



AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING
June 13, 2023 – 6:00 P.M.
Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, OR 97146

Public Meetings will also be audio and video live streamed. Go to <https://www.ci.warrenton.or.us/administration/page/live-stream-public-meetings> for connection instructions.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

- A. City Commission Meeting Minutes – 5.23.23
- B. Monthly Finance Report – April 2023
- C. OLCC License Application – Chipotle Mexican Grill

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.

4. **COMMISSIONER REPORTS**

5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card and submit it to the City Recorder prior to the meeting. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the City Recorder, at cityrecorder@ci.warrenton.or.us, no later than 4:00 p.m. the day of the meeting. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

6. **PUBLIC HEARINGS** – None

7. **BUSINESS ITEMS**

- A. Consideration of Ordinance No. 1265; Camping Code Amendments

B. Consideration of Resolution No. 2648; Recycling Rates

C. Consideration of Resolution No. 2650; Sewer Rates

D. Consideration of Resolution No. 2651; Water Rates

8. DISCUSSION ITEMS

A. RV Ordinance Amendment

9. GOOD OF THE ORDER

10. EXECUTIVE SESSION

11. ADJOURNMENT

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

MINUTES
 Warrenton City Commission
 May 23, 2023
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Mayor Pro tem Mark Baldwin called the meeting to order at 6:00p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Pro tem Mark Baldwin, Paul Mitchell, Tom Dyer (arrived at 6:02), and Gerald Poe

Excused: Mayor Henry Balensifer

Staff Present: City Manager Esther Moberg, Finance Director April Clark, Police Chief Mathew Workman, Planning Director Jay Blake, Public Works Director Greg Shafer, Public Works Foreman Rick Rempfer, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 5.09.23
- B. Police Department Monthly Report – April 2023
- C. OLCC License Application – South Jetty Inn

Commissioner Mitchell made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.

Baldwin – aye; Poe – aye; Mitchell – aye

COMMISSIONER REPORTS

Commissioner Mitchell noted the recent CEDR meeting.

Mayor Pro tem Baldwin noted the Elk Collaborative has not met in over a month.

City Manager Esther Moberg gave an update on the library levy. She also stated that she would like to table business item 7.J until the next meeting.

Mayor Pro tem Baldwin stated he will move business item 7.I up on the agenda to be after 7.B; there were no objections.

PUBLIC COMMENT

Denele Sweet spoke in favor of Encore Dance Studio/Academy getting the lease of the building at 69 NE Heron.

Mike Balensifer spoke in regard to the building lease; he noted his thoughts/pros and cons on each business, noting OCD Diesel has the least negatives.

Chantrelle Lee spoke in favor of Encore Academy of getting the lease.

Shaelyn Bangs also spoke in favor of granting the building lease to Encore Academy.

Janice Hauks and Chuck Kobrizychi spoke in regard to the Galena lots for sale. Ms. Hauks gave the history of the property and noted it was originally donated as a park.

Paul Kujala also spoke in regard to the Galena lots, noting he is also believes it should remain a park/open space.

Jason Palmberg distributed a letter to the Commission and spoke in regard to the Galena lots and the original intent for it to be a park.

PUBLIC HEARINGS - None

BUSINESS ITEMS

Planning Director Jay Blake discussed the nuisance property at 365 North Main Avenue. Brief discussion followed on the history of the dereliction of the property. Property owner, Mr. Phan noted he purchased the property in 2018 and reviewed the improvements that have taken place.

Commissioner Poe made the motion to declare a public nuisance exists at 365 North Main Avenue, Warrenton, OR 97146 and direct staff to moved forward with the appropriate abatement procedures as outlined in the municipal code. Motion was seconded and passed unanimously.

Baldwin – aye; Dyer – aye; Poe – aye; Mitchell - aye

Mr. Blake discussed a second nuisance property at 667 Pacific Drive. He noted the owner has signed for the certified letters, however, has made no contact with staff and has made no improvements to the property.

Commissioner Dyer made the motion to declare a public nuisance exists at 667 Pacific Drive, Hammond/Warrenton, OR 97146 and direct staff to moved forward with the appropriate abatement procedures as outlined in the municipal code. Motion was seconded and passed unanimously.

Baldwin – aye; Dyer – aye; Poe – aye; Mitchell - aye

Ms. Moberg reviewed the list of businesses interested in leasing the building at 69 NE Heron; Encore Dance Academy, Battery 245, Salt & Spark, OCD Diesel, and SafeCoast Seafoods. The Commissioners noted their top picks: Mitchell – Battery 245 & Encore Academy; Dyer – Battery 245, Encore Academy & OCD; Poe – Battery 245 & Encore Academy; Baldwin – Battery 245, however he struggles with putting a brew pub next to a school; he noted the building is not zoned for institutional use and the school would not be a permitted use. He also noted concerns of the short lease term for the school children. Commissioner Mitchell asked about the school and their plan if the lease is not extended. Danele Sweet addressed that concern and noted she is comfortable with a 3 year lease. Mr. Sweet spoke as well, in regard to the condition of the building and the future of the school.

Commissioner Mitchell made the motion to move forward with a three year lease to Encore Academy for the building at 69 NE Heron. Motion was seconded and passed unanimously.

MINUTES

Warrenton City Commission

Regular Meeting – 5.23.23

Page: 2

Baldwin – nay; Mitchell - aye; Dyer – aye; Poe – aye

Police Chief Mathew Workman discussed camping code amendments and presented Ordinance No. 1265 for its first reading. Mayor Pro tem Baldwin asked the commission if they are in favor of a time, place and manner or a Seaside version. Chief Workman noted this ordinance supports both, but noted finding a location has been difficult. There was consensus to follow the Seaside model, not the time, place, and manner. Mayor Pro tem Baldwin noted Mayor Balensifer was also in favor of the Seaside model.

Commissioner Dyer made the motion to conduct the first reading, by title only, of Ordinance No. 1265, amending the various sections of the City of Warrenton Municipal Code Chapter 12.28 as stated. Motion was seconded and passed unanimously.

Baldwin – aye; Dyer – aye; Poe – aye; Mitchell - aye

Mayor Pro tem Baldwin conducted the first reading, by title only, of Ordinance No. 1265.

Chief Workman requested to declare a decommissioned vehicle as surplus. He noted the 2003 Ford Explorer was used by the Marina for the last several years and it is no longer running.

Commissioner Mitchell made the motion to declare the listed vehicle as “surplus” and disposed of according to current administrative policies. Motion was seconded and passed unanimously.

Baldwin – aye; Dyer – aye; Poe – aye; Mitchell - aye

City Recorder Dawne Shaw briefly reviewed Street Vacation Petition No. 158 and presented Ordinance No. 1264 for its second reading and adoption.

Commissioner Mitchell made the motion to conduct the second reading of Ordinance No. 1264; an Ordinance Vacating a Portion of SE 11th Street, in the City of Warrenton, Oregon. Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

Mayor Pro tem Baldwin conducted the second reading, by title only, of Ordinance No. 1264.

Commissioner Dyer made the motion to adopt Ordinance No. 1264. Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

Finance Director April Clark discussed an amendment to the Community Center Advisory Board Bylaws and Rules for Operation.

Commissioner Poe made the motion to approve Resolution No. 2646; Amending Resolution No. 6640; Creating a Community Center Advisory Board and Providing Rules for Operation Thereof and Repealing Resolution No. 2471; Adopting the Warrenton Community Center Advisory Board Bylaws and Repealing all other Resolutions in Conflict. Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

Ms. Clark stated ORS 294.346 requires that Reserve Funds be reviewed by the governing body every 10 years after establishment. She gave a brief review and presented Resolution No. 2647 for its adoption.

Commissioner Poe made the motion to continue the Tansy Point Dock Capital Reserve Fund, Warrenton Marina Capital Reserve Fund, Water Fund Capital Reserve Fund, Sewer Fund Capital Reserve Fund, Police Vehicle Replacement Fund and Hammond Marina Capital Reserve Fund. Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

Commissioner Dyer made the motion to approve Resolution No. 2647; establishing a reserve fund to the Fire Apparatus and Equipment Fund and repealing Resolution No. 2021. Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

City Manager Esther Moberg discussed a land agreement with Robin and Kim Bergerson, regarding their usage of city land adjacent to their property.

Commissioner Mitchell made the motion to adopt this formalized agreement regarding City property adjacent to the Bergerson lot “1006 SW 9th Street, Warrenton, OR 97146; legally known as Lot 11, Janessa Park, Clatsop County.” Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

Ms. Moberg discussed a request for amplified music at the cornhole tournament fundraiser. Mayor Pro tem Baldwin commented on the event.

Commissioner Dyer made the motion to allow amplified music during the Parks Advisory Board corn hole tournament. Motion was seconded and passed unanimously.

