

**AGENDA****REGULAR CITY COUNCIL MEETING****APRIL 14, 2025****5:30 p.m.****CITY HALL COUNCIL CHAMBER****313 COURT STREET****&****LIVE STREAMED****[https://www.thedalles.org/Live\\_Streaming](https://www.thedalles.org/Live_Streaming)**

To speak online, register with the City Clerk no later than noon the day of the council meeting.  
When registering include: your full name, city of residence, and the topic you will address.

Upon request, the City will make a good faith effort to provide an interpreter for the deaf or hard of hearing at regular meetings if given 48 hours' notice. To make a request, please contact the City Clerk and provide your full name, sign language preference, and any other relevant information.

Contact the City Clerk at (541) 296-5481 ext. 1119 or [amell@ci.the-dalles.or.us](mailto:amell@ci.the-dalles.or.us).

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Up to three minutes per person will be allowed. Citizens are encouraged to ask questions with the understanding that the City can either answer the question tonight or refer that question to the appropriate staff member who will get back to you within a reasonable amount of time. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.

6. CITY MANAGER REPORT
7. CITY COUNCIL REPORTS
8. CONSENT AGENDA

Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the City Council to spend its time and energy on the important items and issues. Any Councilor may request an item be "pulled" from the Consent Agenda and be considered separately. Items pulled from the Consent Agenda

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**CITY OF THE DALLES**

"By working together, we will provide services that enhance the vitality of The Dalles."

will be placed on the Agenda at the end of the "Action Items" section.

- A. Approval of the March 24, 2025 Regular City Council Meeting Minutes
- B. Resolution 25-016 concurring with the Mayor's appointments to the Fort Dalles Museum Commission
- C. Authorizing purchase of Materials – OT Hardware and Software for the Wicks Water Treatment Plant SCADA Phase I Upgrade Project

#### 9. ACTION ITEMS

- A. Adoption of General Ordinance No. 25-1413, amending certain provisions of The Dalles Municipal Code Chapter 6.02 (Overnight Parking in City-Owned Parking Lots)
- B. Adopting General Ordinance No. 25-1412, amending TDMC Title 7 (Public Protection) by creating TDMC Chapter 7.22 (Fireworks)
- C. Proposed FY25/26 wage and cost of living adjustments

#### 10. DISCUSSION ITEMS

- A. Discussion on proposed amendments to TDMC Chapter 5.20 (Dog Control)

#### 11. EXECUTIVE SESSION

In accordance with ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

- A. Recess Open Session
- B. Reconvene Open Session
- C. Decision, if any

#### 12. ADJOURNMENT

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This meeting conducted VIA Zoom

Prepared by/  
Amie Ell  
City Clerk

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**CITY OF THE DALLES**

"By working together, we will provide services that enhance the vitality of The Dalles."



## AGENDA STAFF REPORT

**AGENDA LOCATION:** Item #8 A - C

**MEETING DATE:** April 14, 2025

**TO:** Honorable Mayor and City Council

**FROM:** Amie Ell, City Clerk

**ISSUE:** Approving items on the Consent Agenda and authorizing City staff to sign contract documents.

- A. **ITEM:** Approval of the March 24, 2025 Regular City Council meeting minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the March 24, 2025 Regular City Council meeting have been prepared and are submitted for review and approval.

**RECOMMENDATION:** That City Council review and approve the minutes of the March 24, 2025 Regular City Council meeting minutes.

- B. **ITEM:** A Resolution Concurring with The Mayor's Appointments to The Fort Dalles Museum Commission.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The Mayor has met with the applicants and recommends appointment.

**RECOMMENDATION:** City Council concurs with the Mayor's appointments to the Fort Dalles Museum Commission; and approves Resolution No. 25-016.

- C. **ITEM:** Authorizing purchase of Materials – OT Hardware and Software for the Wicks Water Treatment Plant SCADA Phase I Upgrade Project

**BUDGET IMPLICATIONS:** Authorization here would result in a savings of \$6,610.45 when compared with proceeding with Council's previous authorization of procuring this equipment through Jacobs Engineering Group — the savings will be reflected in the Water Reserve Fund, Fund 53.

**SYNOPSIS:** At its March 10, 2025, meeting, City Council authorized an amendment to the engineering services contract with Jacobs Engineering Group (**Jacobs**) for the purchase of materials and software related to the Wicks Water Treatment Plant SCADA Phase I System Upgrade Project in an amount not to exceed \$295,156, providing a total contract price of \$1,330,847.

Since then, Public Works staff has continued looking for opportunities to save the City as much money as possible and to prudently expend these public resources. Staff identified a potential cost savings if the City procured certain materials and software through a separate vendor. Procuring those materials and software items from that vendor would cost \$109,288.18 (as opposed to procurement through Jacobs at a cost of \$115,898.63), resulting in saving the City \$6,610.45 for the same materials and software.

Ordinarily, staff would bring this item as a Local Contract Review Board item for Council's consideration; in this case, though, staff felt the straightforward cost-savings approach was appropriate for Consent approval in light of Council's previous authorization in an amount not to exceed \$295,156 with Jacobs Engineering Group.

If approved tonight, staff will proceed with amending City Council's approval at the March 10, 2025 meeting for amending the engineering services contract with Jacobs Engineering Group in the amount of \$295,156, to now be in the reduced not to exceed amount of \$185,867.82. This represents the difference between City Council's previously authorized approval amount of \$295,156 and tonight's requested authorization amount of \$109,288.18.

**RECOMMENDATION:** Authorize the procurement through CDW Government in an amount not to exceed \$109,288.18.

MINUTES

CITY COUNCIL MEETING  
COUNCIL CHAMBER, CITY HALL  
MARCH 24, 2024  
5:30 p.m.

VIA ZOOM/ IN PERSON

**PRESIDING:** Mayor Richard Mays

**COUNCIL PRESENT:** Ben Wring, Tim McGlothlin, Rod Runyon, Scott Randall, Dan Richardson

**STAFF PRESENT:** City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Amie Ell, Public Works Director Dale McCabe, Police Chief Tom Worthy, Finance Director Angie Wilson

**CALL TO ORDER**

The meeting was called to order by Mayor Mays at 5:30 p.m.

**ROLL CALL OF COUNCIL**

Roll Call was conducted by City Clerk Ell. Wring, McGlothlin, Runyon, Randall, Richardson, Mays present

**PLEDGE OF ALLEGIANCE**

Mayor Mays invited the audience to join in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Mays noted there was a supplemental added Item #9D to initiate a vacation proceeding for the Federal Street Plaza.

It was moved by Wring and seconded by Richardson to approve the agenda as amended. The motion carried 5 to 0, Wring Richardson, Runyon, Randall, McGlothlin voting in favor; none opposed; none absent.

## **PRESENTATIONS PROCLAMATIONS**

### **Wasco County Emergency Services – Perimeter Mapping Software**

Stephanie Krell Wasco County Public Information Officer and Sheridan McClellan Wasco County Emergency Management Service Director presented information on the Perimeter Mapping Software.

Runyon suggested they return again to report after an evacuation that uses the system.

## **AUDIENCE PARTICIPATION**

Jim Wilcox, resident of The Dalles and Columbia Gorge Regional Airport Board member thanked the City Council for their service and acknowledged the significant time commitment involved. He expressed appreciation for several City staff members, including Matthew Klebes, Jonathan Kara, and Angie Wilson in the Finance Department, for their strong support and professionalism. Wilcox invited the Council to visit the airport after hours for a tour, noting recent and ongoing improvements such as the addition of five new hangars and the completion of the south apron project, largely funded through grants. He said the airport will serve as a regular fuel stop for military aircraft, generating revenue for the FBO, City, and County. He recognized recently retired Public Works Director David Anderson, highlighting his major contributions to the community, including the roundabout, hospital water storage, accessibility ramp upgrades, effective snow removal, and the successful completion of the Dog River pipeline project. He suggested the City consider naming a public facility or project in Anderson's honor, citing his exceptional public service.

Amanda Meeker, resident of The Dalles, expressed concern about light pollution from the Google facilities. She acknowledged Google's presence and operational needs but urged the City to consider measures to reduce excessive lighting. Meeker recalled how the night sky, once full of stars and meteor showers, is now obstructed by glare from the north. She emphasized that dark skies are important for wildlife, public health, and local tourism. Noting that her family had to follow strict lighting rules when building their home, she questioned why similar standards don't apply to large facilities like Google. She asked the Council to consider action to preserve the night sky before it is lost.

## **CITY MANAGER REPORT**

City Manager Matthew Klebes reported;

- Ad Hoc Federal Street Plaza Committee met and discussed potential uses for the old Veterans Service Office building and future maintenance of the plaza; the next meeting

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was scheduled for April 9 for the final design presentation.

- Joint work session with Klickitat County was confirmed for April 3, from 10 a.m. to noon at the Columbia Gorge Regional Airport.
- Staff were engaged in the budget process and began using new budget software, led by Finance Director Angie Wilson.
- Attended the NW Regional Managers Association conference and planned to host a regional city managers' luncheon.
- Staff held a season kickoff meeting with the downtown tree contractor to coordinate maintenance efforts.
- Met with the Library District Board to review the administrative transfer methodology and maintain communication.

## **CITY COUNCIL REPORTS**

Councilor Runyon reported;

- Attended the Mid-Columbia Veterans Memorial Committee meeting at City Hall as committee president.
- Participated in a Phase One Vietnam War Memorial celebration in Salem; Phase Two kickoff was also recognized.
- Announced the Wasco County Pioneer Association luncheon scheduled for May 3 at St. Mary's.

Councilor Richardson reported;

- Attended the Federal Street Plaza Committee meeting.
- Met with the City Attorney.
- Took a few days of vacation.

Councilor Randall reported;

- Met with Mayor & Councilor Wring to discuss and review the evaluation process for the city manager, city attorney, and municipal court judge.

