

1985 GENERAL ORDINANCES

85-1061	04-15-85	An Ordinance to Amend General Ordinance No. 80-986, as Amended, City of The Dalles Zoning Ordinance
85-1062	05-20-85	An Ordinance Regulating Garbage; Its Collection & Disposal; Requiring a License for Garbage Haulers and Recyclers; Providing for the Collection of Recyclable Material and Generally Regulating Recyclable Material in the City of The Dalles; and Repealing Ordinance No. 712
85-1063	06-17-85	An Ordinance Repealing General Ordinance No. 956 and Declaring an Emergency (Telephone Solicitation)
85-1064	07-15-85	An Ordinance Repealing Ordinance No. 671 and Abolishing the Recreation Commission of the City of The Dalles and Its Powers, Duties and Administrative Responsibilities
85-1065	07-15-85	An Ordinance to Amend General Ordinance No. 80-986 Zoning Ordinance (Map Amendment)
85-1066	07-15-85	An Ordinance Amending Ordinance No. 79-974A by Repealing Certain Times and Manner of Vehicular Parking Restrictions in Downtown The Dalles
85-1067	11-18-85	An Ordinance Regulating the Planting, Maintenance, Protection, Control and Removal of Trees in and Upon the Public Streets and Other Public Places in the City of The Dalles; and Providing a Penalty for Violation Thereof; and Repealing all Ordinances in Conflict Therewith
85-1068		VOID
85-1069	12-02-85	An Ordinance to Amend General Ordinance No. 80-986, City of The Dalles Zoning Ordinance, By Rezoning Land to Residential Mobile Home

*Repealed by  
92-1155*



GENERAL ORDINANCE NO. 85 - 1069

AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 80-986,  
CITY OF THE DALLES ZONING ORDINANCE, BY REZONING  
LAND TO RESIDENTIAL MOBILE HOME.

Section 1: Recitals.

WHEREAS, the City Planning Commission has held a public hearing and adopted Resolution No. 79-85 recommending approval of a zoning map amendment for an area hereafter described; and

WHEREAS, the City Council on November 18, 1985, held a public hearing and approved the Planning Commission's recommendation in the before-mentioned Resolution; and

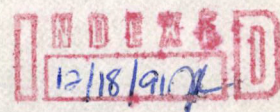
WHEREAS, the map amendment is in compliance with the City of The Dalles Comprehensive Plan as amended;

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

Section 2: Amendment to Zoning Ordinance Adopted.

That the City of The Dalles Zoning Ordinance map is amended to rezone the following described land from General Commercial to Residential Mobile Home.

A tract of land in Section 29, T.2N, R.13E, W.M., in the County of Wasco and State of Oregon, described as follows: Commencing at the southwest corner of the Irvine Donation Land Claim in said Section 29, thence along the south line thereof east 849.98 feet, thence S. 24 08' W. 5.3 feet to the south right of way line of Hostetler Road; thence N. 89 57' E. 777.94 feet along said right of way line to the true point of beginning; thence South 383.78 feet, thence S. 87 57' E. 121.64 feet; thence North 388.24 feet to the south right of way line of Hostetler Road; thence S. 89 57' W. 121.56 feet along said right of way line to the true point of beginning.



DONE AND DATED THIS 2ND DAY OF DECEMBER, 1985.

Voting Yes, Councilmembers: Probstfield  
Mabrey, Christensen, Clark, Woods, Ward

Voting No, Councilmembers: none

Absent, Councilmembers: none

Abstaining, Councilmembers: none

AND APPROVED BY THE MAYOR THIS 2ND DAY OF DECEMBER, 1985.

John Mabrey  
John Mabrey, Mayor

ATTEST: Cathryn Babbitt  
Cathryn Babbitt  
City Clerk/Treasurer

GENERAL ORDINANCE NO. 85 - 1067

AN ORDINANCE REGULATING THE PLANTING, MAINTENANCE, PROTECTION, CONTROL, AND REMOVAL OF TREES IN AND UPON THE PUBLIC STREETS AND OTHER PUBLIC PLACES IN THE CITY OF THE DALLES; AND PROVIDING A PENALTY FOR VIOLATION THEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

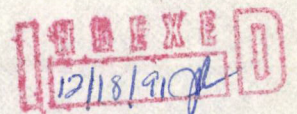
The people of The Dalles do ordain as follows:

Section 1. No trees or shrubs shall hereafter be planted in or removed from any public parking strip, parkway, or other public place without permission of the Director of the Department of Public Works.