Baldwin – aye; Mitchell - aye; Dyer – aye; Poe – aye

Mayor Pro tem Baldwin asked about the lease rates for the NE Heron building lease; Ms. Moberg clarified. She noted it will have to go to the Planning Commission for approval since it is not an outright permitted use. Brief discussion followed.

DISCUSSION ITEMS – None

GOOD OF THE ORDER

Commissioner Poe spoke about the current clam season.

Mayor Pro tem Baldwin stated he was happy with the process that took place for the lease of 69 NE Heron; he is looking forward to doing something more down the road.

There being no further business, Mayor Pro tem Baldwin recessed the meeting at 7:09 p.m. and announced the Commission will now meet in executive session, under the authority of ORS 192.660(2)(d); to conduct deliberations with persons designated by the governing body to carry on labor negotiations; and ORS 192.660(2)(e); to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

At 7:46 p.m. Mayor Pro tem Baldwin reconvened the regular meeting, and noting no further business, adjourned the meeting.

APPROVED:

ATTEST:

Henry A. Balensifer III, Mayor

Dawne Shaw, CMC, City Recorder

Volume 16, Issue 10

Monthly Finance Report
April 2023

June 13, 2023

Economic Indicators

	Current	1 year ago
♦ Interest Rates:		
LGIP :	3.75%	.63%
Prime Rate:	8.00%	3.50%
♦ CPI-U change:	4.9%	8.3%
♦ Unemployment Rates:		
Clatsop County:	not avail.	4.0%
Oregon:	4.0%	3.6%
U.S.:	3.4%	3.6%

Department Statistics

♦ Utility Bills mailed	3,259
♦ New Service Connections	1
♦ Reminder Letters	336
♦ Door Hangers	80
♦ Water Service Discontinued	6
♦ Counter payments	410
♦ Mail payments	900
♦ Auto Pay Customers/pmts	676
♦ Online (Web) payments	1,305
♦ Checks issued	373

Current and Pending Projects

- ♦ ARPA Funding (2nd report was due April 30, 2023)
- ♦ 2024-2029 Capital Improvement Program
- ♦ 2023-2024 Budget Preparation (Budget Committee Meeting May 16, 2023)
- ♦ Insurance Renewals
- ♦ Preparation for carpet install

Financial Narrative as of April 30, 2023

Note: Revenues and expenses should track at 10/12 or 83.3% of the budget.

General Fund: Year to date revenues amount to \$4,360,754, which is 76.6% of the budget, compared to the prior year amount of \$4,110,947, which was 90% of the budget and are up by \$249,807. Increases are shown in current property tax, franchise fees, transient room taxes, state revenue sharing, park charges, housing rehab loans, interest, and leases and are offset by decreases in municipal court, planning fees, police charges, fire charges, and proceeds from sale of assets.

Expenses year to date amount to \$4,215,478, which is 67% of the budget, compared to the prior year amount of \$3,888,844, which was 76.3% of the budget. All departments are tracking under budget.

WBL: Business license revenue amounts to \$83,808, compared to \$62,620 at this time last year, a difference of \$21,188. A rate increase on July 1, 2022 has contributed to this difference. Year to date licenses issued is 772 compared to 736 at this time last year.

Building Department: Permit revenues this month amount to \$19,265 and \$213,266 year to date, which is 85.5% of the budgeted amount. Last year to date permit revenue was \$279,976, 85.5% of the budget.

State Tax Street: State gas taxes re-

ceived this month amount to \$44,367 for fuel sold in March and \$372,485 year to date. City fuels taxes received this month amount to \$27,697 for fuel sold in February and are \$244,888 year to date. Total gas taxes received year to date are \$617,373 compared to \$581,655 at this time last year.

Warrenton Marina: Total revenues to date are \$711,454, 99.2% of the budgeted amount, compared to the prior year amount of \$692,124, which was 109.1% of the budgeted amount. There is \$24,691 in moorage receivables outstanding.

Hammond Marina: Total revenues to date are \$419,274, 109% of the budgeted amount, compared to the prior year amount of \$416,968, which was 118.6% of the budgeted amount. There is \$1,093 in moorage receivables outstanding.

Of the total outstanding receivables:

\$13,834 (53.7%) is current,

\$1,367 (5.3%) is 30-60 days past due,

\$1,630 (6.3%) is 60-90 days past due and

\$8,953 (34.7%) is over 90 days past due.

Water Fund: Utility fees charged this month are \$175,911 and \$86,264, and \$2,143,129 and \$1,361,087 year to date for in-city and out-city respectively and totals \$3,504,216 and is 85.8% of the

budget. Last year at this time, year to date fees were \$2,007,347 and \$1,246,769, for in-city and out-city, respectively and totaled \$3,254,116.

Sewer Fund: Utility fees charged this month are \$236,097 and \$2,245,273 year to date, which is 83.3% of the budget. Last year at this time, year to date fees were \$2,131,317. Shoreline Sanitary fees year to date are \$117,412. Total revenues year to date are \$2,568,999 compared to \$2,299,027 at this time last year, an increase of \$269,972.

Storm Sewer: Utility fees (20% of sewer fees) this month are \$47,204 and \$448,981 year to date and is 83.3% of the budget. Last year to date revenues were \$426,145 which was 87.1% of the budget.

Sanitation Fund: Service fees charged this month for garbage and recycling were \$91,143 and \$19,211, and \$898,115 and \$191,621, year to date, and are 73.6% and 84.5% of the budget respectively.

Community Center Fund: Rental revenue year to date is \$29,368 and is 209.8% of the budget. Last year to date revenue was \$11,975, which was 90.7% of the budget. The advisory board's annual Breakfast with the Easter Bunny Fundraiser brought in net proceeds of \$2,232 through donations from local businesses, ticket sales and raffle sales.

Financial data as of April, 2022

	General Fund			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	2,023,773	1,885,860	1,100,000	171.44
Plus: Revenues	336,368	4,360,754	5,691,876	76.61
Less: Expenditures				
Municipal Court	14,629	130,069	188,871	68.87
Admin/Comm/Fin(ACF)	72,325	1,022,527	1,385,311	73.81
Planning	23,812	239,178	439,126	54.47
Police	136,527	1,588,485	2,189,639	72.55
Fire	60,774	753,556	1,034,854	72.82
Parks	10,856	84,335	160,746	52.46
Transfers	10,082	397,328	891,451	44.57
Total Expenditures	329,005	4,215,478	6,289,998	67.02
Ending Fund Balance	2,031,136	2,031,136	501,878	404.71

Building Department			
Current Month	Year to Date	Budget	% of Budget
613,491	736,201	640,000	115.03
21,317	231,169	309,088	74.79
33,207	365,769	455,954	80.22
601,601	601,601	493,134	122.00

	WBL			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	114,599	68,931	59,000	116.83
Plus: Revenues	482	86,241	61,350	140.57
Less: Expenditures	407	40,498	66,307	61.08
Ending Fund Balance	114,674	114,674	54,043	212.19

	State Tax Street			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	2,883,595	2,778,651	2,100,000	132.32
Plus: Revenues	80,869	1,078,506	2,738,420	39.38
Less: Expenditures	41,691	934,384	4,739,670	19.71
Ending Fund Balance	2,922,773	2,922,773	98,750	2,959.77

Warrenton Marina			
Current Month	Year to Date	Budget	% of Budget
442,015	323,922	300,000	107.97
19,918	711,454	716,879	99.24
39,350	612,793	818,225	74.89
422,583	422,583	198,654	212.72

(see details of revenue, page 4)

Financial data as of April 2023, continued

	Hammond Marina				Water Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	361,219	206,211	290,000	71.11	1,307,073	1,878,545	2,000,000	93.93
Plus: Revenues	6,321	419,274	384,552	109.03	292,247	3,753,604	6,708,062	55.96
Less: Expenditures	25,310	283,255	534,261	53.02	327,526	4,360,355	7,747,678	56.28
Ending Fund Balance	<u>342,230</u>	<u>342,230</u>	<u>140,291</u>	<u>243.94</u>	<u>1,271,794</u>	<u>1,271,794</u>	<u>960,384</u>	<u>132.43</u>

	Sewer Fund				Storm Sewer			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	3,156,037	2,978,750	2,700,000	110.32	1,939,387	1,661,698	1,500,000	110.78
Plus: Revenues	274,006	2,568,999	2,904,261	88.46	52,762	489,237	844,912	57.90
Less: Expenditures	180,282	2,297,988	4,748,317	48.40	18,372	177,158	1,947,361	9.10
Ending Fund Balance	<u>3,249,761</u>	<u>3,249,761</u>	<u>855,944</u>	<u>379.67</u>	<u>1,973,777</u>	<u>1,973,777</u>	<u>397,551</u>	<u>496.48</u>