Councilor Wring reported;

- Attended the Urban Renewal meeting, where Sunshine Mill gave a presentation on a future proposal.
- Participated in the performance evaluation meeting with Councilor Randall and the Mayor.
- Worked with president of Sister Cities to adjust their meeting schedule to the fourth Tuesday of each month, avoiding conflicts with Urban Renewal meetings.

Councilor McGlothlin reported;

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- Attended a webinar offered by the Oregon Ethics Commission and completed the Public Meetings Law certification.
- Participated in the Coffee Break radio with the Mayor.
- Met with Scott Baker to discuss various matters.
- Attended the Airport Commission meeting.
- Held a meeting with a local resident.

Mayor Mays reported;

- Met with Ed Thomas, president of First Interstate Bank.
- Attended the Dalles Art Commission board meeting and solicited interest for the Beautification and Tree Committee.
- Hosted the first "Saturday with the Mayor" event since COVID-19, featuring Councilor Ben Wring and a presentation from the Beautification and Tree Committee.
- Attended an open house at the Dalles Inn, which was undergoing significant upgrades.
- Met with Councilors Wring and Randall regarding performance evaluations.
- Met with the City Manager and City Attorney
- Scheduled an executive session on performance evaluations for April 21.

Mayor Mays acknowledged that this was Finance Director Angie Wilson's last City Council meeting. He expressed gratitude for having worked with her during his six-year tenure as mayor and commended her for consistently improving the City's budgets. He highlighted her achievement of earning the Government Finance Officers Association Certificate of Conformance for eight years, noting that it is a significant accomplishment. The Mayor thanked Wilson for her expertise and dedication to the City, expressing regret that she would not be staying for at least two more years.

## **CONSENT AGENDA**

McGlothlin asked if the owners of the property of the nuisance abatement were present. They were not.

Wring recognized there was a clerical error in the provided tax lot number for the address of the abatement.

City Attorney Jonathan Kara addressed the transposition error in the notice of assessment, confirming it did not affect the assessment process. He explained that the abatement process was at its final stage, and the property owners had been in significant communication with the City, ensuring they were aware of the situation. Kara stated there was no prejudice to the property owners, as the legal description was accurate. He thanked the Mayor for flagging the issue and assured that measures would be taken to prevent similar errors in the future.



Kara also noted a typo in a resolution he had drafted, which incorrectly stated the authorization date must be before February 4. He clarified that the correct date was April 1. He assured that this and other administrative clerical changes had been corrected before execution.

It was moved by Wring and seconded by Randall to approve the Consent Agenda as presented. The motion carried 5 to 0, Wring, Randall, McGlothlin, Runyon, Richardson voting in favor; none opposed; none absent.

Items approved on the consent agenda were: 1) The minutes of the March 10, 2025 Regular City Council Meeting; 2) Resolution No. 25-015 assessing the real property located at 1290 West 8th Street the cost of nuisance abatement. 3) Resolution No. 25-016 authorizing the City Attorney to submit a Claim Form and all other necessary documentation for the City of Laurel, Mississippi v. Cintas Corporation No. 2 settlement agreement

### **ACTION ITEMS**

#### **Adopting General Ordinance No. 25-1411, an ordinance amending TDMC Chapter 5.16 (Animals)**

City Manager Matthew Klebes and City Attorney Jonathan Kara reviewed the staff report.

Kara noted that the ordinance, as drafted, would not take effect in the 30 days typical for most ordinances. The effective date had been pushed to align with the City's fiscal calendar year of July 1. Following Council adoption, staff intended to conduct extensive public outreach to ensure all stakeholders were aware of the pending changes, providing ample time for anyone wishing to obtain an animal permit before the new date.

Runyon asked where the term Equidae came from and why equine was not used instead as it was a word that most citizens would know. He also pointed out that when discussing the original proposed changes, he had asked for a provision stating that if a person had two horses and one died, they could not replace it. He did not see this provision in the current draft, which now allowed for the replacement of a deceased horse.

Kara said it was the scientific name for the taxonomical family for horse that includes horse, mules, and donkey. He said it would be an easy, non-substantive change. He also explained that the issue of replacing horses was not addressed in the ordinance. Since horses would be permitted under the new ordinance, there was no need for a specific replacement provision. He confirmed that individuals could replace their horses.

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Richardson asked about the cost of a three-year permit, inquiring if staff had any proposal or estimate for the permit price.

Kara clarified that the fee adjustment would not be part of the ordinance and would instead be handled through a separate adjustment to the fee schedule by the City Council. This decision would need to be made by July 1 but would not require legal involvement.

Klebes said he would confirm that the current permit fee was \$25.

Kara explained that the fee structure was based on species, meaning that if a resident had seven chickens, they would pay one fee, not seven. The fee was for permission to have the species, not based on the number of animals.

Wring raised a concern about the ordinance, noting a section on revocation of permits due to potential danger to property or personal injury. He inquired whether this would also be the appropriate place to address animal cruelty, specifically regarding unsatisfactory living conditions for animals.

Kara explained that the Chief of Police could revoke a livestock permit if the animals were kept in unsanitary conditions or posed a risk to people or property. He noted that the existing ordinance for non-conforming animal permits required a petition from neighboring property owners or if the animals created a public nuisance. These standards ensured fairness in the revocation process for all permits.

Runyon pointed out that changes to the livestock permit requirements, including the shift to a three-year renewal and the new 25-foot distance, needed rewording for clarity. He emphasized the importance of neighbor approval in the revised ordinance.

Kara explained that the previous ordinance considered in February included two requirements for livestock placement: one specifying a 10-foot distance from property lines and another setting a 25-foot distance from any structure used for human occupancy. The 10-foot requirement had been removed, but the 25-foot requirement remained. This rule applied regardless of property lines and only allowed for exceptions if the occupants of neighboring structures had agreed in writing. He said this had been included because the City Council had not directed staff to remove it, but changes could be made if desired.

Klebes recalled that during the previous conversation, there had been more concern about the proximity of livestock to someone's home rather than the property line, which is why the focus had been on the 10-foot requirement instead of the 25-foot one.

Kara confirmed that the 25-foot requirement does not consider property lines but focuses solely on the presence of structures. A person can be within 25 feet of a neighbor's property but must maintain that distance from any structure.

Debbi Richelderfer, a resident of The Dalles, asked whether her neighbors with three goats and chickens on a 20,000-square-foot lot would need two permits and if they would now be limited to only having one goat.

Kara explained the situation depends on whether the neighbor already has an animal permit. If they do, and the ordinance passes, they would be considered non-conforming but allowed to keep their goats, subject to additional rules. However, new permits for three goats wouldn't be issued for a 20,000-square-foot lot. No one would be required to give up animals they currently own, but the ordinance would prevent acquiring more.

Richelderfer requested the City Council put a hold on the ordinance, revise it, and gather more input. She pointed out inconsistencies in the terminology, such as using "cow" to describe different types of bovines, and suggested consistency in definitions. She also raised concerns about the budget implications, including site reviews by city staff and software upgrades, questioning the accuracy of cost estimates for taxpayers. She acknowledged the complexity of the issue and expressed admiration for the Council's efforts.

Klebes addressed concerns that the permit process would be inefficient and labor-intensive. He said the new ordinance aimed to streamline the process and improve efficiency. He acknowledged the importance of using taxpayer dollars wisely but pointed out that the ordinance would modernize the system and make managing the workload more manageable for city staff.

Mayor Mays thanked Richelderfer for her comments and recommended she submit any inconsistencies in writing to staff for review.

Jesse Trosper, resident of The Dalles said he and his wife had been working on building an urban homestead, raising small animals like chickens and planning to add more for meat production. He expressed understanding of the regulations but suggested the current process, where a permit could be revoked based on neighbor complaints, naturally limited how many chickens a resident could keep.

Richelderfer asked Council to pause the proposed ordinance and reconsider the restrictions on cows, particularly miniature ones. She expressed frustration with the lack of exceptions or flexibility in the ordinance, stating that if there was a valid reason to prohibit a steer, she would understand, but she saw no justification for banning miniature cows.

Kara explained that the Ordinance had drafted provisions allowing the Chief of Police the

discretion to permit similarly sized animals on a case-by-case basis, considering the impact on public health, safety, and welfare. He emphasized that the goal was to balance community needs with individual rights, ensuring that exceptions could be made, particularly for more rural areas of the city. However, he also acknowledged that, as a general rule, animals like cows may not be appropriate for urban areas due to issues such as odor.

McGlothlin asked whether the limit should remain at 12 chickens or if it should instead be driven by neighbor complaints.

Kara clarified that the ordinance allowed up to 12 chickens on any lot, and that properties with 10,000 square feet or more could have 13 or more chickens. He said staff had contacted Wasco County GIS to gather data on residential lot sizes in The Dalles. The average lot size, excluding properties owned by local governments, was about 13,000 square feet.

Klebes said on a hypothetical 10,000 square foot lot, a person could have up to 20 adult chickens and an additional 30 chicks (young chickens under one year old), as allowed by Section 2 of the staff report. This provision permitted 1.5 times the number of adult poultry, meaning that 20 adults and 30 chicks would total 50 animals.

Trosper said his concern was with the limit on chickens, as he planned to raise 40 meat birds for six to eight weeks each year. He felt the 20-bird limit was too restrictive, especially since he already had 18 egg layers. He suggested keeping the process complaint-based and was open to a yearly permit to track the number of birds raised.

Randall said that this seemed to go beyond a hobby and veered more into commercial production.

Trosper said last year he personally went through 30 meat birds in one year.

Runyon said this related to former City Manager Julie Krueger's comments about having a small number of chickens that could suddenly increase, making them harder to control. He agreed that under nuisance rules, if a property is not well kept and there are complaints from neighbors, that should be enough to address issues with chickens.

Kara said the intent of adding the provision allowing 1.5 times the number of permitted adult poultry for young poultry (under one year old) was to address the fluctuation mentioned by Councilor Runyon and brought up by the former City Manager. The provision provided significant leeway for raising young chickens. He recommended imposing limits for general applicability but allowing flexibility for responsible animal owners. He suggested a provision where limits could be exceeded on a case-by-case basis with approval from the Chief of Police or their designee.