Section 2. It shall be unlawful to plant in any public parking strip, parkway, or other public place any of the following trees: poplar, willow, conifer, cottonwood, fruit trees, nut trees, ailanthus, Chinese elm, walnut, European white birch, cutleaf birch, black locust, or sycamore.

Section 3. All trees growing near or on either the inside or the outside line of any sidewalk, street, or alley, shall be trimmed so that the limbs and branches from such trees shall be not less than nine feet above the sidewalk and 14 feet above the street or alley. The owner or occupant of any property shall trim all trees and shrubs so as to comply with this section and shall be guilty of a violation for failure to do so.

Section 4. It shall be a violation of this ordinance to abuse, destroy, or mutilate any tree, shrub, or plant in a public parking strip, parkway, or any other public place, or to attach any rope or wire (other than one used to support a young or broken tree), sign, poster, handbill, or other thing to or on any tree growing in a public place, or to cause, allow, or



permit any wire charged with electricity to come in contact with any such tree, or to allow any gaseous, liquid or solid substance which is harmful to such trees to come in contact with their roots or leaves.

Section 5. The Director of the Department of Public Works or his duly authorized representative may cause to be trimmed, pruned, or removed any trees, shrubs, plants, or vegetation, in any parking strip or other public place, or may require any property owner to trim, prune, or remove any trees, shrubs, plants, or vegetation in a parking strip or parkway abutting upon said owner's property when he shall find such action necessary to public safety, or in the public interest, or to prevent the spread of such disease or insects to public trees and places. The Director of the Department of Public Works may direct the owner or occupant of any property to trim trees or shrubs so as to comply with Section 3 of this Ordinance or Section 20 of Ordinance 80-986 defining clear vision areas, by a written notice sent by ordinary mail. If the owner or occupant does not comply with such direction after 15 days written notice, the Director shall cause the trees or shrubs to be trimmed, and all costs incurred by the City shall be charged against the owner or occupant of the property and may be collected by the City in any manner, action, or proceeding authorized by law. This procedure is cumulative to and in addition to the liability of the property owner to be cited and charged with a violation of Section 3 hereof or a violation of Ordinance 80-986 in Municipal Court.

Section 6. Any person violating any of the provisions of this ordinance is guilty of a violation and upon conviction thereof shall be punished by a fine not to exceed \$250. Each day of a continuing violation may be treated as a separate offense.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. If any provision, section, sentence, or phrase of this ordinance shall for any reason be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment or decision shall not affect the validity of the remaining portions of this ordinance.

Section 9. Ordinance No. 725 of the City of The Dalles is hereby repealed.

Section 10. An emergency is declared to exist, and this ordinance shall go into effect immediately upon its passage and approval.

DONE AND DATED THIS 18TH DAY OF NOVEMBER, 1985.

Voting Yes, Councilmembers: Mabrey, Woods, Clark, Probstfield, Ward, Christensen

Voting No, Councilmembers: \_\_\_\_\_

Absent, Councilmembers: \_\_\_\_\_

Abstaining, Councilmembers: \_\_\_\_\_

AND APPROVED BY THE MAYOR THIS 18TH DAY OF NOVEMBER, 1985.