	Sanitation Fund				Community Center			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	561,612	504,966	445,000	113.48	27,835	21,718	18,500	117.39
Plus: Revenues	112,680	1,111,791	1,449,344	76.71	13,127	40,063	18,800	213.10
Less: Expenditures	89,910	1,032,375	1,633,871	63.19	2,285	23,104	29,096	79.41
Ending Fund Balance	<u>584,382</u>	<u>584,382</u>	<u>260,473</u>	<u>224.35</u>	<u>38,677</u>	<u>38,677</u>	<u>8,204</u>	<u>471.44</u>

	Library				Warrenton Urban Renewal Agency Capital Projects Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	244,711	162,397	160,000	101.50	8,335	9,011	12,184	73.96
Plus: Revenues	2,958	268,595	254,179	105.67	539,129	786,401	6,141,636	12.80
Less: Expenditures	18,408	201,731	303,013	66.58	539,097	787,045	6,153,820	12.79
Ending Fund Balance	<u>229,261</u>	<u>229,261</u>	<u>111,166</u>	<u>206.23</u>	<u>8,367</u>	<u>8,367</u>	<u>-</u>	<u>-</u>

Financial data as of April 2023, continued**(\$ Cash Balances as of April 30, 2023**

General Fund	2,415,038	Warrenton Marina	406,207	Storm Sewer	1,919,152
WBL	114,673	Hammond Marina	345,830	Sanitation Fund	465,578
Building Department	612,774	Water Fund	1,062,037	Community Center	41,356
State Tax Street	3,047,623	Sewer Fund	3,013,307	Library	246,422

Warrenton Urban Renewal Agency

Capital Projects 259,427

Debt Service 2,710,713

		Actual as a % of				(over)
General Fund Revenues	Collection Frequency	2022-2023 Budget	Current Budget	Collections/Accruals Year to date		under budget
				April 2023	April 2022	
Property taxes-current	AP	1,229,211	103.09	1,267,246	1,189,987	(38,035)
Property taxes-prior	AP	30,000	104.83	31,450	17,832	(1,450)
County land sales	A	-	0.00	-	-	-
Franchise fees	MAQ	612,000	78.91	482,933	455,327	129,067
COW - franchise fees	M	330,319	79.58	262,859	249,730	67,460
Transient room tax	Q	622,492	72.02	448,323	432,022	174,169
Liquor licenses	A	575	113.04	650	575	(75)
State revenue sharing	MQ	195,819	69.76	136,595	120,637	59,224
Municipal court	M	128,700	51.23	65,928	91,054	62,772
Planning Fees	I	110,500	36.85	40,720	70,126	69,780
Police charges	I	18,000	122.96	22,132	22,914	(4,132)
Fire charges	SM, I	112,329	96.28	108,151	124,041	4,178
Park charges	I	-	0.00	1,140	795	-
Housing rehab loan payments	I	-	0.00	9,032	-	-
Miscellaneous	I	3,000	495.77	14,873	15,198	(11,873)
Interest	M	8,000	828.35	66,268	7,668	(58,268)
Lease receipts	M	220,002	91.82	202,002	189,269	18,000
Proceeds from sale of assets	I	-	0.00	1	98,311	(1)
Grants	I	-	0.00	-	-	-
Sub-total		3,620,947	87.28	3,160,303	3,085,486	460,644
Transfers from other funds	I	685,618	0.00	177,924	-	507,694
Overhead	M	1,385,311	73.81	1,022,527	1,025,461	362,784
Total revenues		5,691,876	76.61	4,360,754	4,110,947	1,331,122

M - monthly

Q - quarterly

SM - Semi-annual in January then monthly

AP - As paid by taxpayer beginning in November

MAQ - Century Link, NW Nat & Charter-quarterly,
all others monthly

S - semi-annual

I - intermittently

MQ - Monthly, cigarette and liquor and Quarterly, revenue sharing

A - annual

Note: Budget columns do not include contingencies as a separate line item but are included in the ending fund balance. Unless the Commission authorizes the use of contingency, these amounts should roll over to the following year beginning fund balance. For budget details, please refer to the City of Warrenton Adopted Budget for fiscal year ending June 30, 2023. Budget amounts reflect budget adjustments approved by the Commission during the fiscal year. Information and data presented in this report is unaudited.

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

☒ New Outlet | ☐ Change of Ownership | ☐ Greater Privilege | ☐ Lesser Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th

Brewery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Distillery

- ☐ Primary location
- Additional tasting locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th ☐ 6th

☒ Limited On-Premises

- ☐ Off Premises
- ☐ Warehouse
- ☐ Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Local Governing Body: After providing your recommendation, return this application to the applicant.

LOCAL GOVERNING BODY USE ONLY

City/County name:

Date application received:

Optional: Date Stamp



- ☐ Recommend this license be granted
- ☐ Recommend this license be denied

Printed Name

Date



WARRENTON POLICE DEPARTMENT

OFFICE MEMORANDUM



TO: **DAWNE SHAW, CITY RECORDER**

FROM: **MATHEW J. WORKMAN, CHIEF OF POLICE**

DATE: **JUNE 13, 2023**

SUBJECT: **OLCC LICENSE APPLICATION**

CC:

I have reviewed the new OLCC Liquor license application for the CHIPOLTE MEXICAN GRILL, INC. (103 US-101) as a "New Outlet." I do not have any historical data for this business and am fine with the application.

I do not see an issue at this point and would recommend approval of the application.

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

Chipotle Mexican Grill, Inc.

Name of entity or individual applicant #2:

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Chipotle Mexican Grill

Premises street address (The physical location of the business and where the liquor license will be posted):

103 US-101

City:

Warrenton

Zip Code:

97146

County:

Clatsop

Business phone number:

Business email:

licensing@chipotle.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(11)):

Chipotle, Attn: Licensing, PO Box 182566

City:

Columbus

State:

OH

Zip Code:

43218

Does the business address currently have an OLCC liquor license? ☐ Yes ☒ No

Does the business address currently have an OLCC marijuana license? ☐ Yes ☒ No

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

☒ Make changes regarding this license/application on my behalf.

☒ Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name:

Jeff Hern

Phone number:

Email:

jhern@schwabe.com

Mailing address:

1211 SW 5th Avenue, Suite 1900

City:

Portland

State:

OR

Zip Code:

97204

LIQUOR LICENSE APPLICATION

Page 3 of 4

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

Application Contact Name:

Jeff Hern

Phone number:

Email:

jhern@schwabe.com

TERMS

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-005-0311 and attests that:
 1. At least one applicant listed in the "Application Information" section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
 2. No person not listed as an applicant in the "Application Information" section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

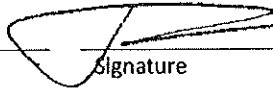
Page 4 of 4

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Tim Luskin



5/10/2023

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)



OREGON LIQUOR & CANNABIS COMMISSION LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
 - If the premises street address is within a city's limits, the local government is the city.
 - If the premises street address is not within a city's limits, the local government is the county.
3. Collect the application from the local government **after** the recommendation has been provided.
4. **Email the application that contains the local government recommendation to** OLCC.LiquorLicenseApplication@Oregon.Gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time). *When it's time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.*

License Request Options - Please see the general definitions of the license request options below:

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to replace a Limited On-Premises sales license with a Full On-Premises sales license.
- **Lesser Privilege:** The request to replace a Full On-Premises sales license with a Limited On-Premises sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an additional different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review [OAR 845-006-0301](#) for the definitions of "applicant" and "licensee" and [OAR 845-005-0311](#) to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per [OAR 845-005-0311\(6\)](#)) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one individual who is authorized to sign for the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:

- Complete the below Authorized Representative area on page 2 as the applicant/licensee and/or
- Provide a Power of Attorney document showing the permissions allowable on the behalf of the applicant/licensee with this submission

Please note that applicants/licensees are responsible for all information provided on this form, even if an authorized representative or individual with authority signs on behalf of the applicant.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.



AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Mathew J. Workman, Chief of Police

DATE: June 13, 2023

SUBJ: Ordinance No. 1265 Second Reading

SUMMARY

The City Commission conducted the first reading of Ordinance No. 1265 on May 23, 2023. This will be the second reading and adoption.

RECOMMENDATION/SUGGESTED MOTION

Conduct the second reading of Ordinance No. 1265 and adopt Ordinance No. 1265.

"I move to conduct the second reading, by title only, of Ordinance No. 1265."

AND

"I move adopt Ordinance No. 1265."

ALTERNATIVE

This is the best current alternative for the approach to camping, we must have a code that complies with the current laws. If the laws change, we can revisit the code.

FISCAL IMPACT

There will be a fiscal impact as we will need to expend funds and resources to maintain a designated camping area as well as enforce all sections of this code.

ATTACHMENTS:

- Proposed Ordinance No. 1265.

