

**AGENDA**  
**VENETA CITY COUNCIL**  
**MONDAY, MAY 23, 2016 – 6:30 P.M.**

Veneta Administrative Center, 88184 8th Street, Veneta, Oregon

- 6:30 **1. CALL TO ORDER**
  
- 6:30 **2. PUBLIC COMMENT** - Maximum time 20 minutes. Speakers will be limited to 3 minutes each. The Council will not engage in any discussion or make any decisions based on public comment at this time; however, they may take comments under advisement for discussion and action at a future Council meeting.
  
- 6:40 **3. CONSENT AGENDA**
  - a. Accounts Payable
    - i. To be Paid – Payable through May 17, 2016 (pgs. 3-13)
  - b. Civic Calendar for June, 2016 (pg. 15)
  - c. Public Works Activity Report for March and April 2016 (pgs. 17-20)
  - d. Recommended Approval of Annual OLCC Liquor License Renewals (pgs. 21-25)
  - e. Banner Permit from Oregon Country Fair (for Luther Lane only) (pgs. 27-30)
  
- 6:45 **4. COUNCIL BUSINESS AND REPORTS**
  - a. Business
    - (1) Volunteers in Medicine Proclamation (pg. 31)
    - (2) Economic Development Committee Updates (pgs. 33-34)
    - (3) Lane County Sheriff’s Activity Report (pgs. 35-36)
    - (4) Donation Request from Fern Ridge Library (pg. 37)
  - b. Council/Committee Liaison Reports
  
- 7:05 **5. STAFF REPORTS**
  - a. Emergency Preparedness Specialist.....Julie Reid
    - (1) Emergency Operations Plan (pgs. 39-51)
  
  - b. Community Development Director.....Kay Bork
    - (1) Amendments to Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494. (For more information about Ordinance No. 528, please refer to the Agenda Item Summary in the May 9, 2016 Council Packet)
      - i. **Ordinance No. 528** – AN ORDINANCE AMENDING THE VENETA LAND DEVELOPMENT ORDINANCE NO. 493 AND LAND DIVISION ORDINANCE NO. 494 RELATING TO PARKING LOT LOCATION AND PROPERTY LINE ADJUSTMENT STANDARDS. For second reading by title only and final enactment. (pgs. 53-59)
    - (2) Transient Room Tax
      - i. Agenda Item Summary (pgs. 61-62)
      - ii. **Ordinance No. 534** – AN ORDINANCE ESTABLISHING A TRANSIENT ROOM TAX FOR THE CITY OF VENETA. For first and second reading by title only and final enactment. (pgs. 63-74)
  
  - c. Finance Director.....Shauna Hartz
    - (1) Utility Billing Policies and Procedures (For more information about Ordinance No. 529 through 533, please refer to the Agenda Item Summary in the May 9, 2016 Council Packet)
      - i. **Ordinance No. 529** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 13, CHAPTER 10. For second reading by title only and final enactment. (pgs. 75-76)
      - ii. **Ordinance No. 530** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 20. For second reading by title only and final enactment. (pgs. 77-80)
      - iii. **Ordinance No. 531** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 25. For second reading by title only and final enactment. (pgs. 81-89)

- iv. **Ordinance No. 532** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE SECTIONS 13.35.010, 13.35.050, 13.35.080; REPEALING 13.35.070; AND INSERTING 13.35.090. For second reading by title only and final enactment. (pgs. 91-94)
- v. **Ordinance No. 533** – AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 13 CHAPTER 05. For second reading by title only and final enactment. (pgs. 95-101)

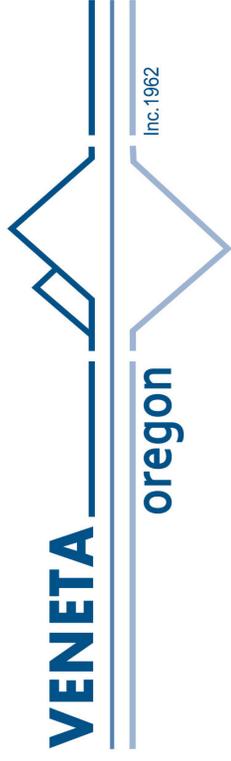
- 8:05 d. City Administrator.....Ric Ingham  
(1) Questions from Councilors
- 8:25 6. OTHER
- 8:35 7. ADJOURN

Times are approximate. This meeting will be digitally recorded. Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available if notice is given at least 48 hours prior to the start of the meeting. Contact the City Recorder, Darci Henneman, via phone (541) 935-2191, Email dhenneman@ci.veneta.or.us, or TTY Telecommunications Relay Service 1-800-735-1232.

To access City Council meeting materials please go to <http://www.venetaoregon.gov/meetings>

