HSA - PAYROLL DEDUCTIONS		AP		16,740.00
0	2/6/2020	ASI-PAYROLL DEDUCTIONS		AP		251.66
0	2/6/2020	STANDARD INS. CO.		AP		4,103.06
0	2/6/2020	PERS		AP		16,569.06
0	2/6/2020	EBS TRUST		AP		80,995.41
0	2/6/2020	SWEET HOME COMMUNITY FOUN		AP		179.13
0	2/6/2020	OREGON PAYROLL TAXES		AP		20,046.41
0	2/6/2020	Vantagepoint Trf. Agents 300619		AP		3,320.00
0	2/6/2020	NATIONWIDE-PAYROLL DEDUCTIO		AP		1,050.00
0	2/6/2020	Vantagepoint Trf. Agents 705507		AP		508.33
0	2/6/2020	FEDERAL PAYROLL TAXES		AP		27,919.12
90494	2/6/2020	CREDITORS COLLECTION SERVICE		AP		820.91
90495	2/6/2020	OREGON AFSCME COUNCIL 75		AP		931.04
90496	2/6/2020	OREGON DEPT. OF REVENUE		AP		261.33
90497	2/6/2020	PenServ Plan Services, Inc.		AP		250.00
90498	2/6/2020	STEELHEAD STRENGTH & FITNES		AP		643.90
90499	2/6/2020	UNITED WAY		AP		25.00
90500	2/6/2020	NO DINX, INC.		AP		1,442.75
90445	2/7/2020	ALSCO		AP		43.06
90446	2/7/2020	Amazon Capital Services, Inc.		AP		1,374.27
90447	2/7/2020	American Legal Publishing Corporation		AP		1,444.75
90448	2/7/2020	BI-MART CORPORATION		AP		9.97
90449	2/7/2020	BULLARD LAW		AP		7,763.00
90450	2/7/2020	BULLFROG ENTERPRISES		AP		228.18
90451	2/7/2020	BUSINESS TELECOM PRODUCTS, I		AP		114.50
90452	2/7/2020	KATHY CHRISTIANSON		AP		38.14
90453	2/7/2020	Correct Equipment, Inc.		AP		709.00
90454	2/7/2020	DAN DEE SALES		AP		100.00
90455	2/7/2020	DMV - Driver and Motor Vehicle Servic		AP		137.50
90456	2/7/2020	ENVIRONMENTAL HEALTH PROGE		AP		105.00
90457	2/7/2020	FASTENAL COMPANY		AP		480.12
90458	2/7/2020	FERGUSON WATERWORKS #3011 A		AP		678.16
90459	2/7/2020	FRANK PRINTING, LLC		AP		298.00
90460	2/7/2020	DEANNA GREEN		AP		83.51
90461	2/7/2020	HENSON HEATING		AP		72.80
90462	2/7/2020	Danley P. Hutchins		AP		33.60
90463	2/7/2020	INDUSTRIAL WELDING SUPPLY, IN		AP		258.84
90464	2/7/2020	Les Schwab Tire Centers of Portland, In		AP		349.22