Approved by City Manager: _____

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

ORDINANCE NO. 1265

Introduced by All Commissioners

AN ORDINANCE AMENDING CHAPTER 12.28 "CAMPING"
OF THE WARRENTON MUNICIPAL CODE

WHEREAS, the City last addressed this chapter of the City's Municipal Code in 2013; and

WHEREAS, the language of the code needs to be updated to be consistent with current State Legislative bills and laws; and

WHEREAS, the city needs to be able to address and regulate camping activity in the City on both public and private property to promote health and safety while being mindful individuals experiencing homelessness;

NOW, THEREFORE, the City of Warrenton ordains as follows:

Section 1. Warrenton Municipal Code Chapter 12.28 Camping is hereby amended to read as follows:

Chapter 12.28 CAMPING

12.28.010 Definitions.

- A. "To camp" means to set up, or to remain in or at a campsite, for the purposes of establishing or maintaining a temporary place to live.
- B. "Campsite" means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of camp facilities. (Ord. 1179-A § 3, 2013)
- C. "To store" or "storage" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- D. "Camp paraphernalia" means, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city designated cooking facilities and similar equipment.
- E. "Camp facilities" include, but are not limited to, tents, huts, temporary shelters, or vehicles.
- F. "City manager" means the Warrenton City Manager, or the city manager's designee.
- G. "Motor vehicle" has the meaning given that term in ORS 801.360.
- H. "Park areas" has the meaning of all public parks in the City of Warrenton.

- I. "Parking lot" means a developed location that is designated for parking motor vehicles, whether developed with asphalt, concrete, gravel, or other material.
- J. "Publicly owned or maintained" means any real property or structures owned, leased, or managed by the city or other government agency including public rights-of-way.
- K. "Public rights-of-way" has the meaning set forth in Chapter 12.32.
- L. "Recreational fire" means a fire for the cooking of food, warmth, fellowship, or ceremonial purposes.
- M. "Recreational vehicle" has the meaning given that term in ORS 174.101.
- N. "Seasonal businesses" means business that corresponds to the changes in seasons. Examples include but are not limited to; fresh fruit vendors, Christmas or alternative holiday retailers, fireworks retailers, and businesses associated with Buoy 10 fishing season.
- O. "Solid waste" means any garbage, trash, debris, yard waste, food waste, or other discarded materials.
- P. "Solid waste collector" means any person, agent, officer, or employee of the City to whom authority is given for the collection and disposal of refuse.
- Q. "Store" or "storage" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- R. "Street" means any highway, lane, road, street, right-of-way, alley, and every way or place in the City of Warrenton that is publicly owned or maintained for public vehicular travel.

12.28.020 Public property program for temporary camping.

- A. Campers participating in the city's program for temporary camping are permitted to camp in a location identified in city policy.
- B. All vehicles, motorized or recreational, participating in the city's program for temporary camping under this section shall be currently registered and displaying an unexpired registration plate with current tags or current trip permit issued by the Oregon State Department of Motor Vehicles (DMV) and shall be in compliance with required vehicle insurance responsibilities.
- C. The city manager may revoke permission for a person or group to camp overnight on public property upon finding that the person or group has violated any applicable law, ordinance, rule, guideline, or agreement, or that any activity occurring on that property by a camper(s) the person is incompatible with the use of the property or adjacent properties.

12.28.025 Prohibited public camping.

- A. Except as otherwise specifically authorized by the Warrenton Municipal Code or by declaration by the Mayor or City Commission in emergency circumstance, it is unlawful for any person(s) to establish or occupy a campsite on the following:
1. All Park areas; and
 2. All publicly owned or maintained parking lots; and
 3. All publicly owned or maintained restrooms; and
 4. All publicly owned property located within residential zoning districts; and
 5. All publicly owned trails, beaches, and bridges; and
 6. All publicly owned marinas, docks, and dikes.
- B. Except as expressly authorized by the Warrenton Municipal Code, no person shall use any vehicle or recreational vehicle for camping or lodging purposes upon the streets, public property, or public beach of the City, or otherwise use the streets or public beach for camping or lodging.
- C. No person shall use any vehicle or trailer for camping or lodging purposes upon any private or public parking lots except as provided in this chapter.
- D. Except as expressly authorized by the Warrenton Municipal Code, it shall be unlawful for any person to store more than 120 cubic feet of personal property, including camp facilities and camp paraphernalia, on any public property during the hours of 6:00 a.m. to 9:00 p.m.
- E. Except as expressly authorized by the Warrenton Municipal Code or special event permit, it shall be unlawful to have a recreational fire on public property.
- F. A person or persons camping in a vehicle or recreational vehicle must adhere to parking regulations (Chapter 10.04 Article IV) and public right-of-way regulations (Chapter 12.32).
- G. Notwithstanding the provisions of this chapter, the city manager may temporarily authorize camping or storage of personal property on public property by written order that specifies the period of time and location:
1. In the event of emergency circumstances;
 2. In conjunction with a special event permit;
 3. In the event the designated camping area described in Section 12.28.020 is full and unable to accommodate campers;
 4. Upon finding it to be in the public interest and consistent with commission goals and policies.
- H. The city manager may adopt administrative rules to implement any of the provisions of this chapter.
- I. The City of Warrenton recognizes the social nature of the problem of homeless individuals camping on public property and has developed this code and policy to ensure the most humane treatment for removal of homeless individuals from campsites on public property. (Ord. 1179-A § 3, 2013)

12.28.030 Temporary Private Property Camping Program

- A. Consistent with all other provisions of the Warrenton Municipal Code including the Recreational Vehicle Park Design Standards in Chapter 16.176, with written authorization of the owner of the property and subject to any additional rules adopted by the city manager:
 - 1. Up to three total motor vehicles, recreational vehicles, or tents, in any combination, may be used for a temporary camping location in any parking lot on the following types of property:
 - a. Real property developed and owned by a religious institution or place of worship, regardless of the zoning designation of the property. For the purpose of this section, an organization qualifies as a religious institution if it is granted tax exempt status under Section 501(c)(3) of the Internal Revenue Service Tax Code;
 - b. Vacant or unoccupied commercial or industrial real property.
- B. With written authorization of the owner and, if applicable, tenants of the property, up to four individuals may use a residentially zoned property developed with an occupied residential dwelling for camping by either:
 - 1. Using a tent to camp in the back yard of the residence; or
 - 2. Using a single motor vehicle parked in the driveway or on the side of the dwelling as long as it does not create a traffic hazard. A vehicle used for camping shall not be parked in front of a residence. There can be no discharge of waste of any sort except into proper sewer or septic systems and any connection to city-owned system must be approved by the city prior to any connection.
- C. A property owner who authorizes any person to camp on a property pursuant to subsection (A) or (B) of this section must:
 - 1. Provide or make available sanitary facilities; (i.e., including toilets, wash facilities, and drinking water facilities).
 - 2. Provide garbage collection services so that there is no accumulation of solid waste on the property outside of designated receptacles provided by the solid waste collector;
 - 3. Provide a storage area for campers to store any personal items so the items are not visible from any public street;
 - 4. Require any tent or camping shelter in a residential backyard to be not less than five feet away from any property line;
 - 5. Not require or accept the payment of any monetary charge nor performance of any valuable service in exchange for providing the authorization to camp on the property; provided, however, that nothing in this section will prohibit the property owner from requiring campers to perform services necessary to maintain safe, sanitary, and habitable conditions at the campsite; and

6. Obtain a city temporary camping permit. To obtain such a permit, the property owner must demonstrate compliance with all of the requirements of this section 12.28.030.
- D. A property owner who permits camping pursuant to subsection (A) or (B) of this section may revoke that permission at any time and for any reason.
- E. Notwithstanding any other provision of this chapter, the city manager may revoke the city temporary camping permit upon finding that any of the requirements of this section 12.28.030 have been violated or any activity occurring on that property by the camper(s) is incompatible with the uses of adjacent properties or constitutes a nuisance or other threat to the public welfare.
- F. Any person whose authorization or permit to camp on private property has been revoked pursuant to subsection (D) or (E) of this section must vacate and remove all belongings from the property within four hours of receiving such notice.
- G. All persons participating in the temporary camping program described in this section do so at their own risk, and nothing in this code creates or establishes any duty or liability for the city or its officers, employees, or agents, with respect to any loss related to bodily injury (including death) or property damage.
- H. The City Manager may adopt administrative rules to implement any of the provisions of this chapter.

12.28.035 Revocation of Permission Appeal

- A. Any person whose authorization to camp on private or city property has been revoked by the City Manager may appeal the decision to the City Commission in accordance with the procedure set forth in Chapter 15.08 of the Warrenton Municipal Code. For the purposes of this section, a person has received notice to vacate upon actual receipt of either oral or written notice. Written notice is deemed received upon personal delivery or upon other proof of having been received. In the situation where it can be shown a person refuses to accept personal delivery or is intentionally avoiding personal delivery, the written notice is deemed received on the date and time when it is affixed to the motor vehicle or tent being used for camping by the person in question.