McGlothlin emphasized ordinances were intended to address those who abused or pushed the limits, potentially impacting neighbors. He noted the goal of maintaining a healthy and safe city while balancing flexibility.

Wring asked about budget implications for site reviews, referencing concerns raised by the public. He acknowledged the City Manager had addressed this, and the existing process would likely already be covered under current budget limitations, such as those for animal control or property inspections.

Klebes explained that the topic arose from the Council's goal-setting session due to the unclear process and heavy workload on staff. Updating the animal permit process and upcoming discussions on dog licenses aimed to reduce the burden moving forward.

Wring said budget implications would likely be minimal, as staff would already be sent out to investigate if a complaint was filed.

McGlothlin commented that this is how government should work—proposing, listening, responding, and finding middle ground. He the process used that night was effective and that future contentious ordinances would also need careful evaluation, as they may last 10 to 15 years before being reassessed.

Kara said the changes requested by Council would be made, allowing the Ordinance to be passed as amended that evening. The changes included:

- Revising section on page six to clarify the prescribed limits.
- Adding subsection D to allow the Chief of Police to make exceptions to numerosity requirements on a case-by-case basis in support of public health, safety, and welfare.

It was moved by Randall and seconded by Richardson to adopt General Ordinance No. 25-1411, by title only, as amended. The motion carried 5 to 0, Randall, Richardson, Runyon, McGlothlin, Wring voting in favor; none opposed; none absent.

Authorizing the City Manager to enter Intergovernmental Funding Agreements with Wasco County and Northern Wasco County Parks and Recreation District

City Manger Matthew Klebes reviewed the staff report.

Mayor Mays asked for clarification, stating that the meter would be read, and sufficient funds would be transferred from the general fund—where the lodging tax is allocated—into the water fund to compensate for the expenses incurred by the water bill for the parks and the park district

in the county.

Kara stated that the IFAs would be amended to reflect the change to Section 4 in both agreements, allowing greater administrative flexibility. This change would enable the City to either process an interfund transfer or issue a monthly check as needed.

Klebes clarified that a portion of the Transient Lodging Tax (TLT) revenue received would go to the general fund, with 54% allocated to a separate tourism promotion fund in the upcoming budget. In one scenario, the actual water usage of a particular entity would be assessed, and the corresponding amount would be transferred from the general fund to the water fund, not exceeding the previously mentioned limits. In another scenario, flexibility would be allowed to transfer the amount—either as a lump sum or in quarterly installments—to the respective entity, which would then pay the water bill as normal. This flexibility would help streamline the process if the proposal was passed.

Mayor Mays asked if the water bill were to exceed the \$40,000 or \$152,000 thresholds due to an exceptionally hot summer, was there a provision in the agreement allowing for an adjustment by mutual written agreement.

Klebes said there was a provision that included adjustments to the City's water rates. He emphasized that the goal was to keep the agreements long-term and adaptable to changing needs, such as the acquisition or disposal of property.

Wring asked for clarification, confirming that the flexibility for the interfund transfer was for the source of the money to come from a portion of the 46% of the TLT going into the general fund, which would then be transferred to the Public Works water fund. He also inquired whether Parks and Recreation, as well as the County, would continue to pay their bills as usual.

Klebes clarified the transaction could either remain internal, with the transfer from the general fund to the water fund, and the City would mail each entity a bill marked "paid," or the money could be transferred to the entities, and they would pay the bill on their own as usual. The inclusion of flexibility and administrative authority was to allow for discretion in how the transfer is executed, ensuring efficient handling of the process.

McGlothlin asked whether there was a consensus among the administrators from Parks and Recreation and the County regarding their preferred method for executing the transfer.

Klebes said he had not yet discussed this change with the County Administrator or the Parks Director. However, he believed that, given the long-term nature of the agreements, they could work together to determine how to execute these transactions.

Kara said he had not spoken with any administrators but he had discussed the change with the Parks District's attorney before the meeting. The attorney did not have any issues with the change.

Runyon asked if the flexibility would allow for either sending a check to the entities or handling the payments internally.

Klebes clarified the process would be decided upon and kept as consistent as possible, but if it proved ineffective, adjustments could be made at the administrative level.

Wring asked if there was a limitation on the percentage of the 46% of TLT revenue allocated to the general fund that could be used for this purpose, and whether a larger sum might be needed if there was a cap on the percentage.

Klebes explained that 55.4% of transient lodging tax (TLT) revenue went into the tourism promotion fund, and 44.6% went into the general fund. Last year, this amounted to roughly \$800,000 for the promotion fund and \$650,000 for the general fund. He noted that TLT revenue fluctuated, especially during events like pandemics or when hotels were converted, but it generally grew with new or remodeled hotels. The \$800,000 allocated to the tourism promotion fund had strict rules for use, including tourism promotion, advertising, and related facilities. However, the funding in the general fund offered maximum flexibility, which is why staff proposed using general fund revenues to fulfill the agreements.

Scott Baker, Executive Director for Northern Wasco County Parks and Recreation District, thanked the City staff and Council for their support. He highlighted recent improvements, like Sorosis Park and the Cherry Heights skate park. He expressed confidence in the funding agreement but noted clerical errors in the account numbers on the exhibit and requested flexibility to correct them without altering the agreement's substance. He expressed appreciation for the opportunity to annually review water conservation measures, which could reduce water usage, or address the potential increased needs due to park expansion.

Richardson said when the conversation began late last year, he was concerned and initially resisted making changes to the TLT and agreements with parks without clarity on the long-term relationship. He expressed satisfaction with the resolution and thanked staff and Mr. Baker for sorting it out.

Tyler Stone highlighted efforts to improve Kramer Field, which had a \$300,000 annual budget. These included; the recent renovation of two softball fields and several Babe Ruth fields; the hosting of the district tournament for the first time in many years, contributing to local economic development; and the installation of electronic scoreboards, which could be controlled remotely

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by scorekeepers, and were required for hosting tournaments. He also mentioned additional requests for City funding to install outfield fencing and individual dugouts, which were necessary to meet tournament requirements.

It was moved by McGlothlin and seconded by Runyon to authorize the City Manager to enter the IFA with Wasco County and the IFA with the Northern Wasco County Parks and Recreation District, as presented.

Kara stated that, due to the City Manager's decision to adjust, the recommended motion had shifted to be as amended, reflecting the change to Section 4 in both agreements to allow greater administrative flexibility. This change would permit the City to either conduct an interfund transfer or issue a check monthly, as needed. He clarified that this was a different motion than the one originally made.

McGlothlin withdrew his motion.

It was moved by McGlothlin and seconded by Runyon to authorize the City Manager to enter the IFA with Wasco County and the IFA with the Northern Wasco County Parks and Recreation District, as amended.

Angie Wilson, Finance Director clarified the payments would not be interfund transfers, but would instead be coming from the General Fund.

The motion carried 5 to 0, McGlothlin, Runyon, Richardson, Randall, Wring voting in favor; none opposed; none absent.

## **DISCUSSION ITEMS**

### Consideration of fireworks regulations

City Manger Matthew Klebes reviewed the staff report.

Mayor Mays asked if there were any questions to clarify the staff report. After no questions were raised, he inquired if anyone in the audience wished to address the City Council on the subject. He then asked the Council to decide whether they preferred taking action that evening, delaying action, or taking action at a future date, but before the summer.

Richardson expressed concern that the issue of wildfire risk would not become easier to address and noted the increase in his home insurance rates, which had gone up by about half. He mentioned that in nearby areas, some had lost home insurance coverage altogether due to wildfire



risk. He said wildfire risk was unlikely to decrease in the near future and stressed the need for the Council to confront the issue and develop a solution with permanence and clarity.

Randall expressed support for taking action immediately. He stated there was no reason to believe that future summers would be any different, as they were consistently hot and dry.

Runyon expressed concern about local groups that use the sale of fireworks as a fundraiser, stating that he didn't want to interfere with those efforts. He emphasized that the issue of fire danger and the decision to prohibit lighting fireworks were separate concerns. He acknowledged that fire codes and the fire department regulate whether fireworks can be set off within city limits but felt these issues should be handled separately.

Richardson suggested providing clarity and permanence around rules could help groups find alternative fundraising venues, rather than facing uncertainty each year about whether fireworks sales would be restricted. He acknowledged that he didn't have a firm stance on the best course of action but saw the value in establishing consistent rules.

Runyon expressed his discomfort with being in a position where he would have to tell fundraising groups what they could or couldn't do regarding fireworks sales.

Klebes highlighted a concern from nonprofit organizations, noting that when a ban was instituted by the city, it impacted their fireworks sales. They expressed that they typically purchased a large inventory in advance, but with the uncertainty of a potential ban, they were left with excess inventory. The nonprofits wanted more clarity ahead of time to adjust their purchases accordingly.

Runyon acknowledged that an emergency ban due to conditions was understandable, recognizing it as a potential cost of doing business. He compared it to his past experience in business, where sometimes products couldn't be sold for various reasons, noting that it was a risk both for nonprofits and commercial entities.

Klebes said he had conveyed to a representative that the city's trend of banning fireworks every year for the past four years was a known risk. He emphasized that the representative was aware of this risk, given the historical actions taken by the City Council, and that it was likely the Council would take action again in June.

Kara said if someone were new to the community and searching online for information about fireworks in The Dalles, they might find the city's municipal code related to fireworks, but the history of the city banning fireworks for the past four years might not be as easily apparent. He

noted this lack of clarity could lead to confusion for new fireworks sellers. Additionally, he pointed out that a ban may not be considered an emergency if it is foreseeable that it will occur.

Mayor Mays asked what Wasco County did to determine firework regulations.

Kara said the City and the County have been aligned in recent years, often passing resolutions or ordinances regarding fireworks around the same time, usually in June before July.

Mayor Mays directed Council to discuss and give direction to staff on the items requested in the staff report; the sale of fireworks, the personal use of fireworks, and the commercial use of fireworks.

Runyon said the sale of fireworks should not be regulated.