# Accounts Payable To Be Paid Proof List

User: mindy  
 Printed: 05/18/2016 - 4:28 PM  
 Batch: 004-05-2016



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
AnalyLab Analytical Laboratory Group											
77478 WTR	04/06/2016	140.00	0.00	05/24/2016	Drinking water		-	No			0000
210-210-53055	System Quality Tests										
	77478 WTR Total:	140.00									
77478 WW	04/06/2016	1,008.00	0.00	05/24/2016	Wastewater		-	No			0000
220-220-53055	System Quality Tests										
	77478 WW Total:	1,008.00									
	AnalyLab Total:	1,148.00									
ASI ASI											
A14656404AHx	04/30/2016	3.75	0.00	05/24/2016	FSA admin fee		-	No			0000
100-100-51010	Admin Supplies & Services										
	A14656404AHx Total:	3.75									
	ASI Total:	3.75									
BarnScot Barnes Scottie											
516	05/11/2016	160.00	0.00	05/24/2016	Monthly Newsletter	MM/XXXXX Newslet	-	No			0000
100-100-51095	Public Relations										
	516 Total:	160.00									
	BarnScot Total:	160.00									
BiMart Bi-Mart Corporation											
April 2016	04/30/2016	19.47	0.00	05/24/2016	Various needs		-	No			0000
100-100-51010	Admin Supplies & Services										
April 2016	04/30/2016	175.00	0.00	05/24/2016	Various needs		-	No			0000
100-100-51098	Wellness Program										
April 2016	04/30/2016	3.19	0.00	05/24/2016	Various needs		-	No			0000
100-100-51050	Bldg Maint/Janitorial Sup										
April 2016	04/30/2016	16.74	0.00	05/24/2016	Various needs		-	No			0000
220-220-53065	Bldg & Yard Maintenance										
April 2016	04/30/2016	16.74	0.00	05/24/2016	Various needs		-	No			0000
210-210-53065	Bldg & Yard Maintenance										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
April 2016	04/30/2016	4.99	0.00	05/24/2016	Various needs		-			0000
210-210-51055	Safety Programs & Supplies									No
April 2016	04/30/2016	10.48	0.00	05/24/2016	Various needs		-			0000
140-140-51010	Admin Services & Supplies									No
April 2016	04/30/2016	60.88	0.00	05/24/2016	Various needs		-			0000
130-130-53210	Park Maintenance									No
April 2016	04/30/2016	49.19	0.00	05/24/2016	Various needs		-			0000
210-210-53040	System Maintenance									No
April 2016	04/30/2016	12.99	0.00	05/24/2016	Various needs		-			0000
130-520-54045	Pool Bldg Janitorial - Maint									No
April 2016	04/30/2016	9.99	0.00	05/24/2016	Various needs		-			0000
130-130-51055	Safety Program & Supplies									No
April 2016	04/30/2016	9.97	0.00	05/24/2016	Various needs		-			0000
230-230-53070	Landscape Maint & Supplies									No
April 2016	04/30/2016	0.80	0.00	05/24/2016	Various needs		-			0000
140-140-51050	City Hall Main/Janitorial Sup									No
April 2016	04/30/2016	4.99	0.00	05/24/2016	Various needs		-			0000
220-220-51055	Safety Programs & Supplies									No
April 2016	04/30/2016	14.98	0.00	05/24/2016	Various needs		-			0000
230-230-51055	Safety Programs & Supplies									No
April 2016 Total:		410.40								
BiMart Total:		410.40								
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BuiDep Building Department The										
April 2016	05/04/2016	11,994.83	0.00	05/24/2016	Inspection Services		-			No
100-100-52025	Building Permit Inspections									No
April 2016	05/04/2016	1,433.25	0.00	05/24/2016	Inspection Services		-			0000
100-100-52030	Electrical Permit Inspections									No
April 2016 Total:		13,428.08								
BuiDep Total:		13,428.08								
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CentLink CenturyLink Communications, LL										
3680 4/16	05/02/2016	164.46	0.00	05/24/2016	Public Works/Wtr plant phone & internet		-			No
210-210-51030	Telephone Services									No
3680 4/16 Total:		164.46								
CentLink Total:		164.46								
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CKMar C & K Market Inc										
1499576	04/30/2016	22.99	0.00	05/24/2016	monthly-various needs		-			No
100-100-51010	Admin Supplies & Services									No
1499576 Total:		22.99								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	CKMar Total:	22.99								
Cmor C-More Pipe Co										
16-1498-1	05/10/2016	8,087.50	0.00	05/24/2016	Annual Maintenance		-		No	0000
220-220-53150	Inflow & Infiltration Improvem									
	16-1498-1 Total:	8,087.50								
	Cmor Total:	8,087.50								
DeptOfEn Dept of Environmental Quality										
WQ17WSC-0110	05/04/2016	100.00	0.00	05/24/2016	Permits		-		No	0000
220-220-51010	Admin Supplies & Services									
	WQ17WSC-0110 Total:	100.00								
	DeptOfEn Total:	100.00								
EDMS EDMS Inc										
80151	05/05/2016	654.89	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
100-100-51095	Public Relations									
80151	05/05/2016	172.65	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
210-210-51010	Admin Supplies & Services									
80151	05/05/2016	243.07	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
210-210-51015	Postage									
80151	05/05/2016	258.98	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
220-220-51010	Admin Supplies & Services									
80151	05/05/2016	364.61	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
220-220-51015	Postage									
	80151 Total:	1,694.20								
80223	05/13/2016	21.65	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
210-210-51010	Admin Supplies & Services									
80223	05/13/2016	39.26	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
210-210-51015	Postage									
80223	05/13/2016	32.47	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
220-220-51010	Admin Supplies & Services									
80223	05/13/2016	58.89	0.00	05/24/2016	Past Due Notices May 2016		-		No	0000
220-220-51015	Postage									
	80223 Total:	152.27								
	EDMS Total:	1,846.47								
EPUD EPUD										
8257 WtrPlnt	05/04/2016	1,494.60	0.00	05/24/2016	Water Treatment Plant		-		No	0000
210-210-51035	Electricity									
	8257 WtrPlnt Total:	1,494.60								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	EPUD Total:	1,494.60								
EWEB Eugene Water & Electric Board										
April 2016 A	05/05/2016	5,747.14	0.00	05/24/2016	Meter #76100316		-	No		0000
210-210-53135	Water Purchase									
	April 2016 A Total:	5,747.14								
April 2016 B	05/05/2016	5,484.40	0.00	05/24/2016	Meter #76100315		-	No		0000
210-210-53135	Water Purchase									
	April 2016 B Total:	5,484.40								
	EWEB Total:	11,231.54								
Ferg3021 FEI #3011 Waterworks										
0517362	05/04/2016	395.29	0.00	05/24/2016			-	No		0000
210-210-53040	System Maintenance									
	0517362 Total:	395.29								
CM089919	05/04/2016	-60.94	0.00	05/24/2016			-	No		0000
210-210-53040	System Maintenance									
	CM089919 Total:	-60.94								
	Ferg3021 Total:	334.35								
FRRev Fem Ridge Review										
16436	04/28/2016	42.45	0.00	05/24/2016	City wide clean up ad		-	No		0000
100-100-51025	Publishing Costs									
16436	04/28/2016	5.48	0.00	05/24/2016	City wide clean up ad		-	No		0000
130-130-51025	Publishing Costs									
16436	04/28/2016	7.22	0.00	05/24/2016	City wide clean up ad		-	No		0000
140-140-51025	Publishing Costs									
16436	04/28/2016	56.52	0.00	05/24/2016	City wide clean up ad		-	No		0000
210-210-51010	Admin Supplies & Services									
16436	04/28/2016	63.47	0.00	05/24/2016	City wide clean up ad		-	No		0000
220-220-51010	Admin Supplies & Services									
16436	04/28/2016	48.14	0.00	05/24/2016	City wide clean up ad		-	No		0000
230-230-51010	Admin Supplies & Services									
16436	04/28/2016	0.72	0.00	05/24/2016	City wide clean up ad		-	No		0000
240-240-51010	Admin Supplies & Services									
	16436 Total:	224.00								
16437	04/28/2016	160.00	0.00	05/24/2016	Unused drug return ad		-	No		0000
100-100-51095	Public Relations									
	16437 Total:	160.00								
16457	05/05/2016	84.00	0.00	05/24/2016	Notice of Public Hearing ad		-	No		0000
140-140-51025	Publishing Costs									
	16457 Total:	84.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FRRRev Total:		468.00								
HenDar Henneman Darci										
DHenneman 4/16	05/05/2016	18.02	0.00	05/24/2016	Reimburse-Training		-	No		0000
100-100-51075	Travel - Staff									
DHenneman 4/16	05/05/2016	1.06	0.00	05/24/2016	Reimburse-Training		-	No		0000
100-160-51075	Travel - Staff									
DHenneman 4/16	05/05/2016	4.24	0.00	05/24/2016	Reimburse-Training		-	No		0000
130-130-51010	Admin Supplies & Services									
DHenneman 4/16	05/05/2016	8.47	0.00	05/24/2016	Reimburse-Training		-	No		0000
140-140-51075	Travel - Staff									
DHenneman 4/16	05/05/2016	4.24	0.00	05/24/2016	Reimburse-Training		-	No		0000
210-210-51010	Admin Supplies & Services									
DHenneman 4/16	05/05/2016	4.24	0.00	05/24/2016	Reimburse-Training		-	No		0000
220-220-51010	Admin Supplies & Services									
DHenneman 4/16	05/05/2016	2.10	0.00	05/24/2016	Reimburse-Training		-	No		0000
230-230-51010	Admin Supplies & Services									
DHenneman 4/16 Total:		42.37								
HenDar Total:		42.37								
HuntComm Hunter Communications, Inc										
June 2016	05/15/2016	91.48	0.00	05/24/2016	Fiber Internet Service		-	No		0000
100-100-52050	Internet & Web Site Fees									
June 2016	05/15/2016	30.50	0.00	05/24/2016	Fiber Internet Service		-	No		0000
140-140-52050	Internet & Web Site Fees									
June 2016	05/15/2016	121.98	0.00	05/24/2016	Fiber Internet Service		-	No		0000
210-210-52050	Internet & Web Site Fees									
June 2016	05/15/2016	60.99	0.00	05/24/2016	Fiber Internet Service		-	No		0000
220-220-52050	Internet & Web Site Fees									
June 2016	05/15/2016	20.00	0.00	05/24/2016	Fiber Internet Service		-	No		0000
120-120-51030	Telephone Services									
June 2016 Total:		324.95								
HuntComm Total:		324.95								
IndSour Industrial Source										
01269557	05/11/2016	332.10	0.00	05/24/2016	CO 2 Fill up		-	No		0000
130-520-54020	Pool Operating Supplies									
01269557 Total:		332.10								
IndSour Total:		332.10								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
InfoStru Info Structure										
2316575	04/21/2016	394.06	0.00	05/24/2016	Cust #C7930 - City Hall		-	No		0000
100-100-51030	Telephone Services									
2316575	04/21/2016	98.52	0.00	05/24/2016	Cust #C7930 - City Hall		-	No		0000
140-140-51030	Telephone									
	2316575 Total:	492.58								
2316769	04/21/2016	45.81	0.00	05/24/2016	Cust #61227 - WWTP		-	No		0000
220-220-51030	Telephone Services									
	2316769 Total:	45.81								
2316818	04/21/2016	49.04	0.00	05/24/2016	Cust #62054 - Pool		-	No		0000
130-520-54055	Pool Utilities									
	2316818 Total:	49.04								
	InfoStru Total:	587.43								
LeiAlan Law Office of Alan J Leiman, P										
May 2016	05/13/2016	371.00	0.00	05/24/2016	Monthly contrat		-	No		0000
100-160-52080	Judicial Services									
	May 2016 Total:	371.00								
	LeiAlan Total:	371.00								
MidSta Mid-State Industrial Svc										
164443	05/03/2016	769.79	0.00	05/24/2016	Lift Station cleaning		-	No		0000
220-220-53050	WW Treatment Plant Maintenance									
	164443 Total:	769.79								
	MidSta Total:	769.79								
MurSmi Murray Smith & Associates Inc										
14-1619-11	05/10/2016	3,071.28	0.00	05/24/2016	Reservoir improvements-SVS thru 4/30/16		-	No		0000
210-210-53040	System Maintenance									
	14-1619-11 Total:	3,071.28								
	MurSmi Total:	3,071.28								
OneCal One Call Concepts Inc										
6040500	04/30/2016	47.52	0.00	05/24/2016	Uitility Locates Jan-April 2016		-	No		0000
210-210-51030	Telephone Services									
6040500	04/30/2016	47.52	0.00	05/24/2016	Uitility Locates Jan-April 2016		-	No		0000
220-220-51030	Telephone Services									
	6040500 Total:	95.04								
	OneCal Total:	95.04								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
O'Reilly O'Reilly Automotive, Inc										
April 2016	04/28/2016	56.05	0.00	05/24/2016	Oil Change F-350		-	No		0000
210-210-53030	Vehicle Operation&Maintenance									
April 2016	04/28/2016	-23.99	0.00	05/24/2016	Oil Change F-350--Credit return		-	No		0000
210-210-53030	Vehicle Operation&Maintenance									
April 2016	04/28/2016	10.98	0.00	05/24/2016	Oil Change F-350		-	No		0000
210-210-51515	Tools & Small Equipment									
April 2016	04/28/2016	20.30	0.00	05/24/2016	Oil Change F-350		-	No		0000
130-130-53130	Equipment Repairs									
April 2016	04/28/2016	20.30	0.00	05/24/2016	Oil Change F-350		-	No		0000
230-230-53130	Equipment Repairs									
April 2016 Total:		83.64								
O'Reilly Total:		83.64								
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PriAll Printers Alliance										
43187	05/04/2016	83.54	0.00	05/24/2016	Receipt Books		-	No		0000
100-100-51010	Admin Supplies & Services									
43187	05/04/2016	10.78	0.00	05/24/2016	Receipt Books		-	No		0000
130-130-51010	Admin Supplies & Services									
43187	05/04/2016	12.80	0.00	05/24/2016	Receipt Books		-	No		0000
130-520-51010	Administrative Supplies									
43187	05/04/2016	14.20	0.00	05/24/2016	Receipt Books		-	No		0000
140-140-51010	Admin Services & Supplies									
43187	05/04/2016	111.22	0.00	05/24/2016	Receipt Books		-	No		0000
210-210-51010	Admin Supplies & Services									
43187	05/04/2016	124.89	0.00	05/24/2016	Receipt Books		-	No		0000
220-220-51010	Admin Supplies & Services									
43187	05/04/2016	94.73	0.00	05/24/2016	Receipt Books		-	No		0000
230-230-51010	Admin Supplies & Services									
43187	05/04/2016	1.42	0.00	05/24/2016	Receipt Books		-	No		0000
240-240-51010	Admin Supplies & Services									
43187 Total:		453.58								
PriAll Total:		453.58								
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SaniPac SANIPAC										
2213830	05/01/2016	24.04	0.00	05/24/2016	Trash haul-Act #2013-2002191-001		-	No		0000
100-100-51050	Bldg Maint/Janitorial Sup									
2213830	05/01/2016	6.01	0.00	05/24/2016	Trash haul-Act #20132002191-001		-	No		0000
140-140-51050	City Hall Maint/Janitorial Sup									
2213830	05/01/2016	103.95	0.00	05/24/2016	Trash Haul-Act #2013-2002191-001		-	No		0000
220-220-53050	WW Treatment Plant Maintenance									
2213830	05/01/2016	123.43	0.00	05/24/2016	Trash haul-Act #2013-2002191-001		-	No		0000
210-210-53065	Bldg & Yard Maintenance									
2213830 Total:		257.43								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
2213862	05/01/2016	120.00	0.00	05/24/2016	Street debris		-	No		0000
230-230-53045	Street Maintenance	120.00								
	2213862 Total:	377.43								
	SaniPac Total:									
SanMin Sandford Mindy S										
MSandford 3/16	05/03/2016	3.48	0.00	05/24/2016	Mileage--Workshop		-	No		0000
100-100-51075	Travel - Staff									
MSandford 3/16	05/03/2016	0.39	0.00	05/24/2016	Mileage--Workshop		-	No		0000
100-160-51075	Travel - Staff									
MSandford 3/16	05/03/2016	0.39	0.00	05/24/2016	Mileage--Workshop		-	No		0000
130-130-51010	Admin Supplies & Services									
MSandford 3/16	05/03/2016	0.78	0.00	05/24/2016	Mileage--Workshop		-	No		0000
140-140-51075	Travel - Staff									
MSandford 3/16	05/03/2016	0.39	0.00	05/24/2016	Mileage--Workshop		-	No		0000
130-520-51010	Administrative Supplies									
MSandford 3/16	05/03/2016	4.67	0.00	05/24/2016	Mileage--Workshop		-	No		0000
210-210-51010	Admin Supplies & Services									
MSandford 3/16	05/03/2016	4.67	0.00	05/24/2016	Mileage--Workshop		-	No		0000
220-220-51010	Admin Supplies & Services									
MSandford 3/16	05/03/2016	0.39	0.00	05/24/2016	Mileage--Workshop		-	No		0000
230-230-51010	Admin Supplies & Services									
MSandford 3/16	05/03/2016	0.39	0.00	05/24/2016	Mileage--Workshop		-	No		0000
240-240-51010	Admin Supplies & Services									
	MSandford 3/16 Total:	15.55								
	SanMin Total:	15.55								
SpeHoy Speer Hoyt LLC										
35066 GEN	04/30/2016	162.90	0.00	05/13/2016	General legal Services		-	No		0000
100-100-52010	Attorney & Legal Services									
	35066 GEN Total:	162.90								
35067 DRN	04/30/2016	181.00	0.00	05/13/2016	Legal Services-Strm Wtr Draining Ord		-	No		0000
240-240-52010	Attorney & Legal Services									
	35067 DRN Total:	181.00								
35067 GEN	04/30/2016	488.70	0.00	05/13/2016	General legal Services		-	No		0000
100-100-52010	Attorney & Legal Services									
	35067 GEN Total:	488.70								
35067 SWR	04/30/2016	868.80	0.00	05/13/2016	Legal Services-utility billing		-	No		0000
220-220-52010	Attorney & Legal Services									
	35067 SWR Total:	868.80								
35067 WTR	04/30/2016	868.80	0.00	05/13/2016	Legal Services-utility billing		-	No		0000
210-210-52010	Attorney & Legal Services									
	35067 WTR Total:	868.80								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
35068 CRT	04/30/2016	54.30	0.00	05/13/2016	Legal Services-Municipal Court		-	No		0000
100-160-52010	Attorney & Legal Services									
	35068 CRT Total:	54.30								
35070 DRNG	04/30/2016	271.50	0.00	05/13/2016	Legal Services drainage		-	No		0000
240-240-52010	Attorney & Legal Services									
	35070 DRNG Total:	271.50								
35070 STR	04/30/2016	1,086.00	0.00	05/13/2016	Legal Services-TUF Ord		-	No		0000
230-230-52010	Attorney & Legal Services									
	35070 STR Total:	1,086.00								
35070 SWR	04/30/2016	18.10	0.00	05/13/2016	Legal Services-UB Ord		-	No		0000
220-220-52010	Attorney & Legal Services									
	35070 SWR Total:	18.10								
35070 WTR	04/30/2016	18.10	0.00	05/13/2016	Legal Services-UB Ord		-	No		0000
210-210-52010	Attorney & Legal Services									
	35070 WTR Total:	18.10								
Credit	04/30/2016	-271.50	0.00	05/13/2016	Credit--Overpayment March 2016		-	No		0000
100-100-52010	Attorney & Legal Services									
	Credit Total:	-271.50								
	SpeHoy Total:	3,746.70								
<hr/>										
SwaPes Swanson's Pest Mgt										
581815	05/05/2016	33.00	0.00	05/24/2016	Community Ctr pest management		-	No		0000
130-530-52055	Community Ctr Janitorial&Maint									
	581815 Total:	33.00								
581820	05/05/2016	31.20	0.00	05/24/2016	CH pest management		-	No		0000
100-100-51050	Bldg Maint/Janitorial Sup									
581820	05/05/2016	7.80	0.00	05/24/2016	CH pest management		-	No		0000
140-140-51050	City Hall Maint/Janitorial Sup									
	581820 Total:	39.00								
	SwaPes Total:	72.00								
<hr/>										
TherImag Thermo Imaging & Analysis, LLC										
5063	05/05/2016	22.76	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
100-100-51500	Office Equipment & Furniture									
5063	05/05/2016	4.40	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
130-130-51500	Office Equipment & Furniture									
5063	05/05/2016	30.08	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
140-140-51500	Office Equipment & Furniture									
5063	05/05/2016	16.26	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
210-210-51500	Office Equipment & Furniture									
5063	05/05/2016	13.01	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
220-220-51500	Office Equipment & Furnishings									
5063	05/05/2016	8.13	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
230-230-51500	Office Equipment & Furniture									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
5063	05/05/2016	1.61	0.00	05/24/2016	City Hall Kitchen Remodel		-	No		0000
240-240-51500	Office Equipment & Furniture									
	5063 Total:	96.25								
5064	05/05/2016	654.00	0.00	05/24/2016	Street light bulb replace		-	No		0000
230-230-53045	Street Maintenance									
	5064 Total:	654.00								
	TherImag Total:	750.25								
<hr/>										
TyrOil Tyree Oil Inc										
554224-IN	05/02/2016	707.22	0.00	05/24/2016	PowR Clean		-	No		0000
220-220-53050	WW Treatment Plant Maintenance									
	554224-IN Total:	707.22								
	TyrOil Total:	707.22								
<hr/>										
UniRen United Rentals Northwest, Inc.										
137143407-001	05/05/2016	52.49	0.00	05/24/2016	Various equipment rental needs		-	No		0000
210-210-53040	System Maintenance									
137143407-001	05/05/2016	52.49	0.00	05/24/2016	Various equipment rental needs		-	No		0000
220-220-53040	System Maintenance									
137143407-001	05/05/2016	8.43	0.00	05/24/2016	Various equipment rental needs		-	No		0000
210-210-51515	Tools & Small Equipment									
137143407-001	05/05/2016	8.43	0.00	05/24/2016	Various equipment rental needs		-	No		0000
220-220-51515	Tools & Small Equipment									
	137143407-001 Total:	121.84								
	UniRen Total:	121.84								
<hr/>										
VenAce Veneta Ace Hardware										
April 2016	05/17/2016	5.19	0.00	05/24/2016	Various needs		-	No		0000
100-100-51050	Bldg Maint/Janitorial Sup									
April 2016	05/17/2016	9.99	0.00	05/24/2016	Various needs		-	No		0000
220-220-51515	Tools & Small Equipment									
April 2016	05/17/2016	9.99	0.00	05/24/2016	Various needs		-	No		0000
210-210-51515	Tools & Small Equipment									
April 2016	05/17/2016	1.30	0.00	05/24/2016	Various needs		-	No		0000
140-140-51050	City Hall Maint/Janitorial Sup									
April 2016	05/17/2016	6.49	0.00	05/24/2016	Various needs		-	No		0000
210-210-53065	Bldg & Yard Maintenance									
April 2016	05/17/2016	11.87	0.00	05/24/2016	Various needs		-	No		0000
130-130-53210	Park Maintenance									
April 2016	05/17/2016	6.49	0.00	05/24/2016	Various needs		-	No		0000
230-230-53070	Landscape Maint & Supplies									
April 2016	05/17/2016	11.68	0.00	05/24/2016	Various needs		-	No		0000
130-130-53130	Equipment Repairs									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
April 2016	05/17/2016	8.00	0.00	05/24/2016	Various needs		-			No 0000
210-210-53040	System Maintenance									
April 2016	05/17/2016	17.35	0.00	05/24/2016	Various needs		-			No 0000
230-230-53045	Street Maintenance									
April 2016	05/17/2016	4.49	0.00	05/24/2016	Various needs		-			No 0000
210-210-51010	Admin Supplies & Services									
April 2016	05/17/2016	11.68	0.00	05/24/2016	Various needs		-			No 0000
230-230-53130	Equipment Repairs									
April 2016	05/17/2016	4.49	0.00	05/24/2016	Various needs		-			No 0000
220-220-51010	Admin Supplies & Services									
April 2016	05/17/2016	6.49	0.00	05/24/2016	Various needs		-			No 0000
220-220-53065	Bldg & Yard Maintenance									
April 2016	05/17/2016	8.00	0.00	05/24/2016	Various needs		-			No 0000
220-220-53040	System Maintenance									
April 2016 Total:		123.50								
VenAce Total:		123.50								