12.28.040 Use of RV for seasonal businesses.

Special permits for seasonal businesses may be issued for no more than one recreational vehicle as registered to the owner/manager of said business, for up to one month upon application and approval by the City Commission or their designee. Application, approval, and issuance of the permit must take place before the recreational vehicle is placed upon the property. The unit must not create a traffic hazard and cannot discharge waste of any kind except into proper sewer or septic systems and any connection to city-owned system must be approved by the city prior to any connection. Arrangements must be made with the Public Works Department for regular pickup of garbage. (Ord. 1179-A § 5, 2013)

12.28.050 Notice requirements and property retention.

- A. The City of Warrenton will follow all legal requirements providing adequate notice and the involvement of social services agencies to facilitate a humane transition when clearing established campsites. Notice requirements apply to established campsites (generally a campsite in place for over 24 hours). Notice requirements are not applicable to campsites that are not established and in violation of this chapter.

12.28.060 Enforcement and penalties.

- A. Violation of this code is a Class D violation as defined by ORS 153.008 and 153.012. A Class D violation carries a penalty of up to \$300.00. Each day the violation occurs will be considered a separate offense. Individuals experiencing homelessness may not be assessed a fine of more than \$35.00 for each violation of this chapter.
- B. In addition to any other penalties that may be imposed, any campsite not authorized by this chapter or other provisions of this code shall constitute a public nuisance and may be abated as such.

Section 2. This Ordinance shall become effective thirty days after its adoption.

First Reading: May 23, 2023

Second Reading: June 13, 2023

ADOPTED by the City Commission of the City of Warrenton, Oregon this 13th day of June 2023.

APPROVED

ATTEST

Henry A. Balensifer III, Mayor

Dawne Shaw, CMC, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Dawne Shaw, City Recorder
DATE: June 13, 2023
SUBJ: Recycling Rates

SUMMARY

Recology Western Oregon is instituting an increase in the residential recycling service rates increase for Fiscal year 2023-2024. Resolution No. 2648 is presented for your consideration. The rate increase is from \$8.46 to \$8.88 monthly, for every other week pickup, effective July 1, 2023.

Rate increase resolutions typically require two readings in order to give the public the opportunity to comment.

RECOMMENDATION/SUGGESTED MOTION

"I move to conduct the first reading, by title only, of Resolution No. 2648; Adopting and Setting New Rates for Residential Recycling Services; Establishing July 1, 2023, as the effective date; and repealing all resolutions in conflict."

ALTERNATIVE

None Recommended

FISCAL IMPACT

If rates are not raised, the City will not recoup costs for recycling fees from Recology Western Oregon for recycling pickup.

Approved by City Manager:

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

**RECOLOGY WESTERN OREGON
WAR CITY OF WARRENTON**

**SUMMARY RATE SHEET
REVISED EFF. DATE: 7/1/2023**

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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COLLECTION SERVICES - BILLED TO CITY

MONTHLY RATES

90REC	90G COMMINGLED RECYCLING -CURB	\$ 8.46	5.00%	\$ 0.42	\$ 8.88
90RES	90G COMMINGLE-SIDE*	\$ 8.46	5.00%	\$ 0.42	\$ 8.88
1CBE	CARDBOARD CONTAINER - ALL SIZES	\$ 41.47	5.00%	\$ 2.07	\$ 43.54
2GEW	2YD WASTE WATER EOW	\$ 209.68	5.00%	\$ 10.48	\$ 220.16

*sideyard only available with City approval for customers with medical needs.

BULKY ITEM COLLECTION (SVC CHARGE + CHARGE PER ITEM)

RATES LISTED ARE FOR COLLECTION AT CURB. ADDITIONAL CHARGES MAY APPLY FOR RETRIEVAL **RATE PER EACH**

APF	REFRIGERATOR/FREEZER	\$ 51.66	5.00%	\$ 2.58	\$ 54.24
APPL	APPLIANCE	\$ 11.48	5.00%	\$ 0.57	\$ 12.05
FURN	FURNITURE CHARGE	\$ 17.22	5.00%	\$ 0.86	\$ 18.08
IRSC	IN ROUTE SERVICE CHARGE	\$ 36.37	5.00%	\$ 1.82	\$ 38.19
SC	SERVICE CHARGE	\$ 145.51	5.00%	\$ 7.28	\$ 152.79

RELATED FEES

RATE PER EACH

CORDF	CONTAINER RE-DELIVERY FEE	\$ 145.51	5.00%	\$ 7.28	\$ 152.79
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Note: Re-Delivery fees apply for resume service after suspend.

RATE PER EACH

CCF	CART CLEANING FEE	\$ 25.00	5.00%	\$ 1.25	\$ 26.25
CRF	CART REPLACEMENT FEE	\$ 65.00	5.00%	\$ 3.25	\$ 68.25

Note: Replacement fee is used for loss/damage beyond normal wear and tear.

RATE PER EACH

WLI	WIND LATCH INSTALLATION	No charge for Warrenton residents			
RF	REINSTATEMENT FEE	\$ 15.00	0.00%	\$ -	\$ 15.00
NSFCF	RETURNED CHECK FEE	\$ 25.00	0.00%	\$ -	\$ 25.00

FRONT-LOAD CONTAINER SERVICE

(City provides service for container sizes 3yds & under, unless City directs RWO to service)

1 YARD CONTAINERS

MONTHLY RATES

1GE	1YD TRASH EOW	\$ 111.02	5.00%	\$ 5.55	\$ 116.57
1XP	EXTRA PICK UP-1YD TRASH	\$ 40.84	5.00%	\$ 2.04	\$ 42.88

1.5 YARD CONTAINERS

MONTHLY RATES

1HXP	EXTRA PICK UP-1.5YD TRASH	\$ 52.56	5.00%	\$ 2.63	\$ 55.19
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2 YARD CONTAINERS

MONTHLY RATES

2GW	2YD TRASH	\$ 283.33	5.00%	\$ 14.17	\$ 297.50
2GE	2YD TRASH EOW	\$ 156.99	5.00%	\$ 7.85	\$ 164.84
2GM	2YD TRASH MONTHLY	\$ 88.99	5.00%	\$ 4.45	\$ 93.44
2OC	ON CALL-2YD TRASH	\$ 64.19	5.00%	\$ 3.21	\$ 67.40
2XP	EXTRA PICK UP-2YD TRASH	\$ 64.19	5.00%	\$ 3.21	\$ 67.40

3 YARD CONTAINERS

MONTHLY RATES

3GW	3YD TRASH	\$ 375.23	5.00%	\$ 18.76	\$ 393.99
3GE	3YD TRASH EOW	\$ 202.92	5.00%	\$ 10.15	\$ 213.07
3GM	3YD TRASH MONTHLY	\$ 110.19	5.00%	\$ 5.51	\$ 115.70
3OC	ON CALL-3YD TRASH	\$ 87.53	5.00%	\$ 4.38	\$ 91.91
3XP	EXTRA PICK UP-3YD TRASH	\$ 87.53	5.00%	\$ 4.38	\$ 91.91

**RECOLOGY WESTERN OREGON
WAR CITY OF WARRENTON**

**SUMMARY RATE SHEET
REVISED EFF. DATE: 7/1/2023**

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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4 YARD CONTAINERS

MONTHLY RATES

4GW	4YD TRASH	\$ 459.43	5.00%	\$ 22.97	\$ 482.40
4GE	4YD TRASH EOW	\$ 245.01	5.00%	\$ 12.25	\$ 257.26
4GM	4YD TRASH MONTHLY	\$ 129.66	5.00%	\$ 6.48	\$ 136.14
4OC	ON CALL-4YD TRASH	\$ 108.93	5.00%	\$ 5.45	\$ 114.38
4XP	EXTRA PICK UP-4YD TRASH	\$ 108.93	5.00%	\$ 5.45	\$ 114.38

5 YARD CONTAINERS

MONTHLY RATES

5GW	5YD TRASH	\$ 551.31	5.00%	\$ 27.57	\$ 578.88
5GE	5YD TRASH EOW	\$ 290.96	5.00%	\$ 14.55	\$ 305.51
5GM	5YD TRASH MONTHLY	\$ 150.89	5.00%	\$ 7.54	\$ 158.43
5OC	ON CALL-5YD TRASH	\$ 132.26	5.00%	\$ 6.61	\$ 138.87
5XP	EXTRA PICK UP-5YD TRASH	\$ 132.26	5.00%	\$ 6.61	\$ 138.87

6 YARD CONTAINERS

MONTHLY RATES

6GW	6YD TRASH	\$ 643.23	5.00%	\$ 32.16	\$ 675.39
6GE	6YD TRASH EOW	\$ 336.91	5.00%	\$ 16.85	\$ 353.76
6GM	6YD TRASH MONTHLY	\$ 172.10	5.00%	\$ 8.61	\$ 180.71
6OC	ON CALL-6YD TRASH	\$ 155.63	5.00%	\$ 7.78	\$ 163.41
6XP	EXTRA PICK UP-6YD TRASH	\$ 155.63	5.00%	\$ 7.78	\$ 163.41