McGlothlin outlined three options for fireworks regulation: 1) allowing unrestricted sales and use; 2) permitting sales only when the fire department deems the risk low, as done in previous years; or 3) implementing a complete ban on fireworks sales. He expressed preference for the middle option, which has been used in the past, allowing for flexibility based on weather conditions. He also noted the City supports a commercial firework display to still celebrate the Fourth of July, and acknowledged some communities have opted for a complete ban on sales during the summer months.

Klebes highlighted the distinction between placing restrictions on fireworks sales and the use of fireworks, emphasizing providing clarity to business owners regarding whether citizens can use fireworks helps with sales projections. He said the City supported professional commercial fireworks display on the river effectively celebrates the Fourth of July. This display could be seen as an argument for limiting personal use of fireworks, in order to protect the community, especially in light of fire risks.

Wring questioned why the City Council hadn't considered aligning fireworks regulations with the seasonal burn ban, which runs from May to September or October. He suggested restricting fireworks during high-risk periods while allowing them in lower-risk months. He opposed allowing fireworks at random times, believing it would disrupt peace and tranquility.

Runyon explained the burning of rubbish and debris was unrelated. He emphasized that fireworks sellers should anticipate the risk of a ban and adjust by ordering fewer fireworks if sales decline.

Wring questioned how much of a problem fireworks have been historically, asking about the number of minor or major fires resulting from improper or intended safe use, even with

precautions like water buckets, hoses, or fire extinguishers. He wondered if there was any historical data on this issue.

McGlothlin highlighted sporadic fires near Dallesport and the fairness issue of restrictions while neighboring areas allow fireworks. He suggested tying fireworks use to fire department recommendations, restricting usage during high fire danger and allowing it during safer conditions, like a wet Fourth of July. He leaned toward linking usage to fire danger reports, acknowledging the risk to vendors.

Wring expressed concern about neighboring areas allowing sale of fireworks that are illegal in the City, noting that despite existing regulations, people may still use dangerous fireworks. He acknowledged the complexity of the issue but didn't think it should prevent action.

Klebes explained the council had previously asked staff to bring the issue up for early discussion, which is why it was on the agenda. He sought direction from the Council on how to proceed, whether it be preparing a resolution, ordinance, or waiting until conditions warranted further discussion in June.

Richardson expressed feeling conflicted, acknowledging the ease of advocating for a rule or law but emphasizing the need for reason and necessity. He supported some regulation, suggesting clarity for businesses and residents about potential bans due to drought or climate conditions. He was open to revisiting the issue annually in June to determine if a ban should be implemented.

Klebes said council meetings in June would be on the 10th and 24th, and if drought conditions were declared on June 26th, a special meeting would be needed to implement a ban before the Fourth of July.

Runyon said fireworks sales should be regulated with clear permits, informing sellers of potential bans due to weather. He noted fundraising groups, like the Boy Scouts, relied on these sales, and Oregon's restrictions on certain fireworks helped reduce risks. He said any ban would be due to fire department decisions, not the City.

Klebes clarified the City does not issue fireworks permits; instead, it is the responsibility of the state fire marshal.

McGlothlin inquired about the specific restrictions on fireworks in the City of Hood River, Oregon, particularly regarding the Fourth of July and New Year's Eve. He asked whether there were written guidelines outlining fireworks usage, including limitations on certain types of fireworks, such as sparklers, under what was termed "safe and sane fireworks."

Klebes said Hood River was in a similar position and had recently directed staff to prepare a fireworks ordinance. He offered to contact the Hood River City Manager for details and adapt their approach if the Council was interested. Otherwise, he would focus on the direction provided by the Council.

Kara said the City of Hood River had an ordinance regulating fireworks. The sale of consumer fireworks was allowed from June 23 to July 7, and the discharge of fireworks was permitted from November 16 to July 14. However, discharge was prohibited during a fire emergency or burn ban declared by the Hood River Fire Chief. He noted the city of The Dalles did not have a fire chief.

Runyon suggested removing the words "burn ban" from the ordinance, as it would complicate the issue, noting that a burn ban was a separate matter affecting various concerns.

Kara said that a burn ban was a separate issue and explained the ordinance simply prohibited the discharge of consumer fireworks during a burn ban.

McGlothlin asked whether, in addition to the fire chief, other agencies such as the forest department collaborate to declare fire emergencies or hazards, not just within the city but across the broader community.

Klebes explained different agencies manage fire emergencies differently, such as the Forest Service's red flag days. He noted if the Council wanted to link fire restrictions to another entity, staff could explore it, but the City had authority to make its own decisions.

McGlothlin suggested Hood River's approach, permitting fireworks with exceptions for extreme fire dangers, would allow for promoting fireworks use while ensuring safety.

Kara agreed Hood River's code reflected that approach but noted it seemed they were changing it because it was no longer working for them.

Klebes confirmed Hood River was moving toward allowing personal use of fireworks only on New Year's Eve.

McGlothlin expressed uncertainty about going that far, but acknowledged he could be persuaded.

Klebes summarized there was no interest in banning or regulating the sale of fireworks. The Council was interested in allowing commercial fireworks use, like with Western Displays for the Fourth of July. Additionally, there was interest in regulating personal fireworks use through an automatic trigger, such as the declaration of drought conditions, to avoid annual formal action.

Mayor Mays confirmed council agreed and staff felt they had sufficient direction to return with a proposal in two weeks.

**EXECUTIVE SESSION**

In accordance with ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Mayor Mays recessed Open Session at 8:12 p.m.

Mayor Mays reconvene Open Session at 8:42 p.m.

It was moved by Wring and seconded by McGlothlin to adopt the revised collective bargaining agreement dated March 24 2025 with The Dalles Police Association and the City of The Dalles effective July 1, 2025 through June 2028. The motion carried 4 to 0, Wring, McGlothlin, Runyon, Richardson voting in favor; Randall abstaining; none opposed; none absent

**ADJOURNMENT**

Being no further business, the meeting adjourned at 8:44 p.m.

Submitted by/ Abigail Jara, Executive Assistant

SIGNED: \_\_\_\_\_

Richard A. Mays, Mayor

ATTEST: \_\_\_\_\_

Amie Ell, City Clerk

**RESOLUTION NO. 25-016**

**A RESOLUTION CONCURRING WITH THE  
MAYOR'S APPOINTMENTS TO THE  
FORT DALLES MUSEUM COMMISSION**

**WHEREAS**, Eric Gleason's term expires April 30, 2025 and there is a vacant position on the Fort Dalles Museum Commission, and

**WHEREAS**, the Mayor has elected to reappoint Eric Gleason and appoint Jann Oldenburg to the Fort Dalles Museum Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS  
FOLLOWS:**

Section 1. The City Council concurs with the appointments of: Eric Gleason and Jann Oldenburg to the Fort Dalles Museum Commission; with terms expiring June 30, 2028.

Section 2. This Resolution shall be effective April 14, 2025.

**PASSED AND ADOPTED THIS 14<sup>th</sup> DAY OF APRIL, 2025.**

Voting Yes, Councilors: \_\_\_\_\_  
Voting No, Councilors: \_\_\_\_\_  
Absent, Councilors: \_\_\_\_\_  
Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 14<sup>th</sup> DAY OF APRIL, 2025.**

SIGNED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Richard A. Mays, Mayor Amie Ell, City Clerk



## AGENDA STAFF REPORT

### AGENDA LOCATION: Action Item #9A

**MEETING DATE:** April 14, 2025

**TO:** Honorable Mayor and City Council

**FROM:** Jonathan Kara, City Attorney  
Nikki Lesich, Codes Enforcement Officer

**ISSUE:** Adoption of General Ordinance No. 25-1413, an ordinance amending certain provisions of The Dalles Municipal Code Chapter 6.02 (*Overnight Parking in City-Owned Parking Lots*)

**BACKGROUND:** From time to time, the City's Codes Enforcement Division coordinates with the City Attorney's Office to support enforcement efforts by reviewing and enhancing provisions of The Dalles Municipal Code for legal sufficiency and administrative improvements.

Most recently, City staff highlighted some issues with the overnight parking in City-owned parking lots ordinance and coordinated with the Legal Department to prepare some quality-of-life amendments to TDMC Chapter 6.02 (*Overnight Parking in City-Owned Parking Lot*), as follows:

1. Currently, there is no restriction on the type of vehicle that can be approved for an overnight parking permit. The proposed amendment prohibits heavy equipment, oversized vehicles, and trailers from obtaining an overnight parking permit.
2. Currently, the City Manager has a limited authority to revoke an overnight parking permit only if the permit is used for a purpose contrary to law or if the permittee no longer meets the eligibility criteria for the permit (i.e., living or working downtown). The proposed amendment gives the City Manager the additional authority to revoke a permit of persons who park vehicles other than in the direction indicated by parking space markers or not completely within a designated parking space.
3. Currently, any person aggrieved by the City Manager's decision to revoke a permit may appeal that decision to the City Council. The proposed amendment

changes the appeal from being heard by City Council to instead be heard by the Municipal Judge (in alignment with the City's current practices in other ordinances).

**BUDGET IMPLICATIONS:** None.

**COUNCIL ALTERNATIVES:**

1. **Staff Recommendation:** *Move to adopt General Ordinance No. 25-1413, as presented, by title only.*
2. Make modifications to then move to adopt General Ordinance No. 25-1413, as amended, by title only, after reading aloud any changes.
3. Decline formal action and provide Staff direction accordingly.



