

GENERAL ORDINANCES

DATE	NUMBER	DESCRIPTION
1/5/76	939	An Ordinance creating a Local Contract Review Board, establishing procedures involving public contracts and purchasing, and declaring an emergency. <i>Repealed by 91-1121</i>
2/9/76	940 ↓	An Ordinance relating to a public safety officer program in the City of The Dalles. <i>Repealed by 944</i>
2/9/76	941 ↓	An Ordinance referring to the voters of the City of The Dalles Ordinance No. 940 relating to the Public Safety Officer Program, for approval or rejection by the voters at a special City election to be held in conjunction with the statewide election on May 25, 1976.
3/15/76	942	An Ordinance to amend Ordinance No. 694 relating to the City Board of Appeals, by removing certain matters from the jurisdiction of the Board of Appeals.
5/17/76 <i>Repealed by 98-1222</i>	943	An Ordinance providing for the regulation and development of mobile home parks and recreational vehicle parks in the City of The Dalles, and providing penalties for violation thereof.
6/17/76	944 → ** →	An Ordinance to <u>repeal</u> Ordinance No. 940 and No. 941 relating to a Public Safety Officer Program in the city of the Dalles
8/17/76	945	An Ordinance to amend Ordinance no. 878, The water Ordinance, to provide for interest charges on unpaid; water bills and declaring an emergency.
9/17/76	946	An ordinance to amend Ordinance no 888, the <sup>SW</sup> sewage disposal Ordinance, by providing for interest charges on unpaid sewer service bills, and declaring an emergency.
9/7/76	947	An Ordinance to amend Ordinance No. 634, the zoning Ordinance, to allow mobile home parks and recreational Vehicle parks as conditional uses in zones I, II, IV, and V.
12/6/76	948	An Ordinance relating to alarm systems; requiring alarm users to obtain a permit, providing for issuance of permits and revocation thereof; prohibiting certain interconnections and automatic dialing practices; providing for administration of the ordinance; and declaring an emergency. <i>Repealed by 90-1104</i>

*Seague to have on ord Book 12/6/76*

*948 Boyler Alarm ord Repealed 5/13/77*

ORDINANCE NO. 947

An Ordinance to amend Ordinance No. 634, the zoning Ordinance, to allow mobile home parks and recreational vehicle parks as conditional uses in zones I, II, IV and V.

THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. Section 4 of Ordinance No. 634, the zoning Ordinance, passed January 14, 1948 and approved January 16, 1948, as amended, is further amended by adding thereto Section 4(4)(k) to read as follows:

Section 4(4)(k). Mobile home parks as authorized by Ordinance No. 943, are allowed in the single family residential district - zone I, as a conditional use, after the location thereof has been approved by the Planning Commission and the Council, and on compliance with the terms of the mobile home park Ordinance No. 943.

Section 2. Section 5 of the zoning Ordinance is amended by adding thereto Section 5(3)(a) to read as follows:

Section 5(3)(a). Mobile home parks as authorized by Ordinance No. 943, are allowed in the Multi-Family Residential District - zone II as a conditional use, after the location thereof has been approved by the Planning Commission and the Council, and on compliance with the terms of the mobile home park Ordinance No. 943.

Section 3. Section 7 of Ordinance No. 634, the zoning Ordinance, passed January 14, 1948 and approved January 16, 1948, as amended, is further amended is further amended by adding thereto Section 7C to read as follows:

Section 7C. Mobile home parks as authorized by Ordinance No. 943, are allowed in the commercial district as a conditional use, after the location thereof has been approved by the Planning Commission and the Council, and on compliance with the terms of the mobile home park Ordinance No. 943.

Section 4. Section 8 of the zoning Ordinance is amended by adding thereto Section 8A to read as follows:

Section 8A. Mobile home parks as authorized by Ordinance No. 943, are allowed in the light industrial district as a conditional use, after the location thereof has been approved by the Planning Commission and the Council, and on compliance with the terms of the mobile home park Ordinance No. 943.