Report Total: 50,945.81





**CITY OF VENETA - CIVIC CALENDAR - JUNE 2016**

**Veneta Administrative Center - 88184 8th Street, Veneta, Oregon**

1	Veneta Park Board Meeting - City Hall	4:30 p.m.
7	Veneta Planning Commission Meeting - City Hall	6:30 p.m.
8	Veneta Economic Development Committee Meeting - City Hall	2:00 p.m.
13	Veneta City Council Meeting - Includes Public Hearings on the Approved Fiscal Year 2016-17 Budget & Use of State Shared Revenue - City Hall Veneta Urban Renewal Agency Meeting - Includes Public Hearing on the Approved Fiscal Year 2016-17 Budget - immediately following	6:30 p.m.
16	Municipal Court - City Hall	8:30 a.m.
18	Veneta Coommunity Pool Opens - 25190 E. Broadway	Noon
18	Summer Solstice Event - Veneta Community Pool, 25190 E. Broadway	6:00 p.m. to 8:00 p.m.
19	Happy Father's Day	
23	Veneta Business Connect Community Presentation - Domaine Meriwether Vineyard - 88324 Vineyard Ln., Veneta, OR	5:30 p.m.
25	Meet Sgt. Halvorson (Lane County Sheriff's Office contract Sergeant for the City of Veneta) - Fern Ridge Library	1:00 p.m.
27	Veneta City Council Meeting	6:30 p.m.