**GENERAL ORDINANCE NO. 25-1413**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF  
THE DALLES MUNICIPAL CODE  
CHAPTER 6.02 (*OVERNIGHT PARKING IN CITY-OWNED PARKING LOTS*)**

**WHEREAS**, at its July 24, 2023, regular meeting, the City Council adopted General Ordinance No. 23-1398 to create TDMC Chapter 6.02 (*Overnight Parking in City-Owned Parking Lots*) to mitigate risk to public safety and welfare. The City regulates the overnight use of those parking lots by requiring permits for overnight parking;

**WHEREAS**, since 2023, City staff has identified some deficiencies in certain provisions of TDMC Chapter 6.02 that impact the City's operational efficiencies and expectations;

**WHEREAS**, at its April 14, 2025, regular meeting, the City Council considered City staff's proposed revisions to TDMC Chapter 6.02 addressing those efficiencies and operations; and

**WHEREAS**, the City Council finds adopting those proposed revisions as provided herein to support the public health, safety, and welfare.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF THE DALLES ORDAINS  
AS FOLLOWS:**

**Section 1.** This Ordinance's revisions appearing in ~~striketrough~~ shall denote deletions from and **bolded underline** shall denote additions to the existing text of The Dalles Municipal Code.

**Section 2.** The definition for the text of **TDMC 6.02.010** (*Definitions*) shall be revised to read:

- A. **Specific Terms.** As used in this chapter, except where the context clearly indicates otherwise, the following terms and both their singular and plural and noun and verb forms, as applicable, mean the following:

"Downtown" means the land located in the City's CBC – Central Business Commercial zone district, as described in TDMC Chapter 10.5, Article 5.050.

**"Heavy equipment" means any construction, mining, earthmoving, or industrial equipment, together with attachments and other equipment and tools (including trailers).**

"Overnight" means the hours between 10:00 p.m. and 5:00 a.m. Pacific Prevailing Time.

**"Oversized vehicle" has the meaning given that term by TDMC 6.04.030 (as may be amended or superseded).**

"Parking lot" means a City-owned lot used for public parking purposes and posted with a restricted parking sign.

“Permit” means a City-issued permit granting a person permission to park an approved vehicle overnight in a parking lot.

“Person” means natural person.

“Restricted parking sign” means a sign placed on or adjacent to a City-owned lot and reasonably sufficient to notice this chapter’s use restrictions and the City’s associated impoundment authority to persons parking vehicles on that lot.

**“Trailer” has the meaning given that term by TDMC 6.04.030 (as may be amended or superseded).**

**“Vehicle” has the meaning given that term in ORS 801.590 means any device in, upon, or by which any person or property is or may be transported upon a public highway and is self-propelled or designed for self-propulsion. “Vehicle” does not include oversized vehicles, trailers, or heavy equipment.**

**Section 3.** The text of **TDMC 6.02.070** (*Revocation*) shall be revised to read:

A. **Permit Revoked.** The City Manager may revoke any permit:

1. used for a purpose contrary to this chapter’s purpose;
2. **used** for any purpose other than that for which it was specifically issued; ~~or (in any event)~~
3. **of a person who parks a vehicle other than in the direction indicated by parking space markings and/or directional signs;**
4. **of a person who parks a vehicle in such a manner that the vehicle (including any part of or anything placed on or attached to the vehicle) is not located completely within a designated parking space; or**
5. **in any event,** if the City Manager develops a reasonable basis to believe a permittee no longer meets this chapter’s eligibility criteria.

B. **Revocation Appeal.** Any permittee aggrieved by the City Manager’s revocation may appeal their decision by filing a written notice of appeal with the Office of the City Clerk within five days of the revocation. Appeals shall be heard by the ~~City Council~~ **Municipal Court**, which will *de novo* review the City Manager’s decision in a hearing ~~at a regular meeting~~ **allowing both the City and permittee the opportunity to present evidence and be heard.** ~~following the permittee’s timely filed notice of appeal.~~ **The Municipal Judge’s decision is final.**

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**Section 4.** This Ordinance shall be effective 30 days after adoption.

**PASSED AND ADOPTED THIS 14<sup>th</sup> DAY OF APRIL, 2025,**

<b>Voting Yes</b>	Councilors:	_____
<b>Voting No</b>	Councilors:	_____
<b>Abstaining</b>	Councilors:	_____
<b>Absent</b>	Councilors:	_____

**AND APPROVED BY THE MAYOR THIS 14<sup>TH</sup> DAY OF APRIL, 2025.**

\_\_\_\_\_  
Richard A. Mays, Mayor

ATTEST:

\_\_\_\_\_  
Amie Ell, City Clerk



## AGENDA STAFF REPORT

### AGENDA LOCATION: Item # 9B

**MEETING DATE:** April 14, 2025

**TO:** Honorable Mayor and City Council

**FROM:** Matthew Klebes, City Manager

**ISSUE:** Adopting General Ordinance No. 25-1412, an ordinance amending TDMC Title 7 (*Public Protection*) by creating TDMC Chapter 7.22 (*Fireworks*)

**BACKGROUND:** At the February 24, 2025, regular City Council meeting, staff presented information to Council to facilitate discussion and staff direction on potential fireworks regulations.

Based on Council direction received at that meeting, staff drafted General Ordinance No. 25-1412, which is included in this packet for Council's consideration and adoption tonight. The ordinance mirrors prior resolutions and emergency ordinances adopted by Council to declare a local state of emergency due to extreme weather conditions—it restricts the personal use of fireworks while still allowing the sale and commercial displays of fireworks. The primary difference between previous Council actions and this proposed ordinance is that, under the ordinance, the City automatically enters a declared state of emergency relating to fire danger when:

1. the State of Oregon declares a drought or other emergency relating to fire danger exists within Wasco County; or
2. Wasco County prohibits the use of fireworks within its geographic boundaries.

Council continues to retain the right to declare a state of emergency relating to fire danger exists within the City's corporate limits through additional Council action, but the above automatic triggers should be helpful to avoid last-minute adoption of fireworks regulations going forward.

### **BUDGET IMPLICATIONS:**

There should be slight impacts related to enforcement if an emergency is declared.

**COUNCIL ALTERNATIVES:**

1. **Staff Recommendation.** *Move to adopt General Ordinance No. 25-1412, by title only, as presented.*
2. Make modifications to then move to adopt General Ordinance No. 25-1412, by title only, as amended, after reading aloud any substantive changes.
3. Decline formal action and direct staff accordingly.

**GENERAL ORDINANCE NO. 25-1412**

**AN ORDINANCE AMENDING TDMC TITLE 7 (*PUBLIC PROTECTION*)  
BY CREATING TDMC CHAPTER 7.22 (*FIREWORKS*)**

**WHEREAS**, ORS 401.025(1)(a) defines “emergency” as a natural event or circumstance causing or threatening widespread loss of life, injury to person or property, human suffering, or financial loss, including but not limited to “fire” and “severe weather”;

**WHEREAS**, ORS 401.025(3) defines “emergency services” as activities engaged in by local government agencies to prepare for an emergency and to prevent, minimize, respond to, or recover from an emergency, including but not limited to coordination, preparedness planning, firefighting, interagency liaison, and law enforcement;

**WHEREAS**, ORS 401.309(1) authorizes the City Council to declare by ordinance that a state of emergency exists within the City’s corporate limits and ORS 401.309(2) authorizes that ordinance to establish procedures to prepare for and carry out any activity to prevent, minimize, respond to, or recover from an emergency;

**WHEREAS**, ORS 401.309(3) authorizes the City Council to designate an emergency management official charged with carrying out emergency duties or functions as herein described;

**WHEREAS**, TDMC 5.08.030, which relates to weapons and fireworks within the City’s corporate limits, adopts the provisions of the Oregon Fireworks Law (ORS 480.111 to 480.165, as may be amended or superseded) into TDMC Chapter 5.08 (*General Offenses*);

**WHEREAS**, according to the National Fire Protection Association, fireworks cause over 19,000 fires in the United States each year;

**WHEREAS**, over at least the previous four consecutive years, the City has adopted emergency ordinances or resolutions regulating the personal use of fireworks in connection with weather-related emergencies during the hottest months of the year;

**WHEREAS**, at its March 24, 2025, regular meeting, the City Council directed staff to develop an ordinance to take a proactive step towards mitigating the risk of fire disaster in the community; and

**WHEREAS**, the City Council finds adopting this Ordinance furthers the public interest by preserving limited public safety and water resources, prioritizing emergency preparedness and response to maximize the public welfare, and protects the public health, safety, and welfare from fire and other dangers associated with the use of fireworks.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF THE DALLES  
ORDAINS AS FOLLOWS:**

**Section 1.** TDMC 5.08.030 (*Weapons and Fireworks*) shall be renamed *Weapons* and TDMC 5.08.030(C) (*Fireworks*) shall be deleted in its entirety.

**Section 2.** Title 7 (*Public Protection*) shall be amended by adding **Chapter 7.22** (*Fireworks*), which shall read as follows:

**Sections:**

- 7.22.010 Purpose.**
- 7.22.020 Oregon Fireworks Law Adopted.**
- 7.22.030 Emergency Declaration.**
- 7.22.040 Fireworks Prohibited During Emergency.**
- 7.22.050 Enforcement.**
- 7.22.060 Severability.**

**Chapter 7.22  
FIREWORKS**

**7.22.010 Purpose.**

The purpose of this Chapter is to:

- A. preserve limited public safety and water resources;
- B. prioritize emergency preparedness and response to maximize the public welfare (including those related to extreme weather conditions); and
- C. preserve and protect the public health, safety, and welfare from fire and other dangers associated with the use of fireworks.

**7.22.020 Oregon Fireworks Law Adopted.**

The definitions and all other provisions of the Oregon Fireworks Law (ORS 480.111 to 480.165, as may be amended or superseded) are hereby adopted and made part of this Chapter. If any provision of applicable Oregon law contradicts any provision of this Chapter, applicable Oregon law controls.

**7.22.030 Emergency Declaration.**

- A. Emergency Declared. In accordance with ORS 401.309(2) (as may be amended or superseded), the City Council declares a state of emergency to exist within the City's corporate limits if:
  - 1. the State of Oregon declares a drought or other emergency relating to fire danger exists within Wasco County;
  - 2. Wasco County prohibits the use of fireworks within its geographic boundaries; or

3. the City Council declares a state of emergency relating to fire danger exists within the City's corporate limits.
- B. Emergency Duration. In accordance with ORS 401.309(1) (as may be amended or superseded), the duration of the state of emergency described in subsection A is limited to the period of time during which the conditions giving rise to the declaration exist or are likely to remain in existence. Promptly following the conclusion of the state of emergency described in subsection A, the City Manager shall publicize that conclusion conspicuously on the City's website, social media accounts, or any other means reasonably calculated to provide actual notice to the general public.
- C. Effect. A state of emergency's existence consistent with subsection A shall activate the provisions of Section 7.22.040.