8 YARD CONTAINERS

No new customers at this rate - safety issues

8GW	8YD TRASH	\$ 750.42	5.00%	\$ 37.52	\$ 787.94
8GE	8YD TRASH EOW	\$ 390.52	5.00%	\$ 19.53	\$ 410.05
8GM	8YD TRASH MONTHLY	\$ 196.87	5.00%	\$ 9.84	\$ 206.71
8OC	ON CALL-8YD TRASH	\$ 182.86	5.00%	\$ 9.14	\$ 192.00
8XP	EXTRA PICK UP-8YD TRASH	\$ 182.86	5.00%	\$ 9.14	\$ 192.00

CONTAINER MONTHLY RENT (CHARGED TO WILL-CALL CUSTOMERS, SAME FOR ALL SIZES)

RNT1	1YD RENT - TRASH	N/C	0.00%	\$ -	N/C
RNT4	4YD RENT - TRASH	\$ 20.00	5.00%	\$ 1.00	\$ 21.00
RNT5	5YD RENT - TRASH	\$ 20.00	5.00%	\$ 1.00	\$ 21.00
RNT6	6YD RENT - TRASH	\$ 20.00	5.00%	\$ 1.00	\$ 21.00
RNT8	8YD RENT - TRASH	\$ 20.00	5.00%	\$ 1.00	\$ 21.00

FRONT-LOAD COMPACTOR RATE FACTORS - For all compacted material, including pre-compacted waste.

Compactor Rating	4 : 1	3 : 1	2 : 1
Factor applied to container rate of same size	1.5	1.3	1.12

MEDICAL WASTE COLLECTION SERVICES

RATE PER EACH

M4HSC	4.7 QT SHARPS CONTAINER	\$ 20.93	5.00%	\$ 1.05	\$ 21.98
M10SC	10 QT SHARPS CONTAINER	\$ 24.24	5.00%	\$ 1.21	\$ 25.45
M23SC	23 QT SHARPS CONTAINER	\$ 46.82	5.00%	\$ 2.34	\$ 49.16
9CDBC	9GAL CONFIDENTIAL DOCUMENT BOX	\$ 33.58	5.00%	\$ 1.68	\$ 35.26
MLGPB	PATHOLOGY BOX	\$ 51.00	5.00%	\$ 2.55	\$ 53.55
MW17G	MEDICAL WASTE 17 GAL	\$ 22.50	5.00%	\$ 1.13	\$ 23.63
MW31G	MEDICAL WASTE 31 GAL	\$ 29.00	5.00%	\$ 1.45	\$ 30.45
MW43G	MEDICAL WASTE 43 GAL	\$ 35.00	5.00%	\$ 1.75	\$ 36.75
MOWPT	OVERWEIGHT MEDICAL TUB	\$ 20.00	5.00%	\$ 1.00	\$ 21.00

Note: Additional fees may apply for overweight tubs. Improperly prepared materials cannot be collected

RECOLOGY WESTERN OREGON
WAR CITY OF WARRENTON

SUMMARY RATE SHEET
REVISED EFF. DATE: 7/1/2023

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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RECOLOGY WESTERN OREGON**WAR****CITY OF WARRENTON****SUMMARY RATE SHEET****REVISED EFF. DATE: 7/1/2023**

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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DEBRIS BOX SERVICES**SET HAUL FEES (BASED ON AVERAGE TRUCK TIMES)****RATE PER HAUL**

DEL	DELIVERY CHARGE	\$ 72.75	5.00%	\$ 3.64	\$ 76.39
10HD	RECYCLE HAULS TO TRAILS END	\$ 109.12	5.00%	\$ 5.46	\$ 114.58
10HG	10 YD TRASH BOX HAUL	\$ 145.50	5.00%	\$ 7.28	\$ 152.78
20HG	20 YD TRASH BOX HAUL	\$ 145.50	5.00%	\$ 7.28	\$ 152.78
30HG	30 YD TRASH BOX HAUL	\$ 145.50	5.00%	\$ 7.28	\$ 152.78
47HG	47 YD TRASH BOX HAUL	\$ 145.50	5.00%	\$ 7.28	\$ 152.78
40CG	COMPACTOR HAUL FEE (ALL SIZES)	\$ 173.72	5.00%	\$ 8.69	\$ 182.41

DEBRIS BOX DISPOSAL FEES (\$\$/TON)**RATE PER TON**

DFDM	DISPOSAL FEE - DEMOLITION	\$ 118.96	5.00%	\$ 5.95	\$ 124.91
DFG	DISPOSAL FEE - GARBAGE	\$ 117.66	5.00%	\$ 5.88	\$ 123.54
DFYD	DISPOSAL FEE - YARD DEBRIS	\$ 20.00	5.00%	\$ 1.00	\$ 21.00

Note: Recycling ton fees will be equal to or less than trash fees, based on current market pricing.

RELATED FEES**RATE PER DAY**

RENTD	DAILY RENTAL FEE	\$ 14.53	5.00%	\$ 0.73	\$ 15.26
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Note: Daily Rent applies after 48 hours, excluding evenings and weekends.

RATE PER MONTH

RENTM	MONTHLY RENTAL FEE	\$ 144.92	5.00%	\$ 7.25	\$ 152.17
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Note: Monthly rent applies for customers who keep a box for a year or longer.

RATE PER HOUR

TIME	TRUCK TIME FEE	\$ 145.50	5.00%	\$ 7.28	\$ 152.78
1T1E	1 TRUCK - 1 EMPLOYEE	\$ 145.51	5.00%	\$ 7.28	\$ 152.79
1T2E	1 TRUCK - 2 EMPLOYEES	\$ 218.23	5.00%	\$ 10.91	\$ 229.14

Note: Hourly Truck Time is used for hauls to destinations outside our normal operating areas.

BULKY ITEMS - DEBRIS BOX

STANDARD FEES APPLY FOR THESE ITEMS IF DECLARED & SEPARATED ACCORDING TO INSTRUCTION
ADDITIONAL FEES MAY APPLY FOR ITEMS FOUND IN LOADS.

RATE PER EACH

TOFFR	TIRE CHARGE NO RIM	\$ 4.59	5.00%	\$ 0.23	\$ 4.82
TONR	TIRE CHARGE ON RIM	\$ 9.18	5.00%	\$ 0.46	\$ 9.64
APPL	APPLIANCE	\$ 11.48	5.00%	\$ 0.57	\$ 12.05
APF	REFRIGERATOR/FREEZER	\$ 51.66	5.00%	\$ 2.58	\$ 54.24

Finance Charges (0.75% monthly, 9% annually) will be assessed on any past due amount
(excluding amounts in dispute over billing or service issues).

Billing Terms: Commercial Accounts are billed on a monthly basis.

RESOLUTION NO. 2648
Introduced by All Commissioners

**ADOPTING AND SETTING NEW RATES FOR RESIDENTIAL
RECYCLING SERVICES; ESTABLISHING JULY 1, 2023, AS THE
EFFECTIVE DATE; AND REPEALING ALL RESOLUTIONS IN
CONFLICT**

WHEREAS, Recology Western Oregon, the City's Residential Recycling Service Provider, is instituting an increase in the residential recycling service rates in the City of Warrenton; and

WHEREAS, the increase requires an adjustment in user rates to meet City of Warrenton recycling expenses in the City's Sanitation Fund; and

WHEREAS, the City of Warrenton Sanitation Department is an enterprise fund and revenues must pay expenses; and

NOW THEREFORE, BE IT RESOLVED that the Warrenton City Commission does hereby adopt the following as its Residential Recycling Rates for the City of Warrenton:

Section 1: The Warrenton City Commission hereby adopts a rate increase for Residential Recycling as listed in Exhibit A for all users of its recycling service.

Section 2: The rate increase will be 5.00%, from \$8.46 to \$8.88 monthly for Residential Recycling Services every other week.

Section 3: This resolution shall affect rates July 1, 2023.

First reading: June 13, 2023

Second reading: June 29, 2023

ADOPTED by the City Commission of the City of Warrenton this 27th day of June 2023.

APPROVED

Henry A. Balensifer III, Mayor

ATTEST

Dawne Shaw, CMC, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Greg Shafer, P.E., Public Works Director
DATE: June 13, 2023
SUBJ: Sewer Rates

SUMMARY

The Budget Committee approved a 4% monthly sewer rate increase for Fiscal year 2023–2024. Rate increase resolutions typically require two readings in order to give the public the opportunity to comment.

RECOMMENDATION/SUGGESTED MOTION

"I move to conduct the first reading, by title, of Resolution No. 2650; Adopting Sewer Department Monthly Rates, Establishing July 1, 2023, as the Effective Date; and Repealing All Other Resolutions in Conflict. "

ALTERNATIVE

None Recommended.

FISCAL IMPACT

The 4% increase is expected to raise approximately \$111,086 in the sewer fund for fiscal year ending June 30, 2024.