John Mabrey  
John Mabrey, Mayor

ATTEST: Cathryn Babbitt  
Cathryn Babbitt  
City Clerk/Treasurer

Sec. 20. CLEAR VISION AREAS

- (A) Clear vision areas shall be provided and maintained on the corners of all property located at the intersection of two streets as indicated below:
1. Properties located at the intersection of improved streets:  
  
A clear vision area shall consist of a triangular area, two sides of which are formed by curb lines measured from their extended intersection a distance of not less than thirty (30) feet and a third side of joining the non-intersecting ends of the other two sides.
  2. Properties located at the intersection of unimproved streets:  
  
A clear vision area shall consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street for a distance of not less than twenty (20) feet (or where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection and so measured) and the third side of which forms a complete triangle across the corner of the lot joining the non-intersecting ends of the other two sides.
- (B) The vision clearance area shall not contain any plantings, walls, structures or temporary or permanent obstructions to vision exceeding thirty (30) inches in height above the street, except a supporting pillar or post not greater than twelve (12) inches in diameter or twelve (12) inches on the diagonal of a rectangular pillar or post; and further, excepting those posts or supporting members of street signs, street lights and traffic control signs installed as directed by the Department of Public Works or any other sign erected for public safety.
- (C) Vision clearance shall not be required at a height of seven (7) feet or more above the street.
- (D) A clear vision area may be altered by the Planning Commission when it is clearly demonstrated that motor vehicle operators on the streets shall have clear vision at a street intersection and that the altered clear vision distance ensures that a traffic hazard will not be created.
- (E) Clear vision area requirements shall not be applicable to the "CB" (Central Business) zoning district.

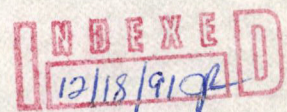
GENERAL ORDINANCE NO. 85- 1066

AN ORDINANCE AMENDING ORDINANCE NO. 79-974A BY  
REPEALING CERTAIN TIMES AND MANNER OF VEHICULAR  
PARKING RESTRICTIONS IN DOWNTOWN THE DALLES.  
THE PEOPLE OF THE CITY OF THE DALLES DO ORDAIN AS FOLLOWS:

Section 1: Repealing Sections. The following provisions of Ordinance 79-974A passed and adopted on May 21, 1984 are hereby repealed: Section 2 (1) (b); Section 3 (2) (d) and (i); Section 15 (3) (c); Section 22; Section 24; Section 25; Section 26; Section 27; Section 28; Section 29; Section 30; Section 31; Section 32; and Section 33.

Section 2: Amending Sections. The following sections are amended as follows:

1. Section 2 (1) (c) is amended to read as follows:  
"(c) Loading Zone. A space on the edge of a street designated by a sign or painted and stenciled curb for the purpose of loading or unloading passengers or materials during specified hours of specified days."
2. Section 3 (3) (c) is amended to read as follows:  
"(c) Parking areas including the form of permissible parking, e.g., parallel or diagonal."
3. Section 15 (3) (b) is amended to read as follows:  
"(b) within 10 feet of a crosswalk at an intersection, or such further distance as is indicated by a painted yellow curb;"
4. There is added to Section 15 (3), the following additional subsections:  
"(c) within 10 feet of a fire hydrant unless a different distance is indicated on a painted yellow curb."
5. There is added to Section 15, the following additional subsections:



"(4) A person shall not:

(a) Park in such a manner as to interfere with the use of any other space marked for parking.

(b) Place, store, or pile goods or wares, merchandise or other material in any parking place, unless prior approval is received from the Chief of Police or the City Manager.

(c) Park in an exclusive marked parking space appropriately designated under Section 21 of this Ordinance."

6. Section 16 is amended to read as follows:

"Prohibited Parking. No driver or operator shall park and no owner shall allow a vehicle to be parked upon a street for the purpose of:

(1) Displaying the vehicle for sale.

(2) Repairing or servicing the vehicle, except temporary repairs necessitated by an emergency.

(3) Displaying advertising from the vehicle.

(4) Selling merchandise from the vehicle, except where authorized by the City Council. (Amended by Ordinance No. 80-988 passed May 7, 1980)."

7. Section 34 is amended to read as follows:

"Offenses Tried in Municipal Court. Offenses under this Ordinance shall be tried in the Municipal Court as a violation and not as a crime, and as a violation there is no right to a jury trial or Court appointed counsel. Any person receiving a parking citation may plead "not guilty" thereto and request a hearing before the Court."

8. Section 50 is amended to read as follows:

"Penalties.