Check No	Check Date	Name	Comment	Module	Clear Date	Amount
90465	2/7/2020	KEVIN MAKINSON		AP		39.99
90466	2/7/2020	Jeff Mather		AP		196.76
90467	2/7/2020	METEREADERS, LLC		AP		1,952.60
90468	2/7/2020	Mid Valley Newspapers		AP		187.76
90469	2/7/2020	MOONLIGHT BPO, INC.		AP		2,303.65
90470	2/7/2020	Northwest Natural		AP		489.23
90471	2/7/2020	O & M POINT S TIRE & AUTO SERV		AP		47.00
90472	2/7/2020	OFFICE DEPOT		AP		102.65
90473	2/7/2020	OREGON CITY COUNTY MANAGEI		AP		202.71
90474	2/7/2020	OREGON CITY PLANNING DIRECT		AP		70.00
90475	2/7/2020	PACIFIC SKY NORTHWEST, LLC		AP		79.89
90476	2/7/2020	PEAK HEARING SYSTEMS, LLC		AP		50.00
90477	2/7/2020	Pointe Pest Control-OR, LLC		AP		125.00
90478	2/7/2020	PROFESSIONAL SECURITY ALARM		AP		3,087.00
90479	2/7/2020	CYNTHIA ROBECK		AP		16.99
90480	2/7/2020	SHAMROCK SUPPLY COMPANY, IN		AP		54.00
90481	2/7/2020	JANELLA SPEARS		AP		90.00
90482	2/7/2020	STATE OF OREGON - Notary		AP		40.00
90483	2/7/2020	JON SUGDEN		AP		86.07
90484	2/7/2020	Sunset Electric, Inc.		AP		45.00
90485	2/7/2020	SWEET HOME CHAMBER OF COMI		AP		120.00
90486	2/7/2020	SWEET HOME ROTARY		AP		248.56
90487	2/7/2020	TIFFANY THOMAS		AP		15.46
90488	2/7/2020	TWGW, INC. NAPA AUTO PARTS		AP		111.79
90489	2/7/2020	VAN DYKE'S SIGNMAKER, INC.		AP		1,115.00
90490	2/7/2020	WELLS FARGO VENDOR FIN SERV		AP		157.93
90491	2/7/2020	WILDISH SAND & GRAVEL CO.		AP		308.20
90492	2/7/2020	WIRE WORKS LLC		AP		19,728.01
90493	2/7/2020	Withnell Motor Company, Inc.		AP		51,125.36
520	2/12/2020	Oregon Water Education Foundation		AP		150.00
90501	2/12/2020	ALSCO		AP		492.79
90502	2/12/2020	Amazon Capital Services, Inc.		AP		744.26
90503	2/12/2020	BLACKSTONE PUBLISHING		AP		100.82
90504	2/12/2020	COMCAST		AP		253.42
90505	2/12/2020	Falcon Shoring Company		AP		1,407.00
90506	2/12/2020	Felling and Reid, LLC		AP		170.00
90507	2/12/2020	W. W. Grainger, Inc.		AP		43.50
90508	2/12/2020	HOY'S TRUE VALUE		AP		450.57
90509	2/12/2020	Danley P. Hutchins		AP		581.48
90510	2/12/2020	Ivers Law Office LLC		AP		300.00
90511	2/12/2020	JUNIOR LIBRARY GUILD		AP		142.50
90512	2/12/2020	LANE FOREST PRODUCTS		AP		348.00
90513	2/12/2020	Linn County Road Department		AP		70.00
90514	2/12/2020	MURRAYSMITH, INC.		AP		6,050.64
90515	2/12/2020	NATIONAL PHOTOCOPY CORPORA		AP		663.89
90516	2/12/2020	NET ASSETS		AP		448.00
90517	2/12/2020	Scottmiriam, Inc.		AP		487.45
90518	2/12/2020	Northwest Natural		AP		3,200.77
90519	2/12/2020	OREGON DEPT. OF ENVIRONMENI		AP		216.00
90521	2/12/2020	PACIFIC POWER		AP		20,948.62
90522	2/12/2020	PACWEST MACHINERY, LLC		AP		658.39
90523	2/12/2020	SAIF CORPORATION		AP		75.00
90524	2/12/2020	Joshua Smith		AP		35.00
90525	2/12/2020	SARA SMITH		AP		69.06
90526	2/12/2020	SUNSHINE INDUSTRIES UNLIMITE		AP		1,313.00
90527	2/12/2020	VALLEY OVERHEAD DOOR SALES		AP		330.00