Approved by City Manager:

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

RESOLUTION NO. 2650
Introduced by All Commissioners

**ADOPTING SEWER DEPARTMENT MONTHLY RATES;
ESTABLISHING July 1, 2023, AS THE EFFECTIVE DATE;
REPEALING ALL OTHER RESOLUTIONS IN CONFLICT**

WHEREAS, the City of Warrenton Sanitary Sewer Department is an enterprise fund and revenues must pay expenses; and

WHEREAS, the City of Warrenton provides sewer services to customers both inside and outside (Shoreline Sanitary district) its city limits; and

WHEREAS, the City of Warrenton needs to update its sewer rates to keep up with increasing costs and debt service; and

WHEREAS, the Warrenton Budget Committee approved a 4% Sewer Department Monthly Rate Increase during its Fiscal Year 2023-2024 Budget Process.

NOW THEREFORE, The City Commission of the City of Warrenton resolves as follows:

Section 1: The Warrenton City Commission hereby adopts the attached schedule of monthly sewer rates, listed in Exhibit A for all users of its municipal sewer service.

Section 2: This resolution shall take effect July 1, 2023.

First reading: June 13, 2023

Second reading: June 27, 2023

ADOPTED by the City Commission of the City of Warrenton this 27th day of June 2023.

APPROVED

Henry A. Balensifer III, Mayor

ATTEST

Dawne Shaw, CMC, City Recorder

EXHIBIT A

City of Warrenton
Monthly Sewer Service Rates
Effective 7/1/23

Monthly sewer service rates for customers of the sewer system shall be a combination of the following:

Base Rate: Every unit shall pay a base rate per month, according to customer class. All customers are subject to the monthly "ready-to-serve" base rate:

Base Rate	
Class	Rate
Single Unit	\$ 65.56
Metered	\$ 65.56
Bio-Oregon	\$ 189.34
Warrenton Deep Sea	\$ 71.46
Fort Stevens	\$ 5,389.66
Pacific Coast Seafoods	\$ 238.85
Point Adams	\$ 387.43
Warrenton Boat Yard-Industrial Waste Permitted Use	\$ 99.77
Shoreline Sanitary District	\$ 81.95

Volume Rate: Accounts classified as "metered" sewer customers shall pay a volume rate for every thousand gallons of metered water consumption:

Volume Rate	
Class	Rate
0 to 5,000 gallons:	
Metered	\$ -
5,001 gallons and over:	
Metered	\$ 9.21



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Greg Shafer, P.E., Public Works Director
DATE: June 13, 2023
SUBJ: Water Rates

SUMMARY

The Budget Committee approved a 4% water rate increase for Fiscal Year 2023–2024. Resolution 2651 Exhibit A reflects these increases. Modifications to the wording in Exhibit B have been made to reconcile the resolution to Ordinance 1222 and there has been a \$5 increase to the charge for lien searches. Rate increase resolutions typically require two readings in order to give the public the opportunity to comment.

RECOMMENDATION/SUGGESTED MOTION

"I move to conduct the first reading, by title, of Resolution No. 2651; Adopting Water Department Rates and Fees, Establishing July 1, 2023, as the Effective Date; and Repealing All Other Resolutions in Conflict. "

ALTERNATIVE

None Recommended.

FISCAL IMPACT

The 4% increase is expected to raise approximately \$160,373 in the water fund for fiscal year ending June 30, 2024.

Approved by City Manager

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

RESOLUTION NO. 2651
Introduced by All Commissioners

**ADOPTING WATER DEPARTMENT RATES AND FEES;
ESTABLISHING July 1, 2023, AS THE EFFECTIVE DATE,
REPEALING ANY OTHER RESOLUTION IN CONFLICT**

WHEREAS, the City of Warrenton Water Department is an enterprise fund and revenues must pay expenses;

WHEREAS, the City of Warrenton needs to update its water rates to keep up with increasing costs and debt service; and

WHEREAS, the Warrenton Budget Committee approved a 4% water rate increase during its Fiscal year 2023-2024 budget process.

NOW THEREFORE, The City Commission of the City of Warrenton resolves as follows:

Section 1. The Warrenton City Commission hereby adopts the attached schedule of water rates, listed in Exhibit A for all users of its municipal water service.

Section 2. The Warrenton City Commission hereby adopts the attached schedule of installation and administrative fees, listed in Exhibit B, for all users of its municipal water service.

Section 3. Any fees, charges, taxes or penalties that are assessed, requested, or required by this resolution are deemed by the Warrenton City Commission to not be subject to the limits of Section 11b Article XI of the Oregon Constitution and will be adopted according to Section 1(b)(e) and Section 2 of ORS 310.145.

Section 4. This resolution shall effect rates July 1, 2023.

First reading: June 13, 2023

Second reading: June 27, 2023

ADOPTED by the City Commission of the City of Warrenton this 27th day of June 2023.

APPROVED

ATTEST

Henry A. Balensifer III, Mayor

Dawne Shaw, City Recorder

City of Warrenton
Monthly Water Service Rates
Effective 7/1/23

EXHIBIT A

Monthly water service rates for customers of the water system shall be a combination of the following:

Base Rate: Every account shall pay a base rate per month, according to the size of the meter, to include a consumption allowance of 2,000 gallons per month. All customers are subject to the monthly "ready-to-serve" base rate, regardless of consumption:

Base Rate			
Meter Size (inches)	Inside City		Outside City
3/4	\$	33.98	\$ 50.91
1	\$	39.36	\$ 59.02
1 1/2	\$	52.70	\$ 79.04
2	\$	68.75	\$ 103.12
3	\$	111.66	\$ 167.47
4	\$	159.86	\$ 239.76
6	\$	293.65	\$ 440.51
8	\$	454.31	\$ 681.47
10	\$	641.82	\$ 962.73

Volume Rate: Every meter shall pay a volume rate, according to customer class, for every thousand gallons of metered consumption:

Volume Rate		
Range/Customer Class	Inside City	Outside City

0 to 2,000 gallons:

Residential / Multi Family	\$	-	\$	-
Commercial	\$	-	\$	-
Industrial	\$	-	\$	-
Institutional	\$	-	\$	-
Government	\$	-	\$	-
City of Gearhart	\$	-	\$	-

2,001 gallons and over:

Residential / Multi Family	\$	4.82	\$	7.27
Commercial	\$	7.22	\$	10.76
Industrial	\$	8.56	\$	12.88
Institutional	\$	5.87	\$	8.84
Government	\$	9.07	\$	13.59
City of Gearhart*	\$	9.07	\$	13.59

*Per agreement

EXHIBIT B

City of Warrenton

Water Department Installation and Administrative Fees

INSTALLATIONS

Meter Size	Equivalent Meter Ratios	Capacity Allowance (GPD)	Connection Fee Base Rate*
3/4"	1.0	690	\$1,300.00
1"	1.7	1,173	\$1,500.00
1 1/2"	3.3	2,277	\$1,148.00
2"	5.3	3,657	\$1,844.00
3"	10.0	6,900	\$3,480.00
4"	16.7	11,523	\$5,812.00
6"	33.3	22,977	\$11,588.00
8"	53.3	36,777	\$18,548.00
10"	76.7	52,923	\$26,692.00

*Actual costs for a full-service connection installation above connection fee base rate will be billed to the applicant after installation is complete.

INSTALLATION ADMINISTRATION FEES

**Connection for which the owner has provided all infrastructure improvements for complete installation other than the meter and tailpiece.

Each subdivision lot for single-family or manufactured dwelling (meter only by City)	3/4" \$ 500.00 ** 1" \$ 600.00 **
Each living unit in a multi-family dwelling, accessory building, each separate unit in a commercial, industrial, or institutional structure unless each unit has its own separate water meter.	\$ 178.00
Each RV space (in complex with a master meter)	\$ 136.00
Administrative fees for Requests for Information on water availability not associated with a proposed project or pre-application.	\$ 50.00

SERVICE CALL

Call requested by customer In-City	\$ 20.00
Call requested by customer Outside-City	\$ 30.00
Final Read In-City	\$ 20.00
Final Read Outside-City	\$ 30.00
Emergency Turn on Fee	\$ 150.00

LATE CHARGES

Additional charge for late payment NOT RECEIVED by 5:00 pm on last business day of each month	\$ 3.00
Door hanger penalty on Past-Due Accounts	\$ 33.00
Shutoff penalty on Past-Due Accounts	\$ 120.00

METER REMOVAL

Cancelled Account	\$ 75.00
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VACANCY/VACATION CHARGES

Temporary Billing Suspension Fee -- Off	\$ 100.00
Temporary Billing Suspension Fee -- On	\$ 100.00

MISCELLANEOUS CHARGES

Lien Searches	\$ 20.00
Returned Payment Fee Payment	\$ 35.00
Inaccessible to Read Penalty (daily)	\$ 100.00
Unauthorized Use Penalty (each)	\$ 1,000.00

HYDRANT METER CHARGES

Hydrant Meter Deposit	\$ 500.00
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June 12, 2023

To: City Commission of Warrenton

CC: City Manager

RE: Constituent Report and Suggestion for Consideration

The purpose of this letter is to inform the commission of what could essentially be considered a neighborhood request from multiple owners of properties off SE Galena Ave and SE 7th St., specifically Taxlot 81022CB06300. It is also to suggest we sit on the property and hold off sale for a period of time.