(1) Violation of this ordinance is punishable by a fine not to exceed \$100."

IT IS FURTHER ORDAINED THAT SAID ORDINANCE BE AMENDED TO CONTAIN A SECTION READING AS FOLLOWS:

"Section 21: Exclusive Parking Permits. Persons may purchase exclusive parking permits, for an amount to be fixed by Resolution of the City Council, on a monthly or yearly basis, which will permit the exclusive use and marking of the parking space located in the City owned parking lots located between First Street and the alley between First and Second Streets, and between Washington Street and Laughlin Street."

Section 3: Renumbering Sections. All sections of Ordinance No. 79-974A remaining after repeal of the above sections shall be renumbered and relettered sequentially.

Section 4: Emergency Clause. Because there is currently no enforcement activity of the parking regulations being repealed, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its passage.

DONE AND DATED THIS 15TH DAY OF JULY, 1985.

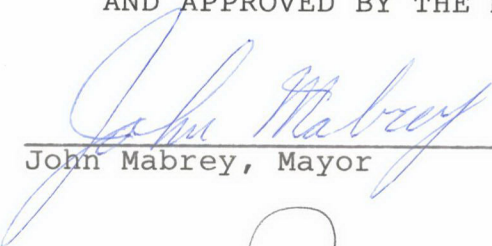
Voting Yes, Councilmembers: Clark, Woods, Christensen, Probstfield, Ward

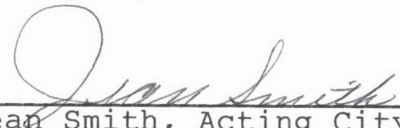
Voting No, Councilmembers: \_\_\_\_\_

Absent, Councilmembers: \_\_\_\_\_

Abstaining, Councilmembers: \_\_\_\_\_

AND APPROVED BY THE MAYOR THIS 15TH DAY OF JULY, 1985.

  
\_\_\_\_\_  
John Mabrey, Mayor

Attest:   
\_\_\_\_\_  
Jean Smith, Acting City Clerk

GENERAL ORDINANCE NO. 85-1065

AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 80-986, AS AMENDED, CITY OF THE DALLES ZONING ORDINANCE.

Section 1: Recitals.

WHEREAS, the City Planning Commission has held a public hearing and adopted Resolution Numbers 67-85 and 71-85 recommending approval of zoning map amendments for areas hereafter described, and

WHEREAS, the City Council on July 1, 1985 held a public hearing and approved the Planning Commission's recommendations in the before-mentioned resolutions, and

WHEREAS, the amendments are in compliance with the City of The Dalles Comprehensive Plan as amended.

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

Section 2: Amendments to Zoning Ordinance Map Adopted.

The City of The Dalles Zoning Ordinance Map is amended as follows:

- (a) rezone the following described land from Park to Community Facility Site:

A parcel bounded by Cherry Heights Road, West Tenth Street, West Ninth Street, and Mill Creek (T.1N, R.13E, Sec. 4BA), excepting Lot D, that part of Lots A, B, C, I and J lying South and West of Mill Creek, and vacated portion of alley adjacent to Lots C, D and I in Block 126 of Fort Dalles Military Addition to Dalles City.

- (b) rezone the following described land from Neighborhood Commercial to General Commercial:

Tax Lots 100, 102, 4800, 4900, and 5000 in T.2N, R.13E, Sec. 29CC and Tax Lots 800 and 900 in T.2N, R.13E, Sec. 29.

DONE AND DATED THIS 15th DAY OF JULY, 1985.

CITY HALL 313 COURT ST.  
THE DALLES, OREGON 97058  
(503) 296-5481

INDEXED  
12/18/91

1 Voting Yes, Councilmen: Clark, Woods, Christensen, Probstfield, Ward  
2 Voting No, Councilmen: \_\_\_\_\_  
3 Absent, Councilmen: \_\_\_\_\_  
4 Abstaining, Councilmen: \_\_\_\_\_

5 AND APPROVED BY THE MAYOR ON THIS 15th DAY OF JULY , 1985.

6  
7 *John Mabrey*  
8 Mayor John Mabrey

9 Attest: *Jean Smith*  
10 Jean Smith, Acting City Clerk

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ORDINANCE NO. 85- 1064

AN ORDINANCE REPEALING ORDINANCE NO. 671 AND ABOLISHING THE RECREATION COMMISSION OF THE CITY OF THE DALLES AND ITS POWERS, DUTIES, AND ADMINISTRATIVE RESPONSIBILITIES.