Calendar updates will be posted on the City's website at [www.venetaoregon.gov](http://www.venetaoregon.gov)  
 This Civic Calendar was sent to: Fern Ridge Review, Fern Ridge School District 28J,  
 Fern Ridge Public Library, and Lane Fire Authority



City of Veneta  
M E M O R A N D U M

**Date:** April 15, 2016  
**To:** City Council  
**From:** Kyle Schauer, Public Works Director  
**Subject:** Monthly Significant Activities Report for March 2016

Water

Monthly water production: Wells-3.714 MG, EWEB-7.273 MG.

Total of 10.987 MG.

Installed four new meters.

Replaced broken meter register.

Replaced one service line due to water leak.

Took five bacteriological samples. All were negative.

Performed 75 service calls.

Delivered 43 Shut Off Notices.

Performed five shut offs for non-payment.

Completed annual inspection of all water services.

Made repairs from list generated from water service inspections.

Replaced leaking fittings on surface wash system of filters in Water Plant.

Wastewater

Took five influent and five effluent samples of treatment plant. No violations.

Monitored Jeans and Pine Street lift pump stations.

Assisted contractor with Air-Piping project at WWTP.

Rebuilt engine on Big Gun irrigator.

Installed new carburetor on Big Gun Irrigator.

Fabricated grates around new air valves at WWTP.

Widened driveway for sludge trucks on Territorial property.

Assisted contractor with video inspection of wastewater collection system (basins 2 and 3).

Repaired broken air diffuser at WWTP.

Street/Storm Drainage

Issued two Right of Way Construction Permits.

Replaced/repared three street signs.

Applied rock to alleyway between Broadway and Dunham from 3<sup>rd</sup> to 4<sup>th</sup> Street.

Repaired Potholes on gravel section of East Hunter.

Monitored and cleaned out drainages during high rain.

### Parks & Recreation

Cleaned parks weekly.

Removed wind-blown debris from all parks.

Restored picnic table at Ralph Johnson Park.

Trimmed up bushes around all City owned buildings.

Cleaned up landscape areas of Downtown.

Cut back bushes and reestablished flower beds at Farmer's Market site.

Mowed all parks weekly.

Began cleaning up and leveling ground at City Park. Added topsoil.

### Other

Completed six miscellaneous service orders.

Performed 21 utility locates.

Community center use: paying-nine, non-profit-six

Building Permits: Six

Certificates of Occupancy: Two

Dispatched two turkeys.

Removed lift gate from old orange box truck and re-installed on newer white box truck.

Installed new brakes on white box truck.

Removed cabinets from old City Hall break room to make room for new workspace.

Assisted with preparation, set up, and take down of Easter Egg Hunt.

City of Veneta  
M E M O R A N D U M

**Date:** May 17, 2016  
**To:** City Council  
**From:** Kyle Schauer, Public Works Director  
**Subject:** Monthly Significant Activities Report for April 2016

Water

Monthly water production: Wells-5.264 MG, EWEB-6.392 MG.

Total of 11.658 MG.

Installed four new meters.

Replaced broken meter register.

Replaced one service line due to water leak.

Took five bacteriological samples. All were negative.

Performed 72 service calls.

Delivered 41 Shut Off Notices.

Performed zero shut offs for non-payment.

Worked Fire District to conduct Hydrant testing and flushing.

Sent out letters requesting backflow device testing.

Ordered parts and made repairs to three hydrants.

Repaired service line leak on 6<sup>th</sup> Street.

Drained Broadway 2MG reservoir for warranty inspection of recoating.-No issues.

Made transition to EWEB water while reservoir was out of service.

Re-filled Broadway 2MG reservoir and put back into service.

Wastewater

Took five influent and five effluent samples of treatment plant. No violations.

Monitored Jeans and Pine Street lift pump stations.

Assisted contractor with Air-Piping project at WWTP.

Assisted contractor with video inspections of collection system.

Mowed out the effluent piping lines in the field in preparation of setting out irrigation pipe.

Street/Storm Drainage

Issued two Right of Way Construction Permits.

Replaced/repared three street signs.

Cleaned up and repaired several No Parking and Stop signs throughout town.

Repainted Railroad Crossing markings on Huston.

Lots of mowing around detention ponds, swales, and City owned properties.

Removed two hazard trees from detention pond area off Trinity.

Mowed the side slopes of the 8<sup>th</sup> Street overpass.

Trimmed up branches on 6<sup>th</sup> Street.

Parks & Recreation

Cleaned parks weekly.

Mowed all parks weekly.

Cleaned up sections of City Park. Added new soil and planted grass seed.

Inserted new repair shingles onto roof of Community Center to repair high wind damage.

Repainted the basketball court markings at Territorial Park.

Other

Completed six miscellaneous service orders.

Performed 27 utility locates.

Community center use: paying-nine, non-profit-five

Building Permits: Six

Certificates of Occupancy: Two

Removed cabinetry, made wall repairs, and painted remodeled work space where old break room was.

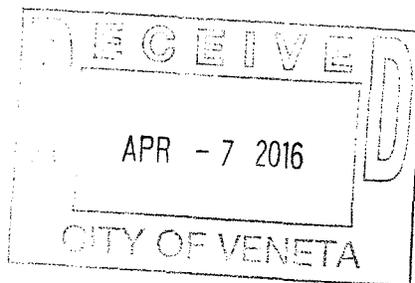
Dispatched two turkeys.

Removed signs from the Right of Ways weekly.

Identified surplus items for disposal process.

Began preparations and staging for the City Wide Clean-Up.

City of Veneta, Attn: Darci Henneman  
VENETA  
PO Box 458  
Veneta, OR 97487



### RENEWAL NOTIFICATION PROCESS

It's time again for liquor license renewals in your area. Liquor licenses are due to expire **6/30/2016**. Attached is the list of licensees who are required to submit their renewal application to local government for comment. According to our records you charge:

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\$25.00 Renewal Fee for ON-PREMISES    \$25.00 Renewal Fee for OFF-PREMISES

We told applicants to mail your local government fees to the address on this letter.  
**PLEASE NOTIFY US IMMEDIATELY IF THE FEE(S) OR ADDRESS ARE INCORRECT**

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### HOW TO MAKE A RECOMMENDATION

**You have until 6/3/2016 to make your recommendation. Below are your options for renewals:**

#### **RECOMMEND APPROVAL**

1. **DO NOTHING.** If you do not submit a recommendation by **6/3/2016**, the OLCC will process the renewal application as a favorable recommendation.

#### **RECOMMEND DENIAL (see additional information on page 2)**

1. File an unfavorable recommendation, stating the grounds for the unfavorable (must meet the denial criteria on back of form); **OR**
2. Make a written request for additional time to complete an investigation. The request must state: 1) you are considering making an unfavorable recommendation; 2) the specific grounds being considered. **The grounds must be one referenced in Oregon Administrative Rule 845-005-0308(3).** If your request is granted you will be given a 45-day extension to file your unfavorable recommendation. Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

If you need assistance or would like to discuss a specific application, please contact your local OLCC office for help. Please send renewal recommendation correspondence to [OLCC.Renewals@oregon.gov](mailto:OLCC.Renewals@oregon.gov) or OLCC License Renewals, P.O. Box 22297, Portland, OR 97269-2297. If you have questions, contact our license renewal section at 503.872.5138 or toll free at 1.800.452.6522 ext 5138.

**REASONS WE MAY DENY OR RESTRICT A LICENSE**  
**ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322**  
**845-005-0325, 845-005-0326(4)(5) or 845-005-0355**

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC can consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location. The problems can include:

obtrusive or excessive noise, music or sound vibrations  
public drunkenness  
fights or altercations  
harassment  
unlawful drug sales  
alcohol or related litter

OLCC is not able to consider the following issues when deciding to renew a liquor license:

lack of parking  
increase in traffic  
too many licenses in a specific area (saturation)  
entertainment type - nude dancing, gambling, live bands, etc.  
increased noise  
zoning issues

Visit [www.oregon.gov/olcc/](http://www.oregon.gov/olcc/) to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

# MEMORANDUM

TO: Sgt. Billy Halvorson, Lane County Sheriff's Office

DATE: May 18, 2016

FROM: Darci Henneman, City Recorder

SUBJECT: Request for review of Annual Liquor License Renewals

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Attached is a list of businesses which have requested renewal of their liquor licenses. The City has been given the opportunity to provide recommendations to OLCC for any of the businesses on the list or to request additional time to investigate any of the requests for renewal.

Please **initial and date** below if (1) you recommend unconditional approval of all the businesses listed, (2) recommend approval of any business with conditions, or (3) recommend any business for denial. This list will be submitted to the Veneta City Council at the **May 23, 2016** City Council meeting.

 05/17/16 UNCONDITIONAL APPROVAL

\_\_\_\_\_ APPROVAL WITH CONDITIONS (please use reverse side of this memorandum)

\_\_\_\_\_ DENIAL (please use reverse side of this memorandum)

Conditions of Approval:

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Denial:

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<u>License No./ Premises No.</u>	<u>Tradenname/Licensee/License Type</u>	<u>Premises Address &amp; Phone</u>	<u>Premises Mailing Address</u>
Lic. 220124 Prem. 36144	<b>BI-MART #669</b> BI-MART CORP O - OFF-PREMISES SALES	25126 JEANS RD VENETA, OR 97487 541-935-0902	PO BOX 2310 EUGENE, OR 97402
Lic. 224047 Prem. 40757	<b>BONNE CHANCE BISTRO</b> SILVER DOLLAR SALES GROUP LLC L - LIMITED ON-PREMISES SALES	88338 TERRITORIAL RD VENETA, OR 97487 541-957-8341	PO BOX 41707 EUGENE, OR 97402
Lic. 231355 Prem. 55152	<b>BROADWAY GRILL</b> CAROLYN F. CURTIS O - OFF-PREMISES SALES	24992 W BROADWAY VENETA, OR 97487 541-935-4477	PO BOX 638 VENETA, OR 97487
Lic. 231356 Prem. 55153	<b>BROADWAY GRILL</b> CAROLYN F. CURTIS L - LIMITED ON-PREMISES SALES	24992 W BROADWAY VENETA, OR 97487 541-935-4477	PO BOX 638 VENETA, OR 97487
Lic. 222948 Prem. 53331	<b>COUNTRYSIDE PIZZA &amp; GRILL VENETA</b> COUNTRYSIDE PIZZA & GRILL VENETA INC F-COM - FULL ON-PREMISES SALES	88278 TERRITORIAL RD VENETA, OR 97487 541-935-5551	PO BOX 1205 VENETA, OR 97487
Lic. 222288 Prem. 4788	<b>CRAZY AL'S BAR &amp; GRILL</b> G HEIKEN ENTERPRISES INC F-COM - FULL ON-PREMISES SALES	88186 FOURTH ST VENETA, OR 97487 541-935-3222	PO BOX 160 VENETA, OR 97487
Lic. 220392 Prem. 52093	<del><b>DANIELLE TASTE VENETA</b></del> DANIELLE TASTE VENETA LLC L - LIMITED ON-PREMISES SALES	88330 TERRITORIAL VENETA, OR 97487 541-517-5124	
Lic. 220393 Prem. 52092	<del><b>DANIELLE TASTE VENETA</b></del> DANIELLE TASTE VENETA LLC O - OFF-PREMISES SALES	88330 TERRITORIAL VENETA, OR 97487 541-517-5124	
Lic. 220467 Prem. 7940	<b>DARI MART STORE #27</b> DARI-MART STORES INC O - OFF-PREMISES SALES	88198 TERRITORIAL RD VENETA, OR 97487 541-935-7834	125 E 6TH AVE JUNCTION CITY, OR 97448
Lic. 220417 Prem. 35296	<b>DS MART</b> DS MARKET INC O - OFF-PREMISES SALES	87754 TERRITORIAL RD VENETA, OR 97487 541-935-3051	
Lic. 221396 Prem. 53318	<b>HO HO RESTAURANT</b> YONG HO HO RESTAURANT INC L - LIMITED ON-PREMISES SALES	88114 TERRITORIAL RD VENETA, OR 97487 541-935-7833	
Lic. 220597 Prem. 40758	<b>I XTAPA MEXICAN RESTAURANT</b> I XTAPA VENETA INC F-COM - FULL ON-PREMISES SALES	24965 HWY 126 VENETA, OR 97487 541-935-5765	
Lic. 220586 Prem. 51213	<b>MAIN STREET MARKET 3</b> I & N INC O - OFF-PREMISES SALES	24927 HWY 126 VENETA, OR 97487 541-935-0942	2902 MT VERNON ST SE ALBANY, OR 97322
Lic. 223439 Prem. 26904	<b>OUR DAILY BREAD</b> FEATHERBENDERS LLC F-COM - FULL ON-PREMISES SALES	88170 TERRITORIAL RD VENETA, OR 97487 541-935-4921	PO BOX 602 VENETA, OR 97487
Lic. 223440 Prem. 26904	<b>OUR DAILY BREAD</b> FEATHERBENDERS LLC O - OFF-PREMISES SALES	88170 TERRITORIAL RD VENETA, OR 97487 541-935-4921	PO BOX 602 VENETA, OR 97487

<u>License No./ Premises No.</u>	<u>Tradename/Licensee/License Type</u>	<u>Premises Address &amp; Phone</u>	<u>Premises Mailing Address</u>
Lic. 224007 Prem. 52409	<b>PLOUGH MONDAY BREWING</b> PLOUGH MONDAY BREWING LLC BP - BREWERY - PUBLIC HOUSE	25327 JEANS RD VENETA, OR 97487 541-510-2128	22887 W SHEFFLER RD ELMIRA, OR 97437
Lic. 223615 Prem. 4789	<b>RAY'S FOOD PLACE #39</b> C & K MARKET INC O - OFF-PREMISES SALES	25013 HWY 126 VENETA, OR 97487 541-935-1811	850 O'HARE PKWY #100 MEDFORD, OR 97504
Lic. 219812 Prem. 16152	<b>SHELL 324</b> ARS FRESNO LLC O - OFF-PREMISES SALES	25547 HWY 126 VENETA, OR 97487 541-935-4518	2204 S EL CAMINO ROYAL SU OCEANSIDE, CA 92054
Lic. 228034 Prem. 53209	<b>VENETA LIQUOR BEER WINE &amp; SMOKES</b> TERESA H. LEE O - OFF-PREMISES SALES	24961 HWY 126 VENETA, OR 97487 541-935-3224	PO BOX 124 VENETA, OR 97487
Lic. 222877 Prem. 48750	<b>WINERIES WITHOUT WALLS</b> FERN RIDGE CHAMBER OF COMMERCE O - OFF-PREMISES SALES	24949 HWY 126 VENETA, OR 97487 541-935-8443	PO BOX 335 VENETA, OR 97487
Lic. 223518 Prem. 48750	<b>WINERIES WITHOUT WALLS</b> FERN RIDGE CHAMBER OF COMMERCE L - LIMITED ON-PREMISES SALES	24949 HWY 126 VENETA, OR 97487 541-935-8443	PO BOX 335 VENETA, OR 97487
Lic. 223873 Prem. 7790	<b>YUKON JACK'S STEAKHOUSE &amp; SALOON</b> YUKON JACK'S STKHSE & SALOON INC F-COM - FULL ON-PREMISES SALES	24967 W BROADWAY VENETA, OR 97487 541-935-1921	PO BOX 291 VENETA, OR 97487

Count for VENETA

22

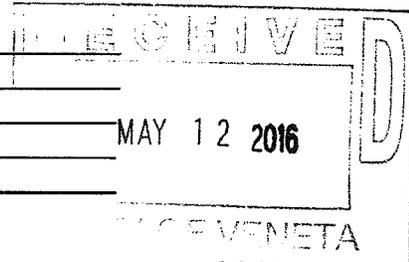


PO Box 458 \* Veneta, OR 97487 \* 541-935-2191 \* Fax 541-935-1838 \* www.venetaoregon.gov

This form must be submitted to Veneta City Hall no later than three weeks prior to the date requested. Applications will be processed on a first come, first serve basis. All banners are subject to appropriate jurisdictional approval. Banners are only allowed for the following entities: governmental entities, special district organizations, non-profit organizations. Banners shall be permitted to promote only the following activities: public service activity which provides benefits to the community as a whole; artistic or literary activities, provided that artistic shall include music and the performing arts; scholastic activities which are defined as activities sponsored by organizations which carry on general education activities. Banners may display the name, slogan, advertising, logo or trademark of any sponsor of the activity. Banners shall not be permitted to advertise the following: promote or be sponsored by any political candidate/party, religious, issue group, or be carried on for the purpose of earning a profit.

1. Organization Information

Entity: Oregon Country Fair  
 Purpose: event  
 Contact Person: Crystalyn Antuchovich  
 Phone Number: 541-348-4298  
 Email: crystalyn@oregoncountryfair.org



2. Permit Information

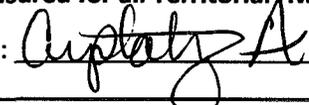
Event Date 7-8-16-7-10-16  
 Requested time period for banner display: Start Date 6-23-16 End Date 7-13-16  
 Requested banner location:

- Luther Ln (Lane Electric Cooperative)
- Territorial Hwy (Emerald PUD)  
 ODOT Banner Application must accompany Veneta permit

**Please attach a copy of the proposed banner.  
 Banner must meet Lane Electric and/or ODOT specifications.**

3. Proof of Insurance

Please attach a copy of proof of insurance listing both city and the respective utility as additionally insured for the proposed dates (ODOT will need to be listed as additionally insured for all Territorial Hwy banners).

Signature:  Date: 5-12-16

**City of Veneta use only below line**

Date Received in City Hall: \_\_\_\_\_ Time Received: \_\_\_\_\_  
 Received By: \_\_\_\_\_  
 Public Works Approval: \_\_\_\_\_  
 Date applicant notified of decision: \_\_\_\_\_  
 Application forwarded to (circle one):  ODOT  Lane Electric  EPUD  
 Further action requested:  Yes  No  
 If yes, explain: \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/9/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> JD Fulwiler & Co. Insurance, Inc. 5727 SW Macadam Ave PO Box 69508 Portland OR 97239	<b>CONTACT NAME:</b> Kim Hutchinson	
	<b>PHONE (A/C, No, Ext):</b> (503)293-8325	<b>FAX (A/C, No):</b> (503)293-5418
<b>E-MAIL ADDRESS:</b> khutchinson@jdfulwiler.com		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> Great Divide Insurance Co.		
<b>INSURER B:</b> Saif Corporation		<b>36196</b>
<b>INSURER C:</b>		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**COVERAGES** **CERTIFICATE NUMBER: 2016 to 2017** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		CPA 1003286	4/1/2016	4/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 Blanket Additional Insured \$
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			CAA 1002552	4/1/2016	4/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Underinsured motorist BI \$ 1,000,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			CUA 1002553	4/1/2016	4/1/2017	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) if yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	973663	4/1/2016	4/1/2017	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**Re: Banner Permit**  
 Certificate Holder is added as additional insureds as respects operations of the named insured in accordance with the policy terms, conditions & exclusions.