#### **7.22.040      Fireworks Prohibited During Emergency.**

- A. Activation. The provisions of this section are dormant and of no force or effect unless they are activated pursuant to Section 7.22.030(C), in which case they apply until the date described Section 7.22.030(B).
- B. Emergency Management Official. In accordance with ORS 401.309(1) (as may be amended or superseded):
  1. Emergency Program Manager. The City Council designates the City Manager as the City's emergency program manager to address mitigating risks associated with extreme heat and to carry out all other emergency duties or functions under this Chapter.
  2. Emergency Services. The City Manager may coordinate emergency services connected with response to and recovery from the emergency, including requesting assistance from the State of Oregon, Wasco County, and Mid-Columbia Fire and Rescue. The City Manager may take any other actions within this and their other authorities for the protection of safety, health, life, or property during the emergency.
- C. Prohibition. For purposes of this section, "use" includes lighting, exploding, or igniting in any way. During a state of emergency described in subsection A, use of all fireworks as defined by ORS 480.111 (as may be amended or superseded) within the City's corporate limits is strictly prohibited; excepting, however, commercial fireworks displays approved by local or state government, including the State Fire Marshal. Use of fireworks illegal under Oregon law continues to be prohibited within the City's corporate limits at all times.
- D. Violations. Violation of subsection C is Class C violation punishable by a fine of up to \$500.00 per violation, with a presumptive fine of \$165.00 per violation consistent with ORS 153.019(1)(c) (as may be amended or superseded).



**7.22.050 Enforcement.**

- A. Enforcement. This Chapter shall be enforced by The Dalles Police Department, the City Attorney's Office, and the Municipal Court.
- B. Citations. A City Police Officer, City reserve Police Officer, Community Service Officer, Codes Enforcement Officer, and any other person designated by applicable law may issue citations for violations of this Chapter using the Oregon Uniform Citation and Complaint cited to the Municipal Court.
- C. Interference. It is unlawful for any person to interfere in any way with the enforcement of this Chapter. Violation of this subsection is Class A violation punishable by a fine of up to \$2,000.00 per violation, with a presumptive fine of \$400.00 per violation consistent with ORS 153.019(1)(a) (as may be amended or superseded).
- D. Entry onto Private Land. A City Police Officer, City reserve Police Officer, Community Service Officer, Codes Enforcement Officer, and any other person designated by applicable law may enter onto private property, including any building or dwelling, at any time with permission of the property owner or occupant and in the course of their duties to or enforcement of the provisions of this Chapter. When permission to enter is not given by the property owner or occupant, the person enforcing this Chapter may obtain a warrant from the Municipal Court based on probable cause that a violation of the provisions of this Chapter exists, except that a warrant is not needed in cases of emergency, exigent circumstances, or any other constitutionally authorized warrant exception.

**7.22.060 Severability.**

The provisions of this Chapter are severable. Any provision of this Chapter deemed invalid by a court of competent jurisdiction shall not impact any other provision.

**Section 3.** This Ordinance shall be effective 30 days after adoption.

**PASSED AND ADOPTED THIS 14<sup>TH</sup> DAY OF APRIL, 2025,**

<b>Voting Yes</b>	Councilors:	_____
<b>Voting No</b>	Councilors:	_____
<b>Abstaining</b>	Councilors:	_____
<b>Absent</b>	Councilors:	_____

**AND APPROVED BY THE MAYOR THIS 14<sup>TH</sup> DAY OF APRIL, 2025.**

Richard A. Mays, Mayor

*ATTEST:*

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Amie Ell, City Clerk



## AGENDA STAFF REPORT

### AGENDA LOCATION: Item #9C

**MEETING DATE:** April 14, 2025

**TO:** Honorable Mayor and City Council

**THRU:** Matthew Klebes, City Manager

**FROM:** Nick DeLeon, Finance Department

**ISSUE:** Proposed FY25/26 Wage and Cost of Living Adjustments

**BACKGROUND:** In order to address increasing challenges with recruitment and retention the City embarked on a wage study, partnering with HR Answers, to gather compensation data from several comparable communities. This data was used in assessing potential wage changes for several positions that were substantially under the comparables and which the City has been experiencing difficulty in recruiting and/or retaining. The output from discussions between Department Heads and the City Manager resulted in a change in how the City approached wage proposals this year.

Under the SEIU Union agreement, Cost of Living Adjustments (COLA) are based on the Western CPI-U through January 2025 limited to a range between 1%-5%. Under this provision the COLA is 3% and the attached wage table incorporates this increase.

The wage study identified two positions within the SEIU Union that are in need of a wage adjustment to better align with comparables and better position the City recruitment and retention. Under the proposed SEIU wage table, Equipment Operators within the Street Department at both levels received a 7% wage increase including the COLA. Certified Operators within the Water Distribution, Water Treatment, and Wastewater Departments received a 5% increase in pay including the COLA.

Utilizing the same approach and dataset the guided the proposed changes to the SEIU wage table, the following changes have been made to the Non-Union Wage table:

- A COLA increase of 3% for all positions
- The Facilities Supervisor moved from MG8 to MG4.
- The Associate Planner and Project/Development Manager moved from OP3 to OP2.

- The Assistant Planner moved from OP9 to OP8.
- The Planning Technician moved from SP1 to OP9.

At the request of the Library, an Assistant Library Director position has been returned to the wage table at the MG8 wage level by evolving the Programing and Outreach Coordinator position.

Only the Non-Union Wage Table and the SEIU wage table are under consideration at this time as the Police Union CBA was already recently adopted. These changes will help the City retain its employees and recruit new employees as the need arises.

**BUDGET IMPLICATIONS:** The FY25-26 Budget was prepared in anticipation of these changes being approved. If Council approves the attached wage tables and adopts the City Budget without changes to the personnel costs, no further change will be needed.

**COUNCIL ALTERNATIVES:**

1. **Staff recommendation:** *Move to approve the fiscal year 2025-2026 Non-Union Wage and SEIU Tables as presented effective July 1, 2025.*
2. Decline and provide alternative direction to staff.

# FY25/26 SEIU Wage Table Adjustment for Equity and Comps

Primary Wage Adjustment - 3% COLA

Job Classification	STEP 2		STEP 3		STEP 4		STEP 5		STEP 6		STEP 7		STEP 8	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual
CLERK	3,952.13	47,425.55	4,070.69	48,848.32	4,192.81	50,313.77	4,318.60	51,823.18	4,448.16	53,377.88	4,581.60	54,979.21	4,719.05	56,628.59
LIBRARY TECHNICAL ASSISTANT I	3,952.13	47,425.55	4,070.69	48,848.32	4,192.81	50,313.77	4,318.60	51,823.18	4,448.16	53,377.88	4,581.60	54,979.21	4,719.05	56,628.59
ACCT CLERK I	3,952.13	47,425.55	4,070.69	48,848.32	4,192.81	50,313.77	4,318.60	51,823.18	4,448.16	53,377.88	4,581.60	54,979.21	4,719.05	56,628.59
DEPT SECRETARY	3,952.13	47,425.55	4,070.69	48,848.32	4,192.81	50,313.77	4,318.60	51,823.18	4,448.16	53,377.88	4,581.60	54,979.21	4,719.05	56,628.59
LIBRARY TECHNICAL ASSISTANT II	4,673.71	56,084.49	4,813.92	57,767.03	4,958.34	59,500.04	5,107.09	61,285.04	5,260.30	63,123.59	5,418.11	65,017.30	5,580.65	66,967.82
ACCT CLERK II	4,673.71	56,084.49	4,813.92	57,767.03	4,958.34	59,500.04	5,107.09	61,285.04	5,260.30	63,123.59	5,418.11	65,017.30	5,580.65	66,967.82
ACCT CLERK III	4,860.66	58,327.87	5,006.48	60,077.71	5,156.67	61,880.04	5,311.37	63,736.44	5,470.71	65,648.53	5,634.83	67,617.99	5,803.88	69,646.53
MUNICIPAL COURT CLERK	5,038.98	60,467.81	5,190.15	62,281.84	5,345.86	64,150.30	5,506.23	66,074.80	5,671.42	68,057.05	5,841.56	70,098.76	6,016.81	72,201.72
BLDG/GRNDS WORKER	3,777.92	45,335.04	3,891.26	46,695.09	4,008.00	48,095.94	4,128.24	49,538.82	4,252.08	51,024.98	4,379.64	52,555.73	4,511.03	54,132.41
PUBLIC WORKS MAINTENANCE WORKER	4,845.60	58,147.14	4,990.96	59,891.56	5,140.69	61,688.31	5,294.91	63,538.95	5,453.76	65,445.12	5,617.37	67,408.48	5,785.89	69,430.73
GENERAL FUND MAINTENANCE WORKER	4,845.60	58,147.14	4,990.96	59,891.56	5,140.69	61,688.31	5,294.91	63,538.95	5,453.76	65,445.12	5,617.37	67,408.48	5,785.89	69,430.73
EQUIPMENT OP	5,033.77	60,405.29	5,184.79	62,217.44	5,340.33	64,083.97	5,500.54	66,006.49	5,665.56	67,986.68	5,835.52	70,026.28	6,010.59	72,127.07
CERTIFIED MECHANIC	5,315.46	63,785.55	5,474.93	65,699.12	5,639.17	67,670.09	5,808.35	69,700.20	5,982.60	71,791.20	6,162.08	73,944.94	6,346.94	76,163.29
EQUIP OPR - RS CERT 2	5,235.12	62,821.50	5,392.18	64,706.14	5,553.94	66,647.33	5,720.56	68,646.75	5,892.18	70,706.15	6,068.94	72,827.33	6,251.01	75,012.15
OPER IN TRAINING	5,009.45	60,113.40	5,159.73	61,916.80										
CERTIFIED OP WTR/SWR	5,244.17	62,930.03	5,401.49	64,817.93	5,563.54	66,762.47	5,730.45	68,765.34	5,902.36	70,828.30	6,079.43	72,953.15	6,261.81	75,141.75
CERT OP 2 - WTR/SWR	5,453.94	65,447.23	5,617.55	67,410.65	5,786.08	69,432.97	5,959.66	71,515.96	6,138.45	73,661.43	6,322.61	75,871.28	6,512.28	78,147.42
CERT OP 3 - WTR/SWR	5,672.09	68,065.12	5,842.26	70,107.07	6,017.52	72,210.29	6,198.05	74,376.59	6,383.99	76,607.89	6,575.51	78,906.13	6,772.78	81,273.31
CERT OP 4 - WTR/SWR	5,898.98	70,787.72	6,075.95	72,911.36	6,258.22	75,098.70	6,445.97	77,351.66	6,639.35	79,672.21	6,838.53	82,062.37	7,043.69	84,524.25
LAB TECH WTR/SWR	5,672.09	68,065.12	5,842.26	70,107.07	6,017.52	72,210.29	6,198.05	74,376.59	6,383.99	76,607.89	6,575.51	78,906.13	6,772.78	81,273.31