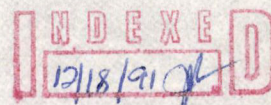
Whereas the Northern Wasco County Parks and Recreation District was heretofore formed by an Order of the County Court of Wasco County, Oregon; and Whereas all of the property within the City of The Dalles is contained within the boundaries of said Recreation District; and Whereas the City of The Dalles has leased all of its park properties to said District and transferred to said District all of the assets formerly used by the City of The Dalles in its Park and Recreation program, now, therefore,

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

Section 1. Ordinance Number 671 establishing a Recreation Commission for the City of The Dalles and defining its duties, powers, and administrative responsibilities is hereby repealed.

Section 2. The former Recreation Commission of the City of The Dalles is hereby abolished and the terms of all Commissioners cease upon the effective date hereof.

Section 3. Because the Recreation Commission has no further duties or responsibilities, an emergency is hereby declared to exist and this Ordinance shall take effect immediately upon its passage and approval.



DONE AND DATED THIS 15th DAY OF JULY, 1985.

Voting Yes, Councilmembers: Clark, Woods, Christensen, Probstfield, Ward

Voting No, Councilmembers: \_\_\_\_\_

Absent, Councilmembers: \_\_\_\_\_

Abstaining, Councilmembers: \_\_\_\_\_

AND APPROVED BY THE MAYOR THIS 15th DAY OF JULY, 1985.

*John Mabrey*  
John Mabrey, Mayor

Attest: *Jean Smith*  
Jean Smith, Acting City Clerk



*Erased to Bond*

GENERAL ORDINANCE NO. 85- 1063

AN ORDINANCE REPEALING GENERAL ORDINANCE NO. 956 AND DECLARING AN EMERGENCY.

WHEREAS, prohibiting telephone solicitation has been found to be unconstitutional, and

WHEREAS, Ordinance No. 956 prohibits telephone solicitation,

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

Section 1: Ordinance Repealed. General Ordinance No. 956 is hereby repealed.

Section 2: Emergency. An emergency is declared to exist and this ordinance shall go into full force and effect immediately upon passage.

DATED this 17th day of June, 1985.

Voting Yes, Councilmen: Christensen, Woods, Ward, Clark, Probstfield

Voting No, Councilmen: None

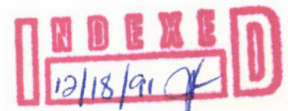
Absent, Councilmen: None

Abstaining, Councilmen: None

APPROVED by the Mayor this 17th day of June, 1985.

John Mabrey  
Mayor John Mabrey

Attest: John B. Thomas  
John B. Thomas, City Clerk



## ORDINANCE NO. 956

AN ORDINANCE REGULATING THE TELEPHONE SOLICITATION OF CHARITABLE CONTRIBUTIONS; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

[Whereas clauses.]

The people of the city of The Dalles do ordain as follows:

Section 1. No person shall solicit contributions for a charitable purpose or charitable person by telephone unless the person soliciting and the person solicited are personally known to each other; provided, however, this section shall not apply to the solicitation of members of an organization by a member of such organization.

Section 2. Any person violating the provisions of this ordinance shall, upon conviction thereof, be fined not less than \$50.00, nor more than \$300.00.

Passed by the council and approved by the mayor  
June 20, 1977.

GENERAL ORDINANCE NO. 85-1061

AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 80-986, AS AMENDED, CITY OF THE DALLES ZONING ORDINANCE.