The foregoing Ordinance was introduced and read once in full the first time, and by unanimous vote the rules were suspended, and it was read the second time by title only, and passed this 7th day of September, 1976, by the following vote:

Voting Yes, Councilmen Adams, Matthew, Skov, Lundell, Hammond, & Adams

Voting No, Councilmen None

Absent, Councilmen None

Approved by the Mayor this 7th day of September, 1976.

Samuel Smith  
Mayor

ATTEST:

John B. Thomas  
City Clerk

ORDINANCE NO. 946

An Ordinance to amend Ordinance No. 888, the sewage disposal Ordinance, by providing for interest charges on unpaid sewer service bills, and declaring an emergency.

THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 888 passed and approved May 3, 1971 is amended by changing article X, Section 1 (f) (1) to read as follows:

Section 1 (f) (1). Sewer service charges shall be paid two months in advance on or before the tenth day of the first month of the two month billing. If not paid within 30 days after the due date, interest at the rate of 8 percent per annum will be charged on the amount of the billing and added thereto, until paid.

Section 2. Inasmuch as the council has determined that a number of sewer service users have consistently failed to pay their sewer service bills when due, and it is necessary in the public interest and welfare that provision be made for payment of interest on delinquent sewer service bills, now therefore, an emergency is declared to exist, and this Ordinance shall go into full force and effect immediately upon its passage and approval.

Voting Yes, Councilmen Adams, Hammond, Lundell and Skov.

Voting No, Councilmen None

Absent, Councilmen Matthew

Approved by the Mayor this 17th day of August, 1976.

Daniel J. Smith  
MAYOR

ATTEST:  
John B. Thomas  
CITY CLERK

ORDINANCE NO. 945

An Ordinance to amend Ordinance No. 878, the water Ordinance, to provide for interest charges on unpaid water bills, and declaring an emergency.

THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. Section 6 of Ordinance No. 878, passed and approved April 20, 1970 is amended by changing Section 6 (a) and 6 (d) to read as follows:

Section 6 (a). All metered premise water bills for each month shall be due and payable on the tenth of the succeeding month. If not paid within thirty days of that date, interest at the rate of 8 percent per annum will be charged on the amount of the billing and added thereto, until paid. Bills may be mailed to any address specified by the owner.

Section 6 (d). Beginning at a time to be established by resolution of the council, water service charges for all other users will be billed for two month periods, and the bills shall be due and payable on the tenth day of the month of the billings. If not paid within thirty days of that date, interest at the rate of 8 percent per annum will be charged on the amount of the billing and added thereto, until paid.

Section 2. Inasmuch as the council has determined that a number of water users have consistently failed to pay their water bills when due, and it is necessary in the public interest and welfare that provision be made for payment of interest on delinquent water bills, now therefore, an emergency is declared to exist, and this Ordinance shall go into full force and effect immediately upon its passage and approval.

The foregoing Ordinance was introduced and read in full the first time, and by unanimous vote the rules were suspended and it was read the second time by title only and passed this 2nd day of August 1976 by the following vote:

Voting Yes, Councilmen Adams, Lundell, Hammond and Skov

Voting No, Councilmen None

Absent, Councilmen Matthew

Approved by the Mayor this 17 day of August, 1976.

S/Donnell J Smith.  
MAYOR

ATTEST:

John B Thomas  
CITY CLERK

ORDINANCE NO. 944

An Ordinance to repeal Ordinances No. 940 and No. 941 relating to a Public Safety Officer Program in the City of The Dalles.

The people of the City of The Dalles ordain as follows:

Section 1. Ordinances No. 940 and No. 941 are repealed.

The foregoing Ordinance was introduced and read once in full, and by unanimous vote the rules were suspended and it was read the second time by title only and passed this 7th day of June, 1976 by the following vote:

Voting yes, Councilmen: Adams, Lundell, Skov.

Voting no, Councilmen: None

Absent, Councilmen: Hammond, & Matthew.

Approved by the Mayor June 7, 1976.