<b>CERTIFICATE HOLDER</b>  Lane Electric 787 Bailey Hill Rd. Eugene, OR 97402	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  Kim Hutchinson/KIMH <i>Kim Hutchinson</i>
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<b>PRODUCER</b> JD Fulwiler & Co. Insurance, Inc. 5727 SW Macadam Ave PO Box 69508 Portland OR 97239		<b>CONTACT NAME:</b> Kim Hutchinson <b>PHONE (A/C, No. Ext):</b> (503)293-8325 <b>FAX (A/C, No):</b> (503)293-5418 <b>E-MAIL ADDRESS:</b> khutchinson@jdfulwiler.com	
<b>INSURED</b> Oregon Country Fair 442 Lawrence St Eugene OR 97401		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Great Divide Insurance Co. INSURER B: Saif Corporation INSURER C: INSURER D: INSURER E: INSURER F:	<b>NAIC #</b> 36196

**COVERAGES** CERTIFICATE NUMBER: 2016 to 2017 REVISION NUMBER:

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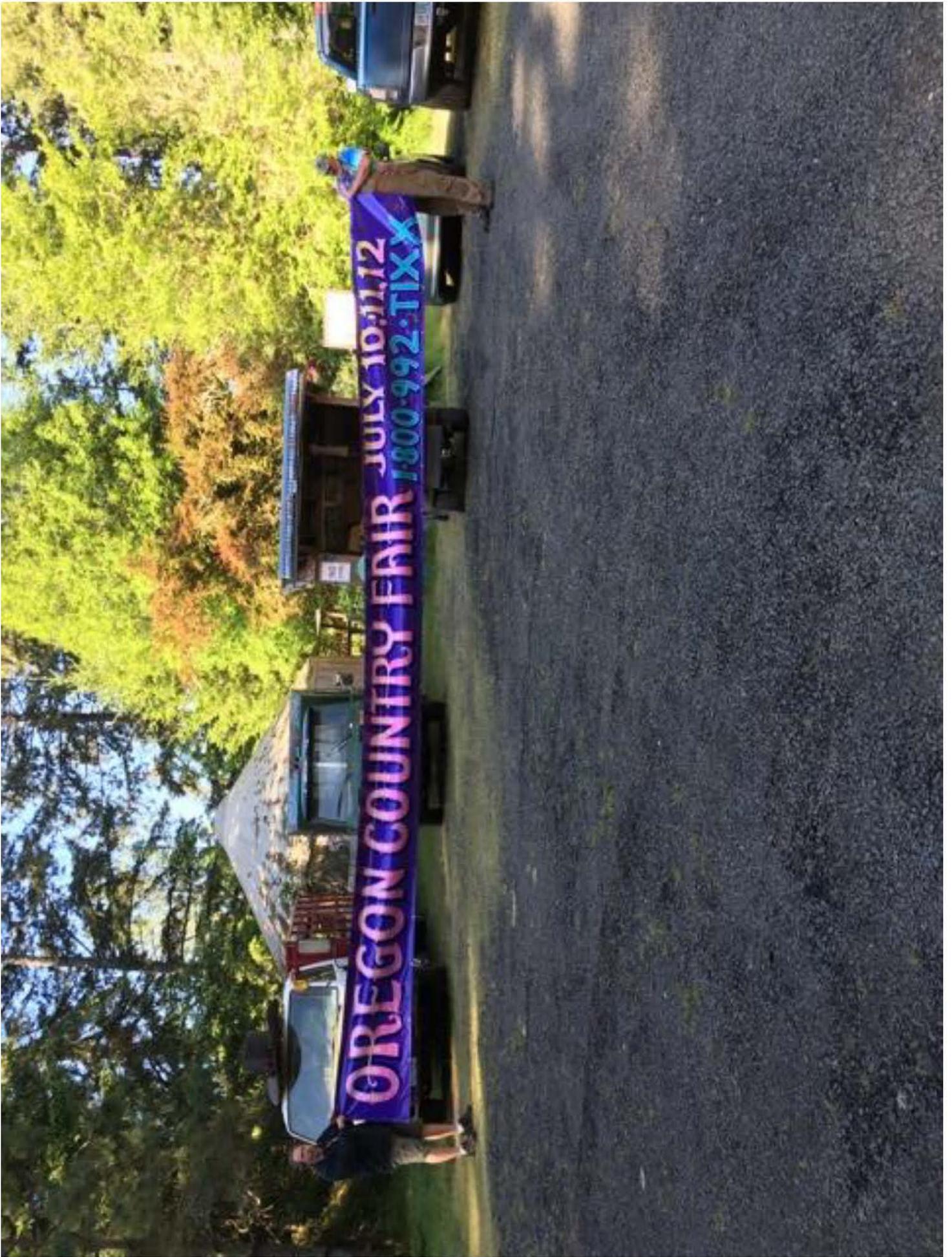
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Certificate Holder is added as additional insureds as respects operations of the named insured in accordance with the policy terms, conditions & exclusions.

<b>CERTIFICATE HOLDER</b> (541)935-1838  City of Veneta 88184 8th Street PO Box 458 Veneta, OR 97487	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE Kim Hutchinson/KIMH <i>Kim Hutchinson</i>
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## City of Veneta Proclamation

WHEREAS, Volunteers in Medicine opened their doors on February 1, 2001 and are now celebrating their 15 year anniversary; and

WHEREAS, serving the health and wellness needs of the medically under-served in the greater Lane county area; and

WHEREAS, providing access to primary health care, behavioral health services, assistance with prescription medications, laboratory services, women's health care, and lifestyle counseling; and

WHEREAS, those rendered invisible and excluded find open arms and hearts to reach out and include them with healing hands to touch their lives with love

WHEREAS, annually, there are 5,633 patient visits, \$1.45 million worth of prescriptions donated, and \$411,988 worth of hours donated by volunteers;

WHEREAS, by the end of this year Volunteers in Medicine will have provided 135,000 patient visits at no charge to the patients.

NOW, THEREFORE, I, Sandra H. Larson, Mayor of Veneta, Oregon, do hereby proclaim Friday, June 3, 2016 as

### Volunteers in Medicine Day

In the City of Veneta, and encourage all citizens and businesses to join in the celebration thereof and to support efforts to promote the well-being and health of all citizens.

Signed and Sealed this 23<sup>rd</sup> day of May, 2016

XXXXXXXXXXXXXXXXXXXX

Sandra H. Larson, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXX

Darci Henneman, City Recorder



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## MEMORANDUM

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**TO:** Mayor and Council  
**FROM:** Len Goodwin,  
Chair, Economic Development Committee  
**SUBJECT:** Committee Update  
**DATE:** MAY 23, 2016  
**CC:** Ric Ingham

---

This memorandum will update the council on recent activities of the Economic Development Committee.

The Committee has been deeply involved in supporting the Business Retention and Expansion program (“Veneta Business Connect”) undertaken by the Rural Development Initiative. RDI expects to issue its report in late June. During the process of developing the program, several members of the Committee participated in sessions to design the outreach effort and determine which businesses to select for detailed interviews. In addition, several members of the Committee participated as interviewers in the outreach exercise. Committee participants viewed the Veneta Business Connect program as a very positive initiative, and are very supportive of finding an appropriate mechanism to make to outreach effort an annual ongoing activity, although it was the consensus of the committee that some independent entity, like the Chamber of Commerce, should be consider as the vehicle for an ongoing effort.

Following a community open house held on January 14, 2016 to seek input from local businesses, the Committee prioritized follow up items gleaned from the open house. The high-priority items were:

- Highway 126 problems
- Shortage of quality, affordable commercial and office space
- Problematic downtown (away from Highway, undeveloped, not visible, etc.) and Signage/visibility (of the City, downtown, Farmers Market, businesses, etc.)
- High development/permit fees (both residential and commercial)

One of the priorities the Committee has identified independently, in addition to those offered by the community, is the state of telecommunications facilities in the area. The Committee met with representatives of CenturyLink to review the state of telecommunications facilities in the area. Karen Stewart and several engineering staff attended. CenturyLink now has two fiber nodes in the area. One is at the entrance to the Southwest Area Plan properties and the second on Ellmaker Road. Gigabit ethernet can be extended from those nodes to individual residences and businesses, and apparently the company has reached an agreement with Hayden Homes to extend high speed infrastructure in to the new development. As is common, CenturyLink said plans to expand the fiber and

high speed network would be driven by demand. They urged the City to require ethernet cabling in new development, a practice that would make it easier to extend high speed service within a residence without using surface wiring. Century Link suggested they would absorb the additional cost, but made no commitments on that score. It is unclear how likely expansion of higher speed service is likely without some additional support from either property owners or the City. The Committee will invite representatives of other telecommunications providers to discuss what services they can offer.

Recently, the Committee invited the Governor's Regional Solutions Team and Lane County Economic Development staff to discuss how Veneta might move economic development efforts forward. A consensus at that meeting was that more intensive efforts to persuade ODOT to move on improvements to the Highway 126 corridor, as recommended in the 2013 Fern Ridge Corridor Plan, was the highest priority for regional cooperation. Since then, a staff group involving City, County and ODOT officials has begun meeting to develop a strategy for either a project for inclusion in the 2002 State Transportation Improvement Plan, or for legislative action as part of a 2017 transportation package approved by the Legislative Assembly. Such a package seems to be a major priority of the Legislature after the failure to develop such a package in the 2015 session. Prospects for 2017 action are, however, far from certain. At that time the Committee also reviewed the County's rural economic development plan.

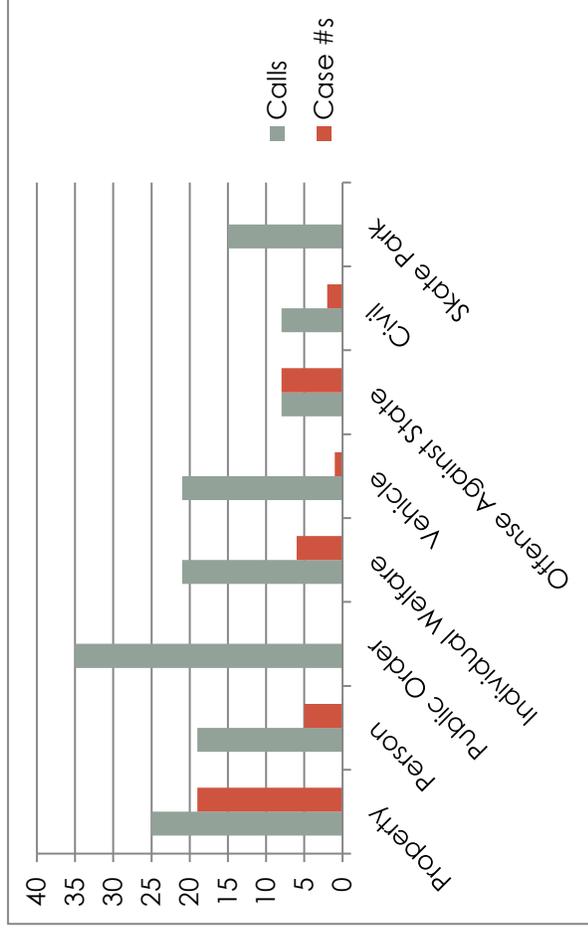
On behalf of the Committee I would like to express our thanks and appreciation for the efforts of Claudia Denton, the City's RARE intern. Without her diligent efforts little of these success would have been possible.