Fiscal Year 2024-2025 COLA based on Western CPI-U through January 2024; 2025-2026 COLA based on Western CPI-U through January 2025. Range for both is 1% to 5%

## Exempt / Non-Union &amp; Management Salary Table

## PROPOSED WAGE TABLE FY 25/26 COLA 3% with some position increases

Line Code	Job Classification	1.03		Effective July 1, 2025													
		BASE		STEP 1		STEP 2		STEP 3		STEP 4		STEP 5		STEP 6		STEP 7	
		Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual
DH1	Public Works Director	10,310.33	123,723.91	10,619.64	127,435.63	10,938.22	131,258.70	11,266.37	135,196.46	11,604.36	139,252.35	11,952.49	143,429.92	12,311.07	147,732.82	12,680.40	152,164.81
DH1	Police Chief																
DH2	Finance Director	10,002.43	120,029.19	10,302.51	123,630.06	10,611.58	127,338.96	10,929.93	131,159.13	11,257.83	135,093.91	11,595.56	139,146.72	11,943.43	143,321.13	12,301.73	147,620.76
DH3	Assistant City Manager/HR Director	9,743.72	116,924.65	10,036.03	120,432.39	10,337.11	124,045.36	10,647.23	127,766.73	10,966.64	131,599.73	11,295.64	135,547.72	11,634.51	139,614.15	11,983.55	143,802.58
DH3	IT Director																
DH4	Community Development Director	9,459.92	113,519.08	9,743.72	116,924.65	10,036.03	120,432.39	10,337.11	124,045.36	10,647.23	127,766.73	10,966.64	131,599.73	11,295.64	135,547.72	11,634.51	139,614.15
DH5		9,184.39	110,212.70	9,459.92	113,519.08	9,743.72	116,924.65	10,036.03	120,432.39	10,337.11	124,045.36	10,647.23	127,766.73	10,966.64	131,599.73	11,295.64	135,547.72
DH6		9,021.96	108,263.56	9,292.62	111,511.46	9,571.40	114,856.81	9,858.54	118,302.51	10,154.30	121,851.59	10,458.93	125,507.13	10,772.70	129,272.35	11,095.88	133,150.52
DH7		8,759.19	105,110.25	9,021.96	108,263.56	9,292.62	111,511.46	9,571.40	114,856.81	9,858.54	118,302.51	10,154.30	121,851.59	10,458.93	125,507.13	10,772.70	129,272.35
DH8	Library Director	8,504.07	102,048.78	8,759.19	105,110.25	9,021.96	108,263.56	9,292.62	111,511.46	9,571.40	114,856.81	9,858.54	118,302.51	10,154.30	121,851.59	10,458.93	125,507.13
DH8	City Clerk/PIO																
DH9	Deputy Public Works Director	8,256.37	99,076.46	8,504.06	102,048.75	8,759.18	105,110.22	9,021.96	108,263.52	9,292.62	111,511.43	9,571.40	114,856.77	9,858.54	118,302.48	10,154.30	121,851.55
DH9	Police Captain																
DH9	Systems Administrator																
MG1	City Engineer	8,015.90	96,190.77	8,256.37	99,076.49	8,504.07	102,048.79	8,759.19	105,110.25	9,021.96	108,263.56	9,292.62	111,511.47	9,571.40	114,856.81	9,858.54	118,302.52
MG1	Water Quality Manager																
MG1	Network Administrator																
MG2	Water Distribution Manager	7,782.42	93,389.08	8,015.90	96,190.75	8,256.37	99,076.47	8,504.06	102,048.77	8,759.19	105,110.23	9,021.96	108,263.53	9,292.62	111,511.44	9,571.40	114,856.78
MG2	Wastewater Collection Manager																
MG2	Transportation Manager																
MG2	Regulatory/Admin Manager																
MG2	Project Engineer																
MG3	Police Sergeant	7,557.45	90,689.35	7,784.17	93,410.03	8,017.69	96,212.33	8,258.23	99,098.70	8,505.97	102,071.67	8,761.15	105,133.82	9,023.99	108,287.83	9,294.71	111,536.47
MG4	Facilities Supervisor	7,335.68	88,028.18	7,555.75	90,669.02	7,782.42	93,389.10	8,015.90	96,190.77	8,256.37	99,076.49	8,504.07	102,048.79	8,759.19	105,110.25	9,021.96	108,263.56
MG5	Economic Development Officer	7,122.02	85,464.25	7,335.68	88,028.18	7,555.75	90,669.03	7,782.42	93,389.10	8,015.90	96,190.77	8,256.37	99,076.49	8,504.07	102,048.79	8,759.19	105,110.25
MG6	Senior Planner	6,914.58	82,974.99	7,122.02	85,464.24	7,335.68	88,028.17	7,555.75	90,669.01	7,782.42	93,389.08	8,015.90	96,190.75	8,256.37	99,076.48	8,504.06	102,048.77
MG7		6,713.19	80,558.26	6,914.58	82,975.00	7,122.02	85,464.25	7,335.68	88,028.18	7,555.75	90,669.03	7,782.42	93,389.10	8,015.90	96,190.77	8,256.37	99,076.49
MG8	Assistant Library Director	6,517.66	78,211.88	6,713.19	80,558.24	6,914.58	82,974.99	7,122.02	85,464.24	7,335.68	88,028.16	7,555.75	90,669.01	7,782.42	93,389.08	8,015.90	96,190.75
MG9	Safety Officer	6,327.82	75,933.88	6,517.66	78,211.90	6,713.19	80,558.25	6,914.58	82,975.00	7,122.02	85,464.25	7,335.68	88,028.18	7,555.75	90,669.02	7,782.42	93,389.09
OP1		6,143.52	73,722.23	6,327.82	75,933.90	6,517.66	78,211.92	6,713.19	80,558.27	6,914.59	82,975.02	7,122.02	85,464.27	7,335.68	88,028.20	7,555.75	90,669.05
OP2	Dvlpmnt Inspecr/Project Mgr	5,919.98	71,039.81	6,097.58	73,171.01	6,280.51	75,366.14	6,468.93	77,627.12	6,662.99	79,955.94	6,862.88	82,354.61	7,068.77	84,825.25	7,280.83	87,370.01
OP2	Associate Planner																
OP2	Engineering Intern																
OP3	Accountant	5,790.86	69,490.27	5,964.58	71,574.97	6,143.52	73,722.22	6,327.82	75,933.89	6,517.66	78,211.91	6,713.19	80,558.26	6,914.58	82,975.01	7,122.02	85,464.26
OP3	Finance Specialist																
OP3	Paralegal																
OP3	IT Specialist																
OP4	Community Development Analyst	5,622.28	67,467.30	5,790.94	69,491.32	5,964.67	71,576.06	6,143.61	73,723.34	6,327.92	75,935.04	6,517.76	78,213.09	6,713.29	80,559.49	6,914.69	82,976.27
OP5		5,458.43	65,501.21	5,622.19	67,466.25	5,790.85	69,490.23	5,964.58	71,574.94	6,143.52	73,722.19	6,327.82	75,933.85	6,517.66	78,211.87	6,713.19	80,558.23
OP6		5,299.45	63,593.43	5,458.44	65,501.23	5,622.19	67,466.27	5,790.85	69,490.26	5,964.58	71,574.96	6,143.52	73,722.21	6,327.82	75,933.88	6,517.66	78,211.90
OP7		5,145.10	61,741.19	5,299.45	63,593.43	5,458.44	65,501.23	5,622.19	67,466.27	5,790.85	69,490.26	5,964.58	71,574.97	6,143.52	73,722.21	6,327.82	75,933.88
OP8	Finance Specialist - Personnel	4,995.24	59,942.89	5,145.10	61,741.18	5,299.45	63,593.42	5,458.43	65,501.22	5,622.19	67,466.26	5,790.85	69,490.24	5,964.58	71,574.95	6,143.52	73,722.20
OP8	Animal Control Officer																
OP8	Executive Assistant																
OP8	Assistant Planner																
OP9	Planning Technician	4,849.75	58,196.97	4,995.24	59,942.88	5,145.10	61,741.17	5,299.45	63,593.40	5,458.43	65,501.21	5,622.19	67,466.24	5,790.85	69,490.23	5,964.58	71,574.94
OP9	Codes Enforcement																
SP1	Payroll Technician	4,708.50	56,501.95	4,849.75	58,197.01	4,995.24	59,942.92	5,145.10	61,741.21	5,299.45	63,593.44	5,458.44	65,501.25	5,622.19	67,466.28	5,790.86	69,490.27
SP1	Account Technician																
SP1	Police Evidence Officer																
SP2	Administrative Secretary	4,569.59	54,835.14	4,706.68	56,480.19	4,847.88	58,174.60	4,993.32	59,919.84	5,143.12	61,717.43	5,297.41	63,568.95	5,456.34	65,476.02	5,620.03	67,440.30
SP3		4,438.21	53,258.49	4,571.35	54,856.24	4,708.49	56,501.93	4,849.75	58,196.99	4,995.24	59,942.90	5,145.10	61,741.19	5,299.45	63,593.42	5,458.44	65,501.22
SP4		4,308.94	51,707.27	4,438.21	53,258.48	4,571.35	54,856.24	4,708.49	56,501.93	4,849.75	58,196.98	4,995.24	59,942.89	5,145.10	61,741.18	5,299.45	63,593.42
SP5		4,222.56	50,670.77	4,349.24	52,190.89	4,479.72	53,756.61	4,614.11	55,369.31	4,752.53	57,030.39	4,895.11	58,741.30	5,041.96	60,503.54	5,193.22	62,318.65
SP6		4,061.59	48,739.07	4,183.44	50,201.24	4,308.94	51,707.28	4,438.21	53,258.50	4,571.35	54,856.25	4,708.50	56,501.94	4,849.75	58,197.00	4,995.24	59,942.91
SP7		3,943.29	47,319.48	4,061.59	48,739.06	4,183.44	50,201.23	4,308.94	51,707.27	4,438.21	53,258.49	4,571.35	54,856.24	4,708.49	56,501.93	4,849.75	58,196.99
Hourly Employees		Base	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Limited to 1040 Hours Annually							
Public Works Seasonal Worker		20.00	23.00	Limited to 40 hours per week, one-year term													
Administrative Fellow		21.00		Minimum Wage increases based on CPI													
Library Page		14.70	15.14	15.60	16.06	16.54	17.04	17.55	18.08								
Contract Employees		Month	Annual	FLSA Exempt													
City Manager		14,635.12	175,621.45														
City Attorney		13,834.34	166,012.08														
Municipal Judge		1,784.40	21,412.84														