Samuel Smith  
MAYOR

ATTEST:

John B. Thomas  
CITY CLERK

ORDINANCE NO. 942

An Ordinance to amend Ordinance No. 694 relating to the City Board of Appeals, by removing certain matters from the jurisdiction of the Board of Appeals.

WHEREAS, developments in the area of land use planning and zoning and the increasing participation by and regulation of these matters by the State of Oregon, more authority and jurisdiction has been and is being conferred upon planning commissions, and

WHEREAS, the City of The Dalles Board of Appeals was established by Ordinance No. 694, passed March 17, 1952 and certain jurisdiction over zoning and related matters conferred upon the Board of Appeals, which the Council now believes, in light of recent developments in this field, should be under the jurisdiction of the City Planning Commission,

NOW, THEREFORE, THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. That Section 3 of Ordinance No. 694 is amended to read as follows:

Section 3. Powers and Duties. The powers and duties of the Board shall be as follows:

1. To interpret and apply the provisions of the building code ordinance except where jurisdiction in the interpretation and application thereof has been conferred upon the City Planning Commission by State law, City ordinance or resolution. In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirements for the promotion of public health, safety, morals and general welfare; therefore, where this ordinance imposes a greater restriction upon construction and use of buildings, or upon the heights of buildings, than are imposed or required by other laws, ordinances, resolutions, rules

or regulations, the provisions of this ordinance shall control. It shall be the duty of the Board to rule on the proper application or to interpret the meaning of the building code ordinance in cases where there is a dispute between the administrative officials of the City and any owner or owners of property.

2. To issue special or temporary permits in the following situations and upon the following terms and conditions:

(a) In permitting the extension of a non-conforming structure within the fire limits, the Board, before issuing a special permit therefor, shall make the following findings and impose them as conditions of the permit:

(1) The proposed extension shall not extend the useful life of the structure as a nonconforming use.

(2) It shall reduce fire, health and other existing hazards.

(3) The proposed extension shall not be incompatible with the interests of surrounding property owners.

(b) The Board may require, in its discretion, a bond from an applicant to insure compliance with the terms and conditions of a special or temporary permit, in an amount to be determined by the Board and in a form satisfactory to the Board.

Section 2. in Section 4 of Ordinance No. 694 is amended to read as follows:

Section 4. Appeal. Any person may appeal from a decision or action of the building official of the City of The Dalles in connection with the building code ordinance within 10 days thereafter by filing a written notice of appeal on a form provided by the building official and specifying the grounds for the appeal. This notice of appeal shall be filed with the building official who shall immediately transmit the same to the secretary of the Board with all papers constituting the record upon which the action or decision appealed from was taken.

The Board must act on a notice of appeal within 10 days after it is received, and the Board shall publish once in a newspaper of general circulation in the City

of The Dalles, a notice not less than three days before the hearing, specifying the time and place of the hearing, the name of the appellant, and the nature of the appeal. At the hearing, the Board must act upon the notice of appeal and the Board may affirm, modify or set aside the action or decision of the building official. Upon unanimous consent of the members of the Board present at the hearing, the action of the Board may be deferred for an additional 10 day period if it shall appear to the Board that additional time is necessary for investigation and study.

an. The foregoing ordinance was introduced and read the first time in full, and by unanimous vote the rules were suspended and it was read the second time by title only and passed this 15 day of March, 1976 by the following vote:

Voting yes, Councilmen Skov, Hammond, Adams, Lundell & Matthew.

Voting no, Councilmen none

Absent, Councilmen none

Approved by the Mayor March 16,, 1976.

Donnell J. Smith  
Mayor

ATTEST:

John B. Thomas  
City Clerk

ORDINANCE NO. 941

An Ordinance referring to the voters of the City of The Dalles Ordinance No. 940 relating to the Public Safety Officer Program, for approval or rejection by the voters at a special City election to be held in conjunction with the statewide election on May 25, 1976.