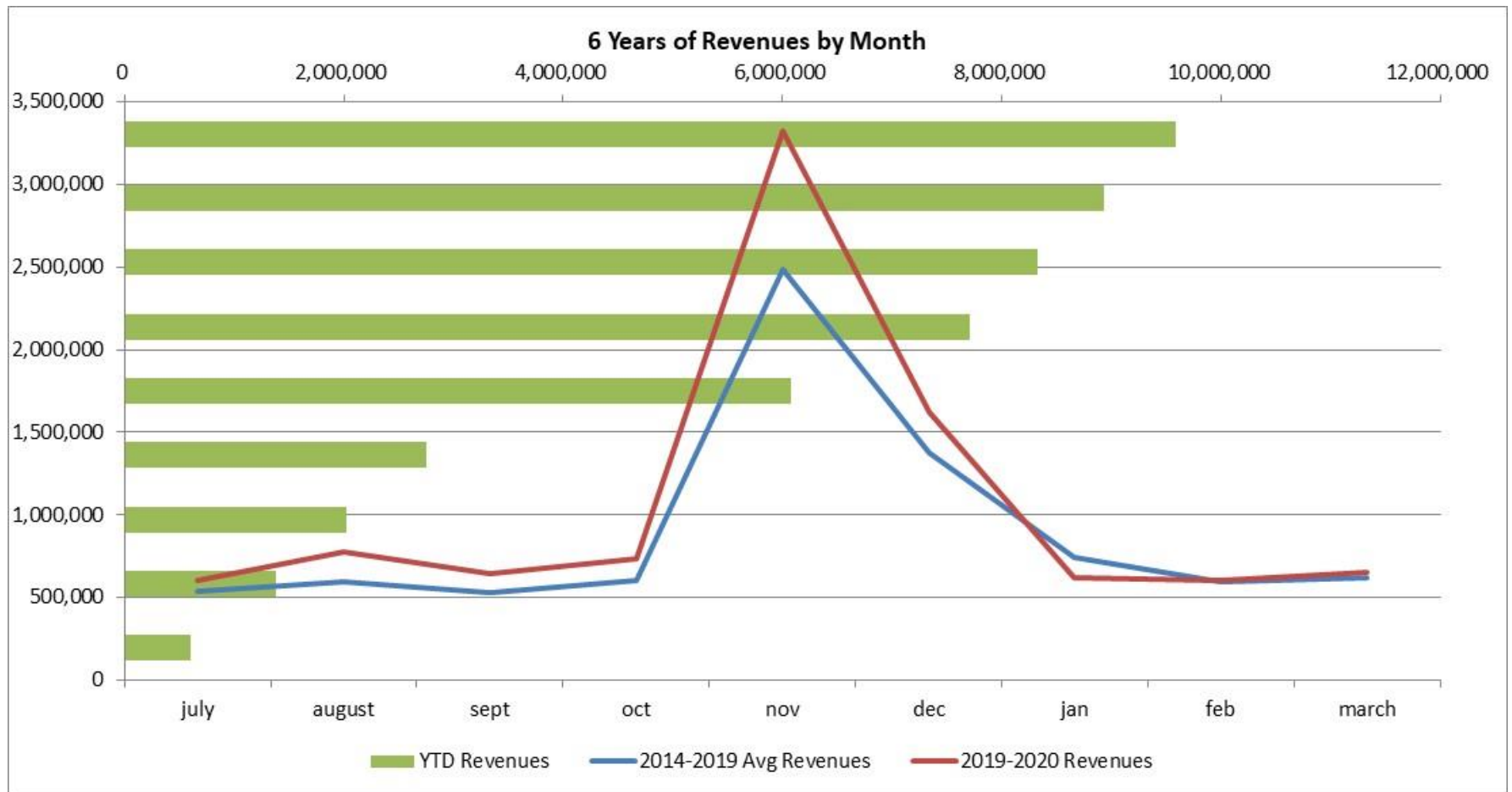
Check No	Check Date	Name	Comment	Module	Clear Date	Amount
90528	2/12/2020	WELLS FARGO FINANCIAL LEASIN		AP		1,119.02
90529	2/20/2020	City of Sweet Home		AP		100.00
90530	2/20/2020	City of Sweet Home		AP		100.00
90531	2/20/2020	City of Sweet Home		AP		100.00
90532	2/20/2020	City of Sweet Home		AP		100.00
90533	2/20/2020	City of Sweet Home		AP		100.00
90534	2/20/2020	City of Sweet Home		AP		80.00
90535	2/20/2020	City of Sweet Home		AP		100.00
90536	2/20/2020	City of Sweet Home		AP		100.00
90537	2/20/2020	City of Sweet Home		AP		100.00
90538	2/20/2020	City of Sweet Home		AP		100.00
90539	2/20/2020	City of Sweet Home		AP		100.00
90540	2/20/2020	City of Sweet Home		AP		100.00
90541	2/20/2020	City of Sweet Home		AP		100.00
90542	2/20/2020	City of Sweet Home		AP		57.17
90543	2/20/2020	City of Sweet Home		AP		100.00
90544	2/20/2020	City of Sweet Home		AP		50.00
90545	2/20/2020	City of Sweet Home		AP		100.00
90546	2/20/2020	City of Sweet Home		AP		100.00
90547	2/20/2020	City of Sweet Home		AP		100.00
90548	2/20/2020	City of Sweet Home		AP		100.00
90549	2/20/2020	City of Sweet Home		AP		100.00
90550	2/20/2020	City of Sweet Home		AP		100.00
90551	2/20/2020	City of Sweet Home		AP		100.00
90552	2/20/2020	City of Sweet Home		AP		100.00
90553	2/20/2020	City of Sweet Home		AP		100.00
90554	2/20/2020	City of Sweet Home		AP		100.00
90555	2/20/2020	City of Sweet Home		AP		100.00
90556	2/20/2020	City of Sweet Home		AP		100.00
90557	2/20/2020	City of Sweet Home		AP		100.00
90558	2/20/2020	City of Sweet Home		AP		100.00
90559	2/20/2020	City of Sweet Home		AP		100.00
90560	2/20/2020	David B Greenberg		AP		300.00
0	2/24/2020	OREGON PAYROLL TAXES		AP		1,514.79
0	2/24/2020	CIS		AP		50.00
90561	2/24/2020	BUCK'S SANITARY SERVICE, INC.		AP		225.00
90562	2/24/2020	CENTER POINT LARGE PRINT		AP		175.56
90563	2/24/2020	CENTURYLINK		AP		1,429.13
90564	2/24/2020	City-County Communications & Marke		AP		400.00
90565	2/24/2020	COMCAST BUSINESS		AP		443.65
90566	2/24/2020	ECLECTIC EDGE EVENTS, LLC		AP		795.00
90567	2/24/2020	GATEWAY IMPRINTS, INC.		AP		16.20
90568	2/24/2020	GCC Photography		AP		300.00
90569	2/24/2020	Desi Housley		AP		40.00
90570	2/24/2020	HOY'S TRUE VALUE		AP		35.00
90572	2/24/2020	JOHN DEERE FINANCIAL		AP		320.98
90573	2/24/2020	KING OFFICE EQUIPMENT, INC.		AP		765.60
90574	2/24/2020	KIP AMERICA, Inc.		AP		240.00
90575	2/24/2020	LINN COUNTY CLERK		AP		2,001.87
90576	2/24/2020	CURTIS LONG		AP		33.00
90577	2/24/2020	MASTERDOM PAINTING INC		AP		14.43
90578	2/24/2020	EARL MCCASLIN		AP		112.37
90579	2/24/2020	THE MORGAN CPS GROUP, INC.		AP		520.00
90580	2/24/2020	NATIONAL PHOTOCOPY CORPORA		AP		1,177.17
90582	2/24/2020	Oregon Running LLC		AP		160.00
90583	2/24/2020	JONATHON PELCHER		AP		52.19