## **AGENDA STAFF REPORT**

### **AGENDA LOCATION: Discussion Item #10A**

**MEETING DATE:** April 14, 2025

**TO:** Honorable Mayor and City Council

**FROM:** City Attorney Jonathan Kara  
City Manager Matthew Klebes

**ISSUE:** Discussion on proposed amendments to TDMC Chapter 5.20 (*Dog Control*)

### **BACKGROUND:**

From time to time, the Police Department coordinates with the City Attorney's Office to support community livability and enforcement efforts by reviewing and enhancing provisions of The Dalles Municipal Code for legal sufficiency and administrative improvements. The Police Department and Animal Control Officer have noted an increase in dog-related issues and the intent of tonight's discussion is for Council to provide direction on changes to the City's dog control ordinance, codified as TDMC Chapter 5.20 (*Dog Control*), in alignment with Council Goal #1.7. The City Manager has also received correspondence from constituents over the years with inquiries into and requests for changes to the ordinance.

The dog control ordinance has not been updated since 2012. The Police Department and City Attorney's Office have been addressing issues with the ordinance on a case-by-case basis for the past few years as we developed a more comprehensive update to the ordinance for Council's consideration. Similar to the recent changes to the City's animal ordinance, our approach to preparing this Discussion Item was to put all of the ideas developed during our expansive review on the table for Council's discussion and consideration.

The City has taken significant efforts to comprehensively address updating this ordinance for the last 25 months, including:

- dozens of interdepartmental meetings between and thoughtful review by the City

Manager's Office, City Attorney's Office, and Police Department;

- collaboration with the Oregon Department of Justice's Senior Assistant Attorney General for Animal Abuse;
- engaging special counsel having specialized expertise on dog and animal matters and who assisted Wasco County's efforts to update its animal ordinance in 2024;
- coordination between the City Manager, Wasco County Administrative Officer, and Columbia Gorge Humane Society (CGHS) on matters impacting dog impoundment and both the City's and County's ordinance update projects;
- the City Manager, Police Chief, and I meeting representatives of local veterinary medical facilities and CGHS to review elements of the proposed ordinance; and
- input on the proposed ordinance from the Municipal Judge, who has adjudicated dozens of violations under the current ordinance.

Special notice of tonight's discussion was sent to community stakeholders (including representatives of local veterinary medical facilities, CGHS, and the Municipal Judge) and was also advertised on the City's social media accounts as an additional effort to facilitate public engagement and meaningful participation in the development of the proposed ordinance.

Staff is seeking specific direction on the following substantive items:

➤ **Leash Law**

The City does not currently have a leash law. TDMC 5.20.010 defines "running at large" as meaning the dog is off of its keeper's premises and not under its keeper's control, but "control" is not further defined. We are hoping for Council's direction on whether and to what extent we should include a leash requirement in the proposed amendments.

Common arguments *opposing* leash requirements typically include:

1. Infringement on Freedom. Leash laws can be seen as a form of government overreach as an unnecessary restriction on responsible pet owners.
2. Behavioral Development. Leashes can limit a dog's ability to exercise and socialize if no designated off-leash areas exist.
3. Alternatives. Some communities have dog parks or designated off-leash areas. Electronic collars (mostly used for training) can be an effective alternative.

Common arguments *supporting* leash requirements typically include:

1. Public Safety. Leashes tend to reduce the risk of dog bites or attacks on people, other dogs, and animals and the risk of dogs running into traffic and causing accidents or injury.



2. Animal Control. Leashes help prevent dogs from chasing wildlife, livestock, or becoming lost or injured. Administratively, a leash requirement makes it easier for the City's Animal Control Officer to enforce dog licensing and vaccination requirements.
3. Respect for Others. Leashes tend to help reassure people who are fearful or uncomfortable around dogs and tend to prevent dogs from jumping on or frightening people who may not be able to react quickly (e.g., children, elderly persons, etc.).

If Council supports a leash law, we can prepare amendments to the ordinance with exceptions to that requirement, which commonly include not requiring a leash when within the bounds of lawfully established off-leash dog areas or parks or when within a vehicle. We can also prepare a "partial affirmative defense" to violations of a leash law where the penalty for such a violation is reduced if the dog's keeper shows the Animal Control Officer that the dog was under strict voice control at the time the citation was issued.

➤ **Number of Adult Dogs**

The City does not currently have a numerosity limit for dogs. The Animal Control Officer recommends imposing limits of no more than 4 adult dogs on a keeper's premises and no more than 1 female dog kept for breeding purposes. There would not be a limit on the number of dogs aged up to 6 months.

If Council supports a numerosity limit, we can prepare a straightforward amendment to the ordinance that allows people who currently keep more dogs than that limit to continue keeping those dogs (i.e., nonconformity or "grandfathering").

➤ **Dog Licensing**

While the City does have an annual dog licensing requirement (TDMC 5.20.030), it has not been enforced. Proposed amendments to the ordinance change that requirement to align with Council's direction from amendments to the animal ordinance (i.e., 3-year licenses).

TDMC 5.20.030 currently requires applicants for a dog license to pay the applicable license fee established by Wasco County. Proposed amendments to the ordinance would change that requirement to reflect the City's license fee, which would be set by Council resolution as part of the Fee Schedule. We also included reduced fees for licensing spayed/neutered dogs and for dogs kept by elderly persons and a fee waiver for guide or service dogs for the visually impaired.

The City Manager, City Attorney, and Chief of Police met with representatives from CGHS and veterinary medical facilities within the city limits to assess the feasibility of collaborating to refresh and fully establish dog licensing. Proposed amendments to the ordinance would require veterinary medical facilities to: (i) inform their clients (at or during the time of each dog's visit to the facility) of the City's dog licensing requirement, (ii) either require that person to apply for a license at the facility or to disclose to the City the names and addresses of persons who do not apply there so the City can follow up by

mailing them an application, and (iii) collect and remit the applicable fee to a City-designated facility (i.e., CGHS). This program would be intended to support CGHS's operations by providing it consistent funding.

Proposed amendments also require the Animal Control Officer to make educating any person suspected of violating the licensing provisions about the Chapter's existence and licensing requirements as their initial method of enforcement and to encourage voluntary compliance.

➤ **Impoundment**

The Animal Control Officer is currently authorized by TDMC 5.20.040 to impound any dog running at large or found to be unlicensed. Proposed amendments to the ordinance include expanding that authority to include impounding when they find a dog abandoned off premises, is responsible for biting a person or another animal, or is unattended for any period of time while tethered or tied in or on a public right-of-way.

Currently, the Animal Control Officer is required to take impounded dogs to CGHS for holding. Proposed amendments to the ordinance include providing the Animal Control Officer with the discretion to return the dog to its keeper (if known), which should result in administrative efficiencies for the City and CGHS while simultaneously benefitting dog keepers.

➤ **Public Nuisance**

A dog is currently a public nuisance under the City's ordinance if it chases persons or vehicles off its keeper's premises, damages or destroys property of someone other than its keeper, scatters garbage or trespasses, disturbs people by continuous annoyance, runs at large, or is a *potentially dangerous dog* but not a *dangerous dog* (both terms defined by Oregon law).

Proposed amendments to that provision of the ordinance include dogs as a public nuisance when:

1. the number of dogs kept on any premises is found to exceed the number allowed by this Chapter (in which case each dog on premises exceeding that number is considered a separate public nuisance);
2. it is shown that a dog escaped on-premises confinement at least 3 times in any 12-month period;
3. a dog is found abandoned off premises;
4. a keeper fails to maintain their premises in a sanitary condition to such a degree that offensive odors connected with dogs can be detected from beyond that premises;
5. a dog carcass remains on public property for more than 24 hours from the time its keeper knew or should have known about its location; and
6. a keeper does not immediately remove then appropriately discard their dog's

feces when it defecates off the keeper's premises.

**BUDGET IMPLICATIONS:**

None at this time since this is a Discussion Item.

**COUNCIL ALTERNATIVES:**

Staff is seeking direction and input on the above proposed amendments at this time. As directed, we intend to incorporate Council's feedback to the draft ordinance for Council's consideration as an Action Item for adoption next month.