WHEREAS, on February 9, 1976 the City Council passed and the Mayor approved Ordinance No. 940 relating to a Public Safety Officer Program in the City of The Dalles, providing that said program, having been instituted on February 3, 1976 as authorized by action of the Council on December 15, 1975, be made a permanent part of the personnel administration and the system of police and fire protection in the City of The Dalles on July 1, 1976, and

WHEREAS, voters of the City have expressed an interest in having this measure referred to the people for their approval or rejection at a City-wide election, and

WHEREAS, referendum petitions were presented to the City Clerk asking that the matter be referred to a vote of the people, but it appearing that the procedure and acts of the persons and organizations which circulated and presented the petitions did not comply with material provisions of the applicable laws and ordinances on referendum matters, so that any election called and held thereon might be invalid,

NOW, THEREFORE, THE PEOPLE OF THE CITY OF THE DALLES  
ORDAIN AS FOLLOWS:

Section 1. There is referred to the voters of the City of The Dalles by the City Council Ordinance No. 940 passed

and approved February 9, 1976, entitled "An Ordinance relating to a Public Safety Officer Program in the City of The Dalles", for their approval or rejection at a special City election hereby called to be held in conjunction with the statewide election in the City of The Dalles on May 25, 1976.

Section 2. The City Clerk is directed to prepare a ballot title for the measure hereby submitted to the voters of the City and to certify it, together with a copy of this ordinance and a copy of Ordinance No. 940, to the County Clerk of Wasco County not later than 30 days prior to May 25, 1976 and to post and publish notices of the special City election to be held on said date as required by law and the ordinances of the City, and to do all other things necessary as required by law and the ordinances of the City, in cooperation with the County Clerk of Wasco County, to submit said measure to the voters of the City at said election.

Section 3. The polling places and voting hours for said special City election shall be the same as those provided by law for the statewide election to be held on May 25, 1976, and the judges and clerks of the election boards shall be those designated by the County Clerk for the conduct of the statewide election on said date.

The foregoing Ordinance was introduced and read once in full, and by unanimous vote the rules were suspended and it was read the second time by title only and passed this 9th day of February, 1976 by the following vote:

Voting yes, Councilmen: Adams, Lundell, Skov and Hammond

Voting no, Councilmen: None

Absent, Councilmen: Matthew

Approved by the Mayor February 9, 1976.

Danell J. Smith  
Mayor

ATTEST:

John B. Thomas  
City Clerk

*Minutes subject to  
Council's approval  
at the next regular  
Council meeting*

CITY OF THE DALLES SPECIAL COUNCIL MEETING-FEBRUARY 9, 1976

7:30 P.M.

The meeting was called to order at 7:35 p.m. by Mayor Smith. Present were Councilmen Skov, Hammond, Lundell and Adams; City Manager Cesar, City Attorney Phipps, Adm. Asst Taylor; City Clerk Thomas. Absent Councilman Matthew. Also representatives of the 3 news media and approximately 25 persons in the audience.

Mayor Smith announced there were 2 matters to come before the Council. One was the Transient Room Tax and the other was the PSO program. The mayor noted this was a special meeting, and the notices of the meeting had been made so it was a legal special meeting of the City Council.

PSO PROGRAM

Mayor Smith said the Council had been advised by the city attorney there was a possibility that the petitions filed on the PSO program may not be proper petitions, but the City Council felt the PSO program should be voted upon. Therefore the city attorney had prepared 2 ordinances for consideration for tonight. The attorney was asked to read the first ordinance so all could hear, then open it up for discussion.

ORDINANCE NO. 940

An Ordinance relating to a public safety officer program in the City of The Dalles.

Following the reading of the ordinance, it was moved by Councilman Adams, seconded by Councilman Hammond to suspend the rules and have the ordinance read a second time by title only.

Mr. Bob Proffitt asked what was it that made the petitions invalid. Mr. Phipps answered that the state required that a copy of the petition be submitted to the city clerk for approval prior to circulation for signatures. This was not done. Secondly, a financial statement must be filed with the city showing the names and addresses of those who had contributed funds toward the petitions and a listing of expenditures on the petitions. A financial statement as required was not filed with the city. Third, that the action by the Council on the PSO program was taken at the December 15, 1975 meeting. The petitions were circulated on the Council motion of January 5, 1976 which was a motion to implement the PSO program. Therefore the petitions were not filed within 30 days of the action taken on December 15. So to avoid further legal questions, the city was prepared to pass the necessary ordinances to set up an election on the pso program for the May primary election May 25, 1976.