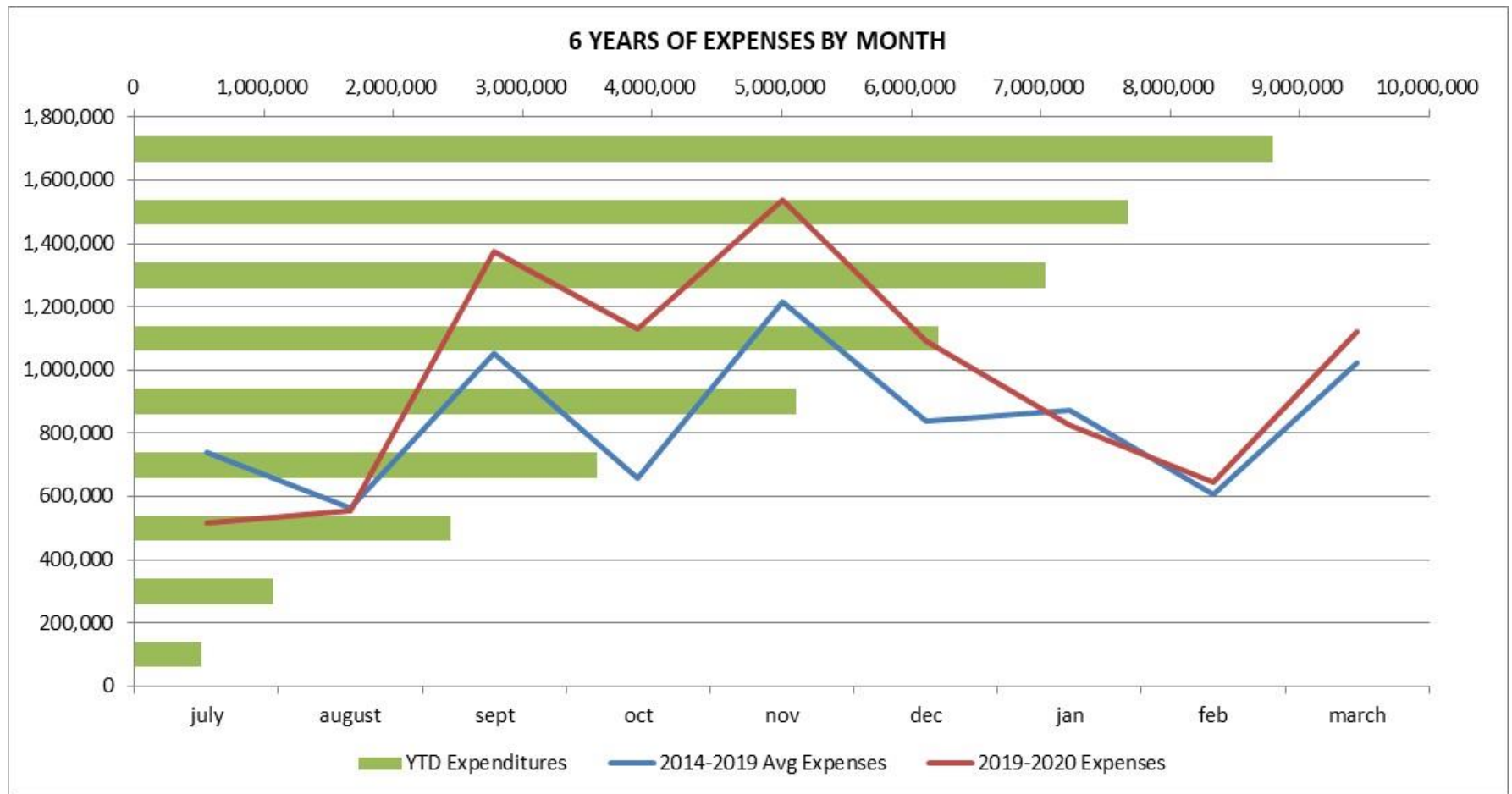
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90584	2/24/2020	Scottmiriam, Inc.		AP		1,107.00
90585	2/24/2020	Staples, Inc.		AP		798.22
90586	2/24/2020	THE BUILDING DEPARTMENT, LLC		AP		6,022.66
90587	2/24/2020	911 SUPPLY		AP		214.97
90588	2/24/2020	ALSCO		AP		86.12
90589	2/24/2020	Amazon Capital Services, Inc.		AP		335.49
90590	2/24/2020	American Legal Publishing Corporation		AP		392.70
90591	2/24/2020	AMERITITLE		AP		190.00
90592	2/24/2020	AT&T Mobility/First Net		AP		797.18
90593	2/24/2020	Dennis Barnhardt		AP		175.00
90594	2/24/2020	BLACKSTONE PUBLISHING		AP		130.13
90595	2/24/2020	ELIJAH R. L. BROWN		AP		620.00
90596	2/24/2020	Canon Financial Services, Inc.		AP		458.71
90597	2/24/2020	CENTURYLINK - Bus		AP		950.32
90598	2/24/2020	CH2M OMI, Inc.		AP		88,439.17
90599	2/24/2020	COMCAST		AP		723.44
90600	2/24/2020	COMCAST BUSINESS		AP		3,192.15
90601	2/24/2020	Correct Equipment, Inc.		AP		1,468.00
90602	2/24/2020	COVANTA ENERGY LLC		AP		45.60
90603	2/24/2020	CUES		AP		394.27
90604	2/24/2020	DAN DEE SALES		AP		179.00
90605	2/24/2020	DAY MANAGEMENT CORPORATIO		AP		1,311.75
90606	2/24/2020	KIRA DENTON		AP		15.00
90607	2/24/2020	FERGUSON WATERWORKS #3011 A		AP		1,453.31
90608	2/24/2020	JULIE FISHER		AP		96.65
90609	2/24/2020	FISHER'S RPM ELECTRIC MOTOR, I		AP		6,013.50
90610	2/24/2020	LISA GOURLEY		AP		172.33
90611	2/24/2020	W. W. Grainger, Inc.		AP		283.22
90612	2/24/2020	GROVE, MUELLER & SWANK, INC.		AP		7,200.00
90613	2/24/2020	Desi Housley		AP		35.00
90614	2/24/2020	HOY'S TRUE VALUE		AP		70.00
90615	2/24/2020	International Conference of Police Chap		AP		125.00
90616	2/24/2020	LEAVE YOUR MARK		AP		29.81
90617	2/24/2020	RYAN LEHTO		AP		10.00
90618	2/24/2020	LIBERTY ROCK PRODUCTS, INC.		AP		1,859.34
90619	2/24/2020	M & W ELECTRIC, INC.		AP		1,388.00
90620	2/24/2020	ALEXANDRA MCDONALD		AP		45.00
90621	2/24/2020	CHAYHOWA MCELHINNY		AP		35.00
90622	2/24/2020	METEREADERS, LLC		AP		1,940.25
90623	2/24/2020	MOONLIGHT BPO, INC.		AP		648.51
90624	2/24/2020	Moore Holding Corporation		AP		2,879.00
90625	2/24/2020	Municipal Code Corporation		AP		1,900.00
90626	2/24/2020	NEOFUNDS BY NEOPOST		AP		1,000.00
90627	2/24/2020	Floyd Neuschwander		AP		195.00
90628	2/24/2020	Northwest Natural		AP		2,462.88
90629	2/24/2020	O & M POINT S TIRE & AUTO SERV		AP		17.00
90630	2/24/2020	OLD REPUBLIC SURETY COMPAN		AP		584.00
90631	2/24/2020	OREGON ASSOC. CHIEFS OF POLIC		AP		300.00
90632	2/24/2020	Oregon Government Finance Officers A		AP		315.00
90633	2/24/2020	PASTEGA COFFEE SERVICE		AP		124.68
90634	2/24/2020	Peterson Machinery		AP		656.06
90635	2/24/2020	RITZ SAFETY		AP		246.45
90636	2/24/2020	SAMARITAN HEALTH SERVICES, II		AP		122.00
90637	2/24/2020	SAN DIEGO POLICE EQUIP. CO., IN		AP		700.39
90638	2/24/2020	SENIOR CITIZENS OF SWEET HOM		AP		35.00
90639	2/24/2020	SOUTH FORK TRADING CO., INC.		AP		25.93