WHEREAS, the City Planning Commission has held a public hearing and adopted Resolution Numbers 62-85 and 65-85 recommending approval of zoning map amendments for areas hereafter described, and

WHEREAS, the Planning Commission has held a public hearing and adopted Resolution Numbers 61-85 and 68-85 for text amendments hereafter described, and

WHEREAS, the City Council on April 1, 1985 held a public hearing and approved the Planning Commission's recommendations in the before-mentioned resolutions, and

WHEREAS, the amendments are in compliance with the City of The Dalles Comprehensive Plan as amended.

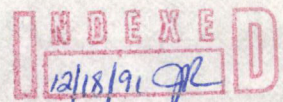
THE PEOPLE OF THE CITY OF THE DALLES DO ORDAIN AS FOLLOWS:

Section 1: Amendments to Zoning Ordinance Map Adopted.

The City of The Dalles Zoning Ordinance map is amended as follows:

(a) rezone the following described publicly-owned property on N.E. Frontage Road from General Commercial to Community Facility Site: Lot 1, part of Tax Lot 100, in Section 36, Township 2N, Range 13E.

(b) rezone the following described land on East Second at Highway 197 from General Commercial to Light Industrial: Tax Lots 1300, 1301, and 1302 in Section 1, Township 1 North, Range 13E.



Section 2: Amendments to Zoning Ordinance Text Adopted.

Sections of General Ordinance No. 80-986 are hereby amended as follows:

(a) Sec. 27. General Provisions, sixth item in paragraph

(C) Parking Space Requirements shall be amended to read:

"Commercial, retail and service uses located within the Central Business District.	One (1) space for each six hundred (600) square feet of usable floor area excluding members of the downtown off-street parking assessment district as established by separate ordinance. This requirement may be reduced in conjunction with the approval of a Conditional Use Permit."
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and a new item proceed the above amended provision in paragraph

(C) Parking Space Requirements as follows:

"Downtown Off-Street Parking Assessment Districts	Members of the districts shall meet the requirements of the districts as established by the City Council and shall be exempt from all other space requirements provided herein.
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(b) Sec. 13.2 Uses Permitted, item (B) Conditional Uses

Permitted shall be amended with the following new provisions:

- "9. Dwellings above commercial uses or attached by common wall to commercial use.
- 10. Multi-family dwellings. Density limited only by height, parking, and landscaping requirements."

(c) Sec. 13.3 Property Development Standards, item (E) Off-

Street Parking shall be amended to read as follows:

- |                              |                      |
|------------------------------|----------------------|
| "1. Multi-family dwellings:  |                      |
| Studio and one bedroom units | 1.00 space per unit  |
| Two bedroom units            | 1.50 spaces per unit |
| Three and four bedroom units | 2.00 spaces per unit |

These requirements may be reduced in conjunction with the approval of a Conditional Use Permit.

- 2. Except as provided herein, the provisions of Section 27 shall apply."

(d) Sec. 14.2 (B) Conditional Uses Permitted is amended by number 8 becoming number 9 and number 8 shall read as follows:

"8. Recreational Vehicle Parks subject to City ordinance governing same."

(e) Sec. 15.2 (B) Conditional Uses Permitted and Sec. 16.2 (B) Conditional Uses Permitted shall both be amended with the following new item:

- "7. Recreational vehicle park or campground subject to City Ordinance governing same; and provided that the Planning Commission can make the following findings:
- (a) that the development does not conflict with any emerging patterns of industrial development and the nature of the development or its site is such that it is appropriate as an isolated development in the location proposed; and
  - (b) that the development will not have detrimental impact on the supply of industrial land considering land area and the locational needs of industry."

Section 3: Effective Date. An emergency is declared to exist and this Ordinance shall go into full force and effect immediately upon passage.

DONE AND DATED THIS 15th DAY OF APRIL, 1985.

Voting Yes, Councilmen: Ward, Christensen, Clark, Woods & Probstfield.

Voting No, Councilmen: None

Absent, Councilmen: None

Abstaining, Councilmen: None

AND APPROVED BY THE MAYOR THIS 15th DAY OF APRIL, 1985.

By: *John Mabrey*  
Mayor John Mabrey

Attest: *John B. Thomas*  
John B. Thomas, City Clerk