Mr. Earl Cox asked if the Council was now reversing itself. No, the Council had taken no action on the petitions. The request at the last meeting was to stop the PSO Program.

Motion carried; yes-Adams, Lundell, Skov, Hammond. Matthew absent.

2/9/76

Following the reading of the ordinance by title only, Councilman Lundell, seconded by Councilman Skov, moved to adopt Ordinance No. 940. Motion carried; yes-Lundell, Skov, Hammond, and Adams. Matthew absent.

ORDINANCE NO. 941

An Ordinance referring to the voters of the City of The Dalles Ordinance No. 940 relating to the Public Safety Officer Program, for approval or rejection by the voters at a special City election to be held in conjunction with the statewide election on May 25, 1976.

Following the reading of the ordinance, Councilman Adams, seconded by Councilman Skov, moved that the rules be suspended and the ordinance be read a second time by title only. Motion carried; yes-Lundell, Adams, Skov and Hammond. Matthew absent.

Following the reading by title only and a short discussion, Councilman Lundell moved, seconded by Councilman Hammond, to adopt Ordinance No. 941. Motion carried; yes-Skov, Lundell, Hammond and Adams. Matthew absent.

TRANSIENT ROOM TAX

Mayor Smith announced this was the evening for a public hearing on the proposed transient room tax ordinance presented at the last Council meeting.

Mr. Steve Martin, spokesman for the motel operators, stated that his group had met and asked him to present the following information. 1) Right now all motel business was down, partly due to having too many rooms available; 2) that 65 to 70 percent of their business was to commercial accounts. There were federal and state employees on tight expense accounts. These were the ones that quickly learn that if a city has a room tax, they will seek out motels without a room tax; 3) rooms in The Dalles are about \$2 less now than what they really should be; 4) last week the PP&L announced a 74 percent increase for electrical power. This cost will cause an increase in the room rate and together with a room tax it would be too much at this time; 5) if and when they reach an 80 percent occupancy rate, then the city could consider a room tax, but for right now it would make it very difficult. Maybe in a year or two?

Mr. Jim Banks of the Shamrock and Oregon Motel said he was in favor of an equitable tax. He said that a couple comes to The Dalles and pays \$12 for a room, pays \$10 for dinner in a local restaurant, pays \$5 shopping, breakfast \$5 and a tank of gas \$10. Why not put a tax on all not just the room? Had Council considered a retail business license, a city sales tax? With these taxes it would apply to all not just singling out one industry. A comment was made that the citizens of The Dalles had to pay the motel tax when they traveled to other cities; it seemed equitable and would even out if tourists had to pay the room tax when they stayed over night in The Dalles. When questioned on the 5 percent for local promotion, the operators replied they thought the entire tax was bad so did not discuss the matter of the 5 percent for tourist promotion.

Mayor Smith stated this was an input meeting so anyone having any ideas should speak up.

Councilman Lundell moved, seconded by Councilman Hammond, that the transient room tax ordinance be tabled. Motion carried; yes-Lundell, Hammond and Adams. Skov no. Matthew absent.

Special Council meeting

3

Mayor Smith stated that if and when the transient room tax was brought up again, the operators would be contacted ahead of time for their view, prior to coming to a full Council meeting. The same would go for any city sales tax or business license tax. Mr. Dick Roth stated that any tax on the small business man should be very carefully looked at. The small merchant was kicked around quite a bit these days and more and more were going out of business because of the complications and difficulties. Therefore any new tax should be looked at very carefully. Dick recommended retirement very highly.

Councilman Adams, moved, seconded by Councilman Hammond, that the meeting be adjourned at 8:15 p.m. Motion carried; yes-Adams, Lundell, Skov and Hammond. Matthew absent.

Mayor Donnell J. Smith

City Clerk John B. Thomas

2/9/76