# City of Veneta Monthly Police Activity- March 2016

Prepared by Sgt. Billy Halvorson, LCSO

## Calls for Service by Incident Types:

<u>Incident Type</u>	<u>Calls</u>	<u>Case #s</u>
<u>Property</u>	25	19
<u>Person</u>	19	5
<u>Public Order</u>	35	0
<u>Individual Welfare</u>	21	6
<u>Vehicle</u>	21	1
<u>Offense Against State</u>	8	8
<u>Civil</u>	8	2
<u>Skate Park</u>	15	
<b><u>Total</u></b>	<b>152</b>	<b>41</b>



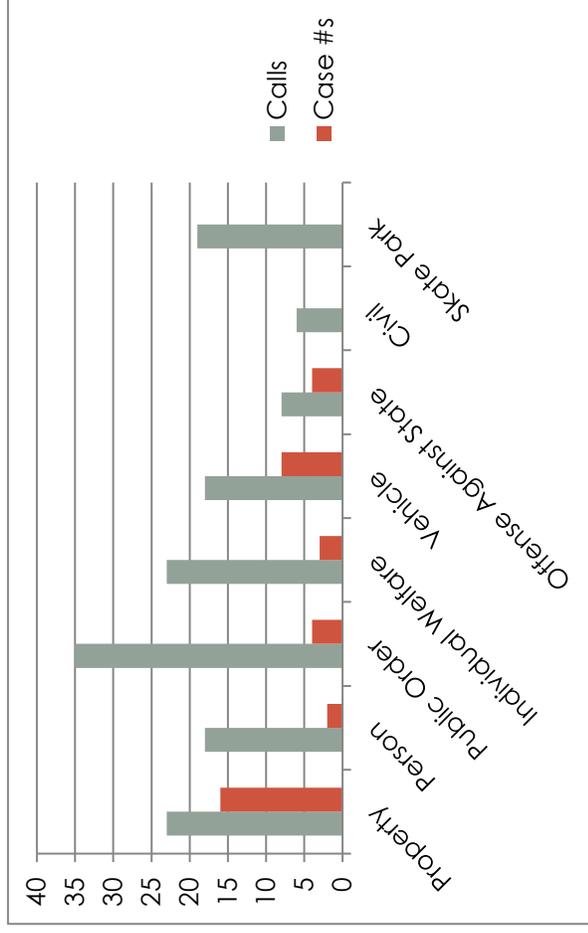
- Property** (Thefts, Criminal Mischief, Trespass)
- Person** (Assaults, Menacing, Harassment, Viol. Restraining Order)
- Public Order** (Disorderly Subjects, Suspicious Vehicles/Persons)
- Individual Welfare** (Welfare Checks, Missing Persons, Overdose, Suicidal Subjects)
- Vehicle** (DUI, DWS, Illegal Parking/Vehicles, Traffic Hazard)
- Offense Against State** (Drug, Warrants)
- Civil** (Civil Service, Eviction Process)

# City of Veneta Monthly Police Activity- April 2016

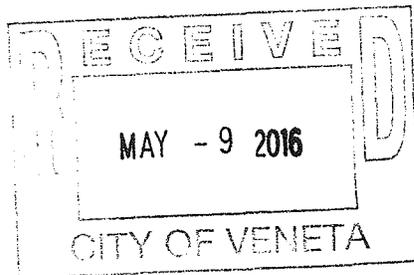
Prepared by Sgt. Billy Halvorson, LCSO

## Calls for Service by Incident Types:

<u>Incident Type</u>	<u>Calls</u>	<u>Case #s</u>
<u>Property</u>	23	16
<u>Person</u>	18	2
<u>Public Order</u>	35	4
<u>Individual Welfare</u>	23	3
<u>Vehicle</u>	18	8
<u>Offense Against State</u>	8	4
<u>Civil</u>	6	0
<u>Skate Park</u>	19	
<b><u>Total</u></b>	<b>150</b>	<b>37</b>



- Property** (Thefts, Criminal Mischief, Trespass)
- Person** (Assaults, Menacing, Harassment, Viol. Restraining Order)
- Public Order** (Disorderly Subjects, Suspicious Vehicles/Persons)
- Individual Welfare** (Welfare Checks, Missing Persons, Overdose, Suicidal Subjects)
- Vehicle** (DUI, DWS, Illegal Parking/Vehicles, Traffic Hazard)
- Offense Against State** (Drug, Warrants)
- Civil** (Civil Service, Eviction Process)



Dear Community Member,

The Fern Ridge Library is celebrating its 50<sup>th</sup> year in operation. We are having a party to commemorate our anniversary, which will include a silent auction, music and entertainment for the whole family. The proceeds raised will go to the Fern Ridge Library Foundation endowment fund, which helps the library to cover many of its operating costs.

Our hope is that you would consider donating an item or service to our celebration. In return you would receive advertising as a donor to the community members in attendance. Your name or company's name would be placed on a prominent sign in the library, along with other event sponsors, as a supporter of the library's future. You would also be recognized in an ad in the Fern Ridge Review, which has a readership of over 1100. The Fern Ridge Library Foundation is a 501(c)(3) non-profit organization, Tax ID#93-1198874.

Please take a moment to consider our request. Donating is easy. You may:

- Mail your donation to 88026 Territorial Rd Veneta, OR 97487
- Email your donation information to [begood4now@yahoo.com](mailto:begood4now@yahoo.com)
- Schedule a pick up for your donation by calling Steve at 541-914-3400

On behalf of the Board of Directors, library staff and our patrons, we want to thank you for your generous donation. With your help we're able to provide a secure future for the library for generations to come.

If you have any questions about the celebration or the library, please feel free to call Steve at 541-914-3400.

With Gratitude,

Steve Brock  
Board Member  
Fern Ridge Public Library District





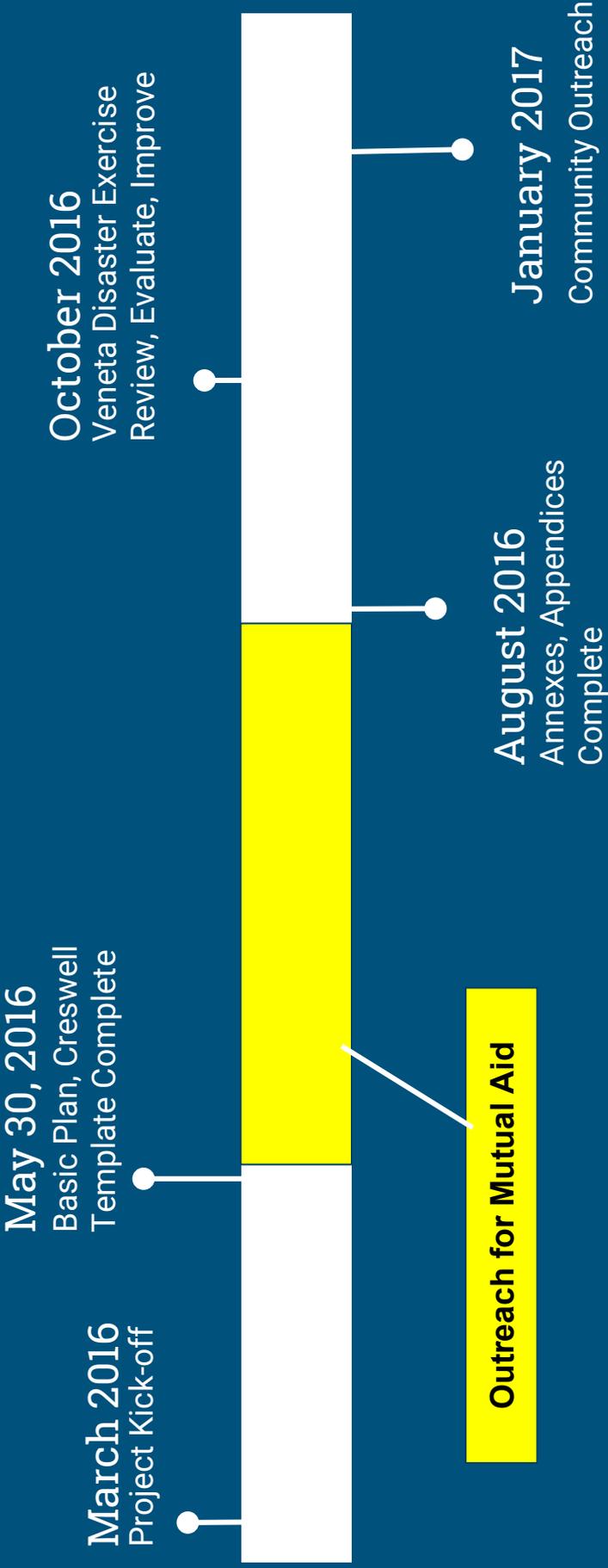
City of Veneta & Lane Fire Authority  
**Emergency Operations  
Plan**



Julie Reid, MPH  
Emergency Preparedness Specialist



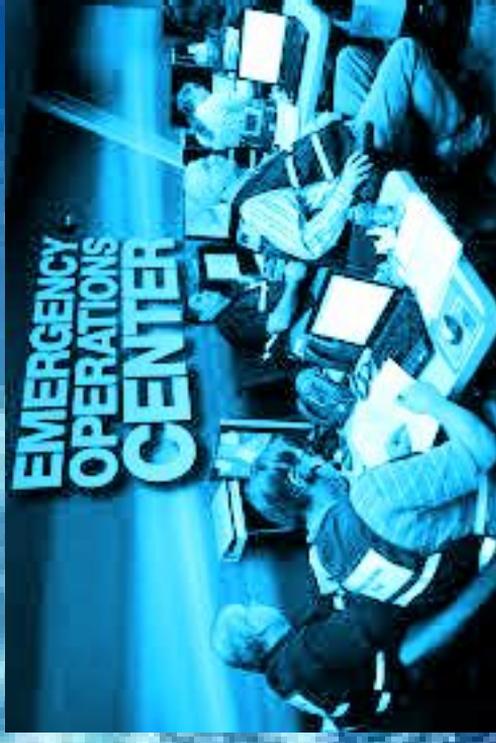
# Timeline 2016



- What happens to our government?
- Who is involved?
- Who are the decision-makers, and what do they decide??
- How will I know what to do?