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90640	2/24/2020	Springbrook Software, LLC		AP		1,483.00
90641	2/24/2020	STATE OF OREGON LOTTERY		AP		10.00
90642	2/24/2020	Stepper Consulting, Inc.		AP		83,166.84
90643	2/24/2020	Van Meter & Associates, Inc.		AP		190.00
90644	2/24/2020	Vicki Voldbaek		AP		40.00
90645	2/24/2020	WELLS FARGO FINANCIAL LEASIN		AP		734.00
90646	2/24/2020	Kendra Whaley		AP		30.00
90647	2/24/2020	WILDISH SAND & GRAVEL CO.		AP		112.37
90648	2/25/2020	JULIE FISHER		AP		20.00
90649	2/25/2020	CHRISTOPHER WINGO		AP		135.00
0	2/28/2020	Vantagepoint Trf. Agents 108524/10904		AP		28,594.50
0	2/28/2020	HSA - PAYROLL DEDUCTIONS		AP		1,440.00
0	2/28/2020	OREGON PAYROLL TAXES		AP		19,118.38
0	2/28/2020	EBS TRUST		AP		75,333.78
0	2/28/2020	Vantagepoint Trf. Agents 705507		AP		508.33
0	2/28/2020	ASI-PAYROLL DEDUCTIONS		AP		255.41
0	2/28/2020	FEDERAL PAYROLL TAXES		AP		25,849.22
0	2/28/2020	NATIONWIDE-PAYROLL DEDUCTIO		AP		950.00
0	2/28/2020	STANDARD INS. CO.		AP		3,774.13
0	2/28/2020	Vantagepoint Trf. Agents 300619		AP		3,320.00
0	2/28/2020	SWEET HOME POLICE EMPLOYEE		AP		1,190.00
0	2/28/2020	SWEET HOME COMMUNITY FOUN		AP		179.13
0	2/28/2020	AFLAC		AP		685.12
0	2/28/2020	MEDICARE		AP		8,566.70
0	2/28/2020	PERS		AP		15,734.16
0	2/28/2020	FICA PAYROLL TAXES		AP		35,959.54
0	2/28/2020	CHILD SUPPORT ACCOUNTING UN		AP		917.00
90650	2/28/2020	CREDITORS COLLECTION SERVI		AP		193.11
90651	2/28/2020	OREGON AFSCME COUNCIL 75		AP		822.75
90652	2/28/2020	PenServ Plan Services, Inc.		AP		250.00
90653	2/28/2020	STEELHEAD STRENGTH & FITNES		AP		608.80
90654	2/28/2020	UNITED WAY		AP		25.00
90655	3/3/2020	ALSCO		AP		342.88
90656	3/3/2020	Amazon Capital Services, Inc.		AP		16.97
90657	3/3/2020	AWWA CASCADE TO COAST SHOR		AP		350.00
90658	3/3/2020	Ben-Ko-Matic Co., Inc.		AP		136.47
90659	3/3/2020	CENTER POINT LARGE PRINT		AP		175.56
90660	3/3/2020	Cessco, Inc.		AP		4,076.00
90661	3/3/2020	Consolidated Supply Co.		AP		1,793.29
90662	3/3/2020	Correct Equipment, Inc.		AP		9,477.60
90663	3/3/2020	DEMCO		AP		387.97
90664	3/3/2020	MICHAEL EZELL		AP		21.65
90665	3/3/2020	FERGUSON WATERWORKS #3011 A		AP		1,680.64
90666	3/3/2020	W. W. Grainger, Inc.		AP		53.70
90667	3/3/2020	JORGE HERNANDEZ JIMENEZ		AP		14.18
90668	3/3/2020	Danley P. Hutchins		AP		13.72
90669	3/3/2020	INDUSTRIAL WELDING SUPPLY, IN		AP		93.91
90670	3/3/2020	JUNIOR LIBRARY GUILD		AP		142.50
90671	3/3/2020	KATHRYN LYON		AP		15.00
90672	3/3/2020	MAILFINANCE		AP		675.81
90673	3/3/2020	RON MCKENZIE		AP		174.07
90674	3/3/2020	MURRAYSMITH, INC.		AP		7,028.00
90675	3/3/2020	Northwest Natural		AP		347.87
90676	3/3/2020	OREGON DEPT. OF ENVIRONMEN		AP		1,112.00
90677	3/3/2020	O'REILLY AUTOMOTIVE, INC.		AP		60.86
90678	3/3/2020	PACIFIC POWER		AP		20,536.76

