

REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF BROOKINGS, OREGON
FEBRUARY 1, 1966

The meeting was called to order at 8:10 P. M. by Chairman, Harley Nissen.

Members present were Roy Brimm, Cal Gorte, Ed Oar, and Jack Holte. Not in attendance were George Dreizius and Ed Thornton.

Reporters present were Marge Barrett and Dick Kuesink.

The building report for the month of January was given by Building Inspector Lee Fountain. It showed six permits with a total valuation of \$12,680 and a fee of \$65 had been issued. All of the permits issued were for remodeling, repair and additions. none of them were for new buildings.

A letter from City Attorney pro-tem David Fortier was read and is attached hereto. Further discussion on charging building fees to public buildings and churches took place. Chairman, Harley Nissen suggested that this matter should be given further study and instructed the City Recorder and City Attorney to contact the League of Oregon Cities for further information on this matter.

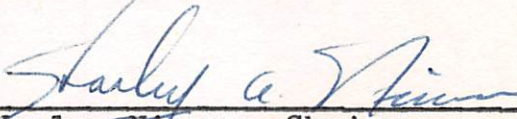
Building Inspector Lee Fountain read a chapter from the Uniform Building Code dealing with pre-fabricated construction. He pointed out that any pre-fabricated structure must comply with the Uniform Building Code and must have a certificate stating such compliance.

It was pointed out by the Building Inspector that there are a number of old buildings in town that should be condemned and that there should be money included in the budget for this. An informal request for removing the top two stories of the old Morris building was also discussed.

City Draftsman, Jerry Swanson pointed out that Elmer Bankus has a parcel of property at Highway 101 Chetco Ave. and Pacific Ave. that he would be willing to donate to the City on a perpetual basis providing it be used for a Christmas tree. Mr. Bankus would do the excavation work, provide the soil, and provide the tree. The Planning Commission felt this was a very good gesture on the part of Mr. Bankus. Jack Holte made a MOTION that the Planning Commission recommend that the City Council accept this offer. Cal Gorte seconded the motion and it met with unanimous approval.

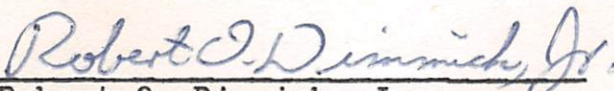
The City Draftsman also gave a report on the progress of the upcoming Bureau of Municipal Research study. He commented that everything looks very favorable and that the City should be receiving further information on this very shortly. Once the program is approved, work should begin on the study almost immediately.

The meeting was then adjourned at 9:40 P. M.



Harley Nissen, Chairman

ATTEST:



Robert O. Dimmick, Jr.
Secretary

DAVID R. FORTIER

ATTORNEY AT LAW
POST OFFICE BOX 1043
BROOKINGS, OREGON
TELEPHONE 469-3223

January 24, 1966

Mr. Robert O. Dimmick, Jr., Secretary
Brookings Planning Commission
City Hall
Brookings, Oregon

Dear Bob:

A number of questions were raised at the Planning Commission meeting of January 4, 1966, which I was to comment on as follows:

1. Whether mobile homes may be used within the City of Brookings.
It would appear that this would be covered by Ordinance No. 115, which is designated as 9-5.2 in the Book of Ordinances. There it is found that trailer coach is defined under Section 2 with reference to the Oregon Vehicle Code as follows: "Trailer coach means any camp car, trailer or other vehicle, with or without motive power, designed and constructed to travel on the public thoroughfares at the maximum allowable speed limit and in accordance with the provisions of the Oregon Vehicle Code, and designed for use for human habitation. Trailer also means trailer coach". The ordinance provides means by which a trailer park can be established in Section 15 of the Ordinance: "It is unlawful to use a trailer for living or sleeping purposes within the City of Brookings except when parked within a licensed trailer park". When the trailer is parked within the trailer park Section 12 forbids the parking of any trailer coach from which any tire or wheel has been removed.

I would, therefore, say that it would be impossible to determine that this ordinance does not mean what it says with respect to trailer homes, that is, that trailer homes may be occupied only in duly constituted trailer parks and not otherwise, that even then their wheels may not be removed.

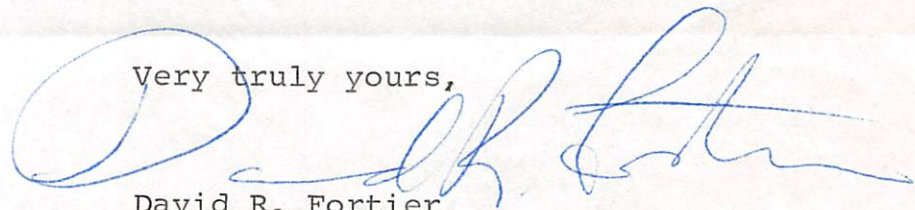
2. With respect to the storage of sawed up logs in a residential zone, it would be my opinion that the zoning ordinance which has to do with the uses to which property can be put and by its definition excludes commercial use and any other activities other than maintaining a domestic residence for one family and that wood storage would not fall within the permitted uses.

3. Whether or not building permit fees should be exacted in the case of churches constructing buildings would be determined, under Ordinance No. 77 (9-4.4), by the terms of the uniform building code. I do not have a copy of the Code, however, unless churches are expressly exempt under the uniform building code I would think the building inspector would have no discretion but to exact the fee prior to issuing the permit and I do not believe the fee required could be considered in any way a tax on realty for which there are some exemptions provided for church bodies.

4. With respect to the digging of a well, I am unaware of any restrictions as to this in any of our ordinances. If there are some that I am not aware of I would be pleased to have them called to my attention. If the well is to be used to furnish water for the public at large, I think, in the interest of the economy, the persons constructing it should first check with the County Sanitarian for his approval as to its purity and its construction. I believe Mr. Fountain will know whether or not our Plumbing Code or Building Code provisions would require some action on his part.

Should these not satisfactorily answer the questions posed, please advise.

Very truly yours,



David R. Fortier

DRF:mf

cc to Mr. Lee Fountain
Brookings Building Inspector
Brookings, Oregon