The taxlot in question is one of two deeded to the city in 1982 by Herbert Palmberg as a tax write-off. There was in the deed a requirement that the city use it as a park with that provision expiring circa 1989. The city has already sold one of those taxlots to Jason Palmberg. The taxlot which is the subject of this correspondence has been maintained for several decades by Charles Kobrzycki.

I received a letter drafted by Mark Kujala, submitted by Paul Kujala last week and this week at Morning with the Mayor multiple neighbors came forward to propose the city keep it a park. The City Manager and I explained it has never been planned to become a park, Mr. Palmberg gifted it to the city as a tax write off and the park requirement was temporary and since expired. I discussed with the neighborhood the crux of their request. Some wanted the city to keep it a “park” regardless of the fact that requirement has long since expired. Others wanted the city to deed it to Mr. Kobrzycki as the City has not done anything to maintain it. Another suggested donating the land to the neighborhood an ad hoc park owners association. The following is my evaluation of the proposals and why I do not think they are good ideas from a policy perspective, and the conclusion is how I believe a mutually beneficial remedy to this situation can be achieved.

Policy Implications of Suggestions:

1. Keep the land a “park”
 - a. Problematic because the city never recognized it as a park, and the city’s parks master plan in 2010 and more recently 2020 both do not list nor even mention the property for future park development, let alone status as an existing park.
 - b. The deed requirement has been expired as long as I’ve been alive.
 - c. The city never intended it to be a park, Mr. Palmberg did. It is not incumbent upon the city, with the deed restriction lifted, to be tied to such a use.
2. Deed it to the neighbor who has maintained it for several decades.
 - a. This sets a precedent for any person who maintains or alleges to have maintained public properties that they have a sort of first right of purchase or that the city has an obligation to give it to them.
 - i. This also unfairly gives the property to the heirs and assigns of the person who receives the property if he/she dies. A reversionary clause could be placed onto

the deed—but that essentially puts the city right back onto the sale of the property.

- b. The city never requested, nor ever formally planned for a park and the constituent did this on their own accord to use the greenspace for their and the neighborhoods use. There is no records of the city ever planning to maintain or use the property.
- 3. Create a park owners association.
 - a. The city could do this, however there would be a cost to set this up. Ostensibly in lieu of revenues from a sale, the city could shift that cost to the neighborhood.
 - b. This is within city code for new developments and to city policy regarding parks primarily used by neighborhoods and generally inaccessible to the public.

Request/Suggestion:

I believe that the city's revenues from sale of this property compared to the value to both buyers, future usability, and tax benefits are negligible. The City ought to deed this over as a park owners association, or—as I recommend for the time being—withdraw this property from the list of properties to sell for a period of 10 years, but place into the record by resolution or a formal signed statement on behalf of the commission that the neighbors are both aware that the park restriction has been lifted for over 30 years, and that the neighbors are fully aware that future consideration by the commission is likely to end in a divestment of the land. Those neighbors can either form a park owners association to receive that land at any time and purchase from the city or accept that sale of the property in 10 years would go to whoever offers the most.

This will require the City Commission to decide its course of action. If the Commission wishes to take this up as an action item, a suggested motion is below.

Sincerely,



Henry A. Balensifer III
Mayor

"I move to withdraw taxlot 81022CB06300 from the city's inventory of properties for sale, and place into the record a notation similar to as stated in the mayor's memorandum of June 12, 2023."

Alternate: No action, and the property moves forward for sale.



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Mathew J. Workman, Chief of Police
 DATE: June 13, 2023
 SUBJ: RV Ordinance Revision Discussion

SUMMARY

On June 22, 2021 the City Commission held a work session to discuss our RV Ordinances and Codes on Private Property. This discussion was robust and included the eximnation of several different ordinances from several other Oregon cities. The discussion continued on July 13th and again on August 24th when it was decided to wait on any further changes as the use of RVs as residences and by the homeless and impending legislation regarding the homeless was still being evaluated. Now that the legislation is finalized and we have recently amended our Camping Ordinances, we must revisit the Code that regulates the use of RVs in Warrenton. Following all of the discussions, staff can submit the revisions to the City Attorney for review and later bring the amendments and ordinance back for adoption.

RECOMMENDATION/SUGGESTED MOTION

Provide guidance and direction to staff as to your preferences for the presented City Code and Ordinance amendments and any new code suggestions.

No Motion to make at this time.

ALTERNATIVE

Leave the City Code and Ordinances as written with no changes or additions.

FISCAL IMPACT

There could be a limited fiscal impact if we need to purchase and install signage with any of these changes or additions or if we decide to print permits through a commercial printer.

ATTACHMENTS:

- Ordinances with suggested amendments in **RED**, previous discussion notes in **(BLUE)**, and areas that need further clarification in **PURPLE**.

Approved by City Manager: *Esther Moberg*

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

Ordinance Changes

10.16 Recreational Vehicle Parking

10.16.010 Findings.

The Warrenton City Commission finds that recreational **vehicles, as defined by ORS 174.101, that are** parked for purposes of lodging or sleeping, on City-owned areas **and public rights-of-way may** create a hazard to public safety.

10.16.020 Parking restrictions.

Recreational vehicles parked or stored upon property designated as marinas, City parks, or vacant land within the City limits of Warrenton **shall comply with Chapter 10.04 and Chapter 12.28 of this code.**

(The previous changes were from the City Attorney and align the ordinance with the other Chapters we have been working on previously)

10.16.030 Temporary parking permits.

A. A permit to park a recreational vehicle shall be obtained from the City when All regulations and requirements on the permit must be followed or the City may revoke the permit immediately. Permits shall be issued for the following:

1. Under the guidelines of Chapter 12.28.030 (Temporary Camping Program).
2. Under the guidelines of Chapter 12.28.040 (Use of RV for Seasonal Businesses).
3. Individuals involved in a City-Approved event at a City facility.
4. Individual identified as "Park Host" for the City at a designated City Park or Marina.

(The specific restrictions as to location on the property, sewage connections, etc. are either addressed in other codes or will be specifically addressed in the permit that we design and use)

B. Permits fees are as follows:

1. 3-day (cannot exceed 6-days in any 30-day period); \$30.00
2. 7-day (one allowed in any 30-day period); \$100.00
3. 14-day (one allowed in any 60-day period); \$300.00
4. 30-day (one allowed in any 120-day period); \$500.00

(This section had the most discussion previously and the most differences in opinion. The City Attorney reviewed the suggestions, and they are in line with what other municipalities are doing with regard to permit fees, time length, etc. A complete ban is not advisable or probable legally.)

(We need to discuss this again as to the various lengths, fee amounts, etc.)

C. Prohibited practices.

1. Recreational vehicles shall not be used as:

- i. Rental dwellings
 - ii. Short-term accessory rentals
 - iii. A leased dwelling, Air BNB, or vacation rental
 - iv. Any other short-term residence that requires payment of a fee.
 - v. On site employee housing, dormitories, boarding rooms, or sleeping quarters.
2. Up to two recreational vehicles are allowed on a single site. More than two recreational vehicles on a single site are defined as a Recreational Vehicle Park under Warrenton Municipal Code Chapter 16.12.010 (Development Code Definitions).
 3. There can be no discharge of waste of any sort except into proper sewer or septic systems and any connection to city-owned system must be approved by the city prior to any connection.

(This section contains several areas where the Commission wanted restrict the use of RV around the City. It also encompasses a growing issue where commercial/industrial businesses are letting employees live in RVs on the property. We have also heard of RV being used as vacation rentals on residential property but have not come across one yet.)

(We need to discuss if this encompasses all of the prohibitions that the Commission was concerned with or if there are others, we can address with the City Attorney. I also believe I need to amend the code to allow an RV as a "rental" in an established RV Parks, though I am not sure how that fits in the "Vacation Rental" part of the City Code.)

10.16.040 Camping facilities.

Public camping facilities are available within a short distance of the City-owned property. (Ord. 915-A § 4, 1993)

10.16.050 Penalties.

Any person who violates this chapter **can** be cited by the Warrenton Police Department and subject to the following fine amounts.

- A. Failure to have a permit or violating the terms of an issued permit; up to \$100/a day.
- B. Improper discharge of waste or dumping of waste; up to \$1,000/a day.
- C. Over two recreational vehicles on a site or not meeting recreational vehicle park requirements; \$300/a day.

Each day the violation occurs will be considered a separate offense.