Check No	Check Date	Name	Comment	Module	Clear Date	Amount
90679	3/3/2020	PACWEST MACHINERY, LLC		AP		95.00
90680	3/3/2020	SAMARITAN HEALTH SERVICES, IT		AP		72.00
90681	3/3/2020	SENIOR CITIZENS OF SWEET HOM		AP		26,715.00
90682	3/3/2020	Sunset Electric, Inc.		AP		45.00
90683	3/3/2020	SUNSHINE INDUSTRIES UNLIMITE		AP		1,313.00
90684	3/3/2020	SWANK MOTION PICTURES		AP		650.00
90685	3/3/2020	SYNCB/AMAZON		AP		2,374.59
90686	3/3/2020	Thyssenkrupp Elevator Corporation		AP		545.36
90687	3/3/2020	VALLEY OVERHEAD DOOR SALES		AP		372.50
90688	3/3/2020	WELLS FARGO VENDOR FIN SERV		AP		203.94
90689	3/10/2020	ALBERTSONS / SAFEWAY		AP		25.00
90690	3/10/2020	ALSCO		AP		43.06
90691	3/10/2020	Amazon Capital Services, Inc.		AP		1,325.18
90692	3/10/2020	BI-MART CORPORATION		AP		11.08
90693	3/10/2020	BLACKSTONE PUBLISHING		AP		254.66
90694	3/10/2020	Larry J Blake, Jr., AAL		AP		241.26
90695	3/10/2020	BUCK'S SANITARY SERVICE, INC.		AP		145.00
90696	3/10/2020	BULLFROG ENTERPRISES		AP		351.95
90697	3/10/2020	John Camelia		AP		285.00
90698	3/10/2020	COMCAST		AP		253.42
90699	3/10/2020	Consolidated Supply Co.		AP		2,097.76
90700	3/10/2020	DEMCO		AP		92.52
90701	3/10/2020	Shawn Eaton		AP		286.00
90702	3/10/2020	FERGUSON WATERWORKS #3011 A		AP		5,050.76
90703	3/10/2020	Full Source, LLC		AP		77.54
90704	3/10/2020	Randy Hicks		AP		2,500.00
90705	3/10/2020	HOME DEPOT CREDIT SERVICES		AP		1,037.99
90707	3/10/2020	HOUCK CONSTRUCTION MATERIA		AP		81.40
90708	3/10/2020	Desi Housley		AP		35.00
90710	3/10/2020	KEITH'S SPORTING GOODS, INC.		AP		918.00
90711	3/10/2020	KIP AMERICA, Inc.		AP		240.00
90712	3/10/2020	Blair Larsen		AP		35.00
90713	3/10/2020	RYAN LEHTO		AP		20.00
90714	3/10/2020	Les Schwab Tire Centers of Portland, In		AP		67.82
90715	3/10/2020	Linn County Road Department		AP		35.00
90716	3/10/2020	Mid Valley Newspapers		AP		451.24
90717	3/10/2020	MOONLIGHT BPO, INC.		AP		2,289.54
90718	3/10/2020	MURRAYSMITH, INC.		AP		106,088.84
90719	3/10/2020	NATIONAL PHOTOCOPY CORPORA		AP		61.04
90720	3/10/2020	NET ASSETS		AP		379.00
90721	3/10/2020	O & M POINT S TIRE & AUTO SERV		AP		34.50
90722	3/10/2020	ONE CALL CONCEPTS		AP		96.00
90723	3/10/2020	OREGON ASSOC. CHIEFS OF POLIC		AP		421.00
90725	3/10/2020	Oregon Government Finance Officers A		AP		55.00
90726	3/10/2020	Oregon Network of Child Abuse Interv		AP		175.00
90727	3/10/2020	PACIFIC OFFICE AUTOMATION		AP		60.82
90728	3/10/2020	PETROCARD		AP		7,895.29
90729	3/10/2020	PURCHASE POWER		AP		727.96
90730	3/10/2020	LINDA READ		AP		30.00
90731	3/10/2020	RENEWABLE RESOURCE GROUP, I		AP		84.00
90732	3/10/2020	SAIF CORPORATION		AP		75.00
90733	3/10/2020	SAN DIEGO POLICE EQUIP. CO., IN		AP		2,134.91
90734	3/10/2020	Scottmiriam, Inc.		AP		409.80
90735	3/10/2020	BRIAN SINDELL		AP		67.52
90736	3/10/2020	Joshua Smith		AP		70.00
90737	3/10/2020	SOUTH FORK TRADING CO., INC.		AP		312.49

Check No	Check Date	Name	Comment	Module	Clear Date	Amount
90738	3/10/2020	Staples, Inc.		AP		629.41
90739	3/10/2020	STATE OF OREGON LOTTERY		AP		85.00
90740	3/10/2020	Tell & Sell		AP		106.00
90741	3/10/2020	TWGW, INC. NAPA AUTO PARTS		AP		96.63
90742	3/10/2020	Vicki Voldbaek		AP		40.00
90743	3/10/2020	WILDISH SAND & GRAVEL CO.		AP		345.59
90744	3/10/2020	HOY'S TRUE VALUE		AP		664.56
90745	3/10/2020	HOY'S TRUE VALUE		AP		35.00
90746	3/10/2020	OREGON DEPT. OF ENVIRONMEN		AP		8,891.00
90747	3/10/2020	OREGON DEPT. OF ENVIRONMEN		AP		125,000.00
90748	3/10/2020	OREGON DEPT. OF ENVIRONMEN		AP		134,782.00
90754	3/18/2020	ALSCO		AP		43.06
90755	3/18/2020	Amazon Capital Services, Inc.		AP		229.09
90756	3/18/2020	Angila Tack Food Services		AP		1,269.00
90757	3/18/2020	AT&T Mobility/First Net		AP		777.98
90758	3/18/2020	BLACKSTONE PUBLISHING		AP		210.72
90759	3/18/2020	JIM BUCK		AP		102.57
90760	3/18/2020	BULLARD LAW		AP		4,263.62
90761	3/18/2020	Canon Financial Services, Inc.		AP		417.01
90762	3/18/2020	CENTER POINT LARGE PRINT		AP		175.56
90763	3/18/2020	CENTURYLINK		AP		1,421.16
90764	3/18/2020	CH2M OMI, Inc.		AP		88,439.17
90765	3/18/2020	COMCAST BUSINESS		AP		616.80
90766	3/18/2020	Consolidated Supply Co.		AP		612.26
90767	3/18/2020	Correct Equipment, Inc.		AP		1,025.00
90768	3/18/2020	MAKAYLA DEAN		AP		42.77
90769	3/18/2020	FASTENAL COMPANY		AP		233.80
90770	3/18/2020	INDUSTRIAL WELDING SUPPLY, IN		AP		14.22
90771	3/18/2020	INGRAM LIBRARY SERVICES		AP		226.82
90772	3/18/2020	Innovyze, Inc.		AP		10,710.00
90773	3/18/2020	ASHLEY KAISER		AP		108.76
90774	3/18/2020	LANE FOREST PRODUCTS		AP		432.00
90775	3/18/2020	LEBANON OREGONIAN		AP		780.00
90776	3/18/2020	LIBERTY ROCK PRODUCTS, INC.		AP		137.13
90777	3/18/2020	LINKEDIN CORPORATION		AP		2,500.00
90778	3/18/2020	MASTERDOM PAINTING INC		AP		47.43
90779	3/18/2020	NATIONAL PHOTOCOPY CORPORA		AP		498.22
90780	3/18/2020	OFFICE DEPOT		AP		177.54
90781	3/18/2020	OREGON CASCADES WEST COG		AP		11,269.78
90782	3/18/2020	OREGON DEPT. OF ENVIRONMEN		AP		22,385.00
90783	3/18/2020	OREGON PERMIT TECHNICIANS A		AP		40.00
90784	3/18/2020	PASTEGA COFFEE SERVICE		AP		25.00
90785	3/18/2020	PETROCARD		AP		2,349.51
90786	3/18/2020	RADIATOR SUPPLY HOUSE, INC.		AP		1,015.00
90787	3/18/2020	PATRICIA RICE		AP		8.75
90788	3/18/2020	Scottmiriam, Inc.		AP		1,034.00
90789	3/18/2020	SCOTT SNEDEKER		AP		85.57
90790	3/18/2020	SOUTH FORK TRADING CO., INC.		AP		14.32
90791	3/18/2020	Springbrook Software, LLC		AP		1,607.00
90792	3/18/2020	WALKER HEATING & AC, INC.		AP		888.89
90793	3/18/2020	WILDISH SAND & GRAVEL CO.		AP		111.87
90794	3/31/2020	ALSCO		AP		342.88
90795	3/31/2020	Amazon Capital Services, Inc.		AP		580.37
90796	3/31/2020	American Legal Publishing Corporation		AP		225.45
90797	3/31/2020	CHARLENE AVILA		AP		15.46
90798	3/31/2020	BLUE HERON FARM		AP		1,200.00







SWEET HOME POLICE DEPARTMENT
CHIEF OF POLICE
 1950 Main Street
 Sweet Home, OR 97386
 (541) 367-5181 Fax (541) 367-5235

	03/31/2020	03/31/2019	% Change
Call Volume:	2020-02068	2019-01884	8.90%
CAD Calls:	4136	4186	-1.21%
ONIBR Person Crimes	32	41	-28.13%
ONIBR Person Crimes Cleared:	27	25	
ONIBR Property Crimes:	116	87	25.00%
ONIBR Property Crimes Cleared:	35	26	

Trends:

Coronavirus updates

Due to the Coronavirus/COVID-19 threat, we have implemented a number of measures that emphasize social distancing and PPE use. Each of the measures has been designed to limit our employee's exposure to transmission of the virus. However, because of the nature of our jobs potential employee exposures will always be a concern. We have been monitoring guidelines and best practices from industry experts and will continue to implement their recommendations whenever possible.

We continue to monitor trends in several types of calls for service to see if our current pandemic situation has an impact on them. Those calls that we are monitoring include thefts, domestic violence calls, child abuse calls (physical and sexual), suicide calls, mental health calls and burglaries. The results are listed below. We will continue to monitor these calls to determine if we need to further alter our Department's responses to them. Below is a comparison of those types of calls.

	03/01/2020 - 04/21/2020	3/1/2019 - 04/21/2019	Difference	
Domestic Violence Calls	71	74	-3	-4.05%
Child Abuse(Physical/Sexual)	42	62	-20	-32.26%
Suicidal Calls	14	11	3	21.43%
Mental Health Calls	43	21	22	51.16%
Burglary	5	6	-1	-16.67%

	04/01/2020-04/21/2020	04/01/2019-04/21/2019	Difference	
Domestic Violence Calls	37	25	12	32.43%
Child Abuse(Physical/Sexual)	18	32	-14	-43.75%
Suicidal Calls	1	1	0	0.00%
Mental Health Calls	31	9	22	70.97%
Burglary	0	0	0	0.00%

There are a number of concerning stats that appear to have been impacted by the Coronavirus pandemic. Two of the most concerning are the reduction in Child Abuse reports or concerns, and the increase in mental health calls for service. Typically, a decrease in the number of reported child abuse concerns would be a positive sign. However, the concern is that the numbers of abuse concerns that are being reported are because the children are having less contact with others that would be reporting these concerns. Children now have less contact with mandatory reporters of suspected child abuse. Stay home, stay safe may not be the best for all of kids in our area. We are being are working on expanding our social media messaging in an attempt to promote child safety and reporting suspected abuse.

The calls revolving around mental health issues have definitely increased over the previous year. In April alone (through the 20th) there as been a 70% increase in mental health calls. We are still monitoring these calls and referring many individuals to the appropriate agencies that may be able to assist them.

Person Crimes are defined as:

	March 2020	March 2019
Assault	3	0
Child Neglect	0	1
Criminal Homicide	0	0
Criminal Mistreatment	1	0
Elder Abuse	0	0
Forcible Rape	0	1
Harassment	1	9
Menacing	0	1
Other Sex Offense	0	1
Reckless Endanger	1	0
Violation Court Stalking Order	0	2
Violation Restraining Order	1	5

Property Crimes are defined as:

	March 2020	March 2019
Arson	0	0
Burglary	4	6
Criminal Mischief	5	6
Forgery	0	0
Fraud	1	3
Motor Vehicle Theft	2	1
Robbery	0	0
Theft	33	15