# SYSTEMS

An Interconnecting Network



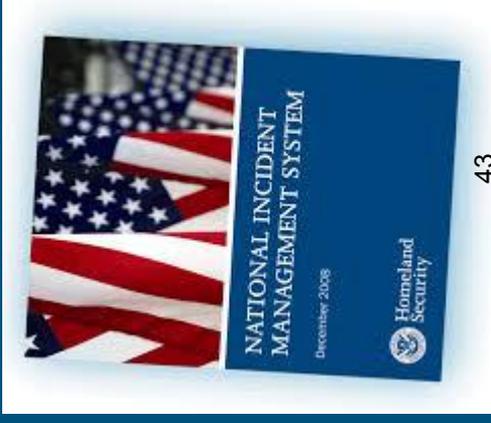
**WHAT HAPPENS WHEN EXISTING SERVICES ARE DISABLED OR DISRUPTED?**



**ADMINISTRATION**  
 Finance + Law + Animal Control  
 Parks + Planning + Public Safety  
 May 23, 2016 Veneta City Council Packet

# SYSTEMS : NIMS, NRF & ICS

- National Incident Management System
- National Response Framework
- Incident Command System





Respond as usual, THEN..

- EOP/EOC kicks in
- Shift into City EMO
- Incident Responders & Incident Support



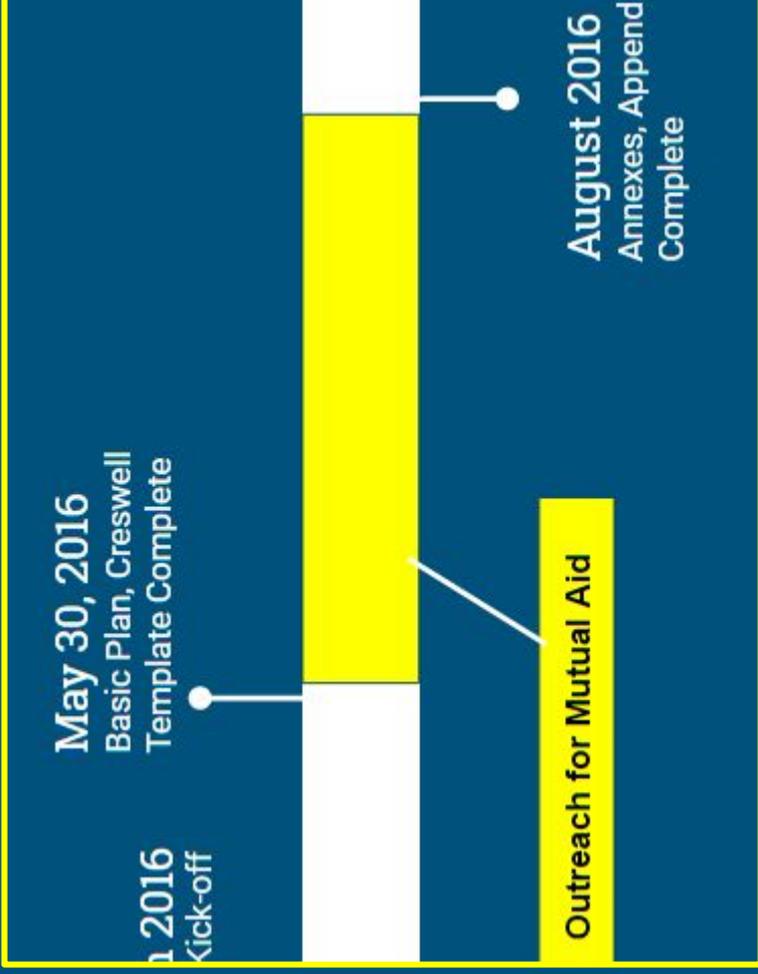
→ **IT WORKS**

→ **Compliance** is a condition of OEM Grant funds

→ **ALL DISASTERS ARE LOCAL**

# Mutual Aid Agreements

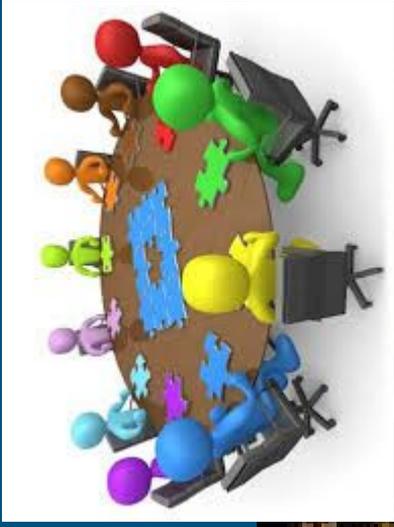
- ☐ Services
- ☐ Equipment
- ☐ Supplies
- ☐ Human Resources



# Drill & Tabletop

October 2016  
Veneta Disaster Exercise  
Review, Evaluate, Improve

October 2016



# Let's see how.

## SITUATION

- ❑ End of a long, hot, dry summer.
- ❑ Many firefighters are fighting fires in other locations
- ❑ It's 4th of July weekend



# 4th of July Conflagration



- ❑ Alert and Notification system
- ❑ Incident Command System
- ❑ NIMS
- ❑ A Joint Operations Center
- ❑ Declaration of disaster
- ❑ A Public Information Officer keeps the public accurately informed.

# Public Outreach

ber 2016  
a Disaster Exercise  
y, Evaluate, Improve



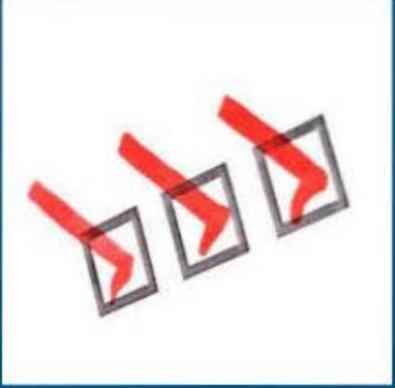
January 2017  
Community Outreach

**Building a resilient future ...**

**Celebrating place.**  
Building local self-reliance.

**Engaging diverse community residents & leaders**

**Completing hazard mitigation & climate adaptation work**



**Map Your Neighborhood - MYN**

**Neighborhood Disaster Readiness**

**Remember...**  
Remember to take the 9 clusters from the 9 Steps described in the booklet

**KU** KU Health Department  
The University of Kansas  
616-235-2222

**EM** Emergency Management  
The University of Kansas  
785-843-8222

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“Do the greatest good for the  
greatest number of people”



**CITY OF VENETA**

**ORDINANCE NO. 528**

**AN ORDINANCE AMENDING THE VENETA LAND DEVELOPMENT ORDINANCE NO. 493 AND LAND DIVISION ORDINANCE NO. 494 RELATING TO PARKING LOT LOCATION AND PROPERTY LINE ADJUSTMENT STANDARDS**

**WHEREAS**, the City recognizes the need to allow flexibility in parking lot location design standards for challenging sites through an alternate design process; and

**WHEREAS**, the City wishes to update the Land Division Ordinance, to provide clarity and consistency with Oregon Revised Statutes ORS 92.010(12), which defines “property line adjustment”, to more fully implement the goals and policies of the Veneta Comprehensive Plan; and

**WHEREAS**, pursuant to Section 11.0 of Veneta Land Development Ordinance No. 493, the Veneta Planning Commission initiated amendments to the City’s provisions on February 2, 2016; and

**WHEREAS**, the Planning Commission held a properly noticed public hearing on the proposed amendments on April 5, 2016, and adopted findings of fact, and recommended to the City Council that Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494 be amended as presented in this Ordinance; and

**WHEREAS**, the Veneta City Council held a properly noticed public hearing on May 9, 2016 and took testimony on this matter; and

**WHEREAS**, the code revisions comply with applicable provisions of the Veneta Comprehensive Plan, Land Development Ordinance No. 493 and Land Division Ordinance No. 494 as shown in the Findings of Fact attached as Exhibit A; and

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1** The City hereby adopts the Findings of Fact set forth above and in the attached Exhibit A as its basis for adopting the following amendments to Land Development Ordinance No. 493 and Land Division Ordinance No. 494.

**Section 2** Amend Veneta Land Development No. 493 Ordinance Section 5.13(2)(l) as follows:

“Where new off-street parking is to be provided in the RC, and BC, and CC zones, it shall not be located between a buildings’ primary entrance and any street, except as approved through Track 2 Site Plan Review. (see figure 5.13(d) below).”

**Section 3** Amend Veneta Land Development Ordinance No. 493 Section 5.20(3)(c) and add new subsection (d) as follows:

“(c) Parking lots and loading docks for new public, and semi-public buildings shall be located to the side or rear of the building, except as approved through Track 2 Site Plan Review.”

“(d) Loading docks for new commercial, industrial, public, and semi-public buildings shall be located to the side or rear of the building.”

**Section 4** Amend Veneta Land Development Ordinance No. 493, Section 6.05(2) as follows:

“Alternatives to the Commercial and Mixed Use Design Standards of Section 5.13, or Residential Design Standards of Section 5.29 or Off Street Parking Location Standards Section 5.20(3)(c) may be granted by the Planning Commission following a public hearing where the Commission finds that the alternative design.”

**Section 5** Amend Veneta Land Division Ordinance No. 494 Section 3.02 PROPERTY LINE ADJUSTMENT REVIEW CRITERIA as follows:

“(1) The property line adjustment is a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel not create any new lots or parcels.”

**Section 6** Amend Veneta Land Division Ordinance No. 494 Section 8.06 DEFINITIONS PROPERTY LINE ADJUSTMENT as follows:

“PROPERTY LINE ADJUSTMENT” The relocation or elimination of a common property line between two abutting properties. An adjusted property line shall be surveyed and monumented in accordance with ORS 92.065(3); a survey, complying with ORS 209.250, shall be filed with the county surveyor; and the property line adjustment shall be recorded with the Lane County Department of Deeds and Records.”

**Section 7** Amend Veneta Land Development Ordinance No. 493 Section 13.02 DEFINITIONS as follows:

“PROPERTY LINE ADJUSTMENT: The relocation or elimination of a common property line between two abutting properties. An adjusted property line shall be surveyed and monumented in accordance with ORS 92.065(3); a survey, complying with ORS 209.250, shall be filed with the county surveyor; and the property line adjustment shall be recorded with the Lane County Department of Deeds and Records.”

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**Section 8** All unamended provisions of Ordinance Nos. 493 and 494 shall remain in full force and effect.

**Section 9** Effective Date. This ordinance will go into full force and effect on the 30th day after City Council enactment.

READ FOR A FIRST TIME, BY TITLE ONLY, this 9 day of May, 2016, no Council person in attendance having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council person present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ against by the City of Veneta Council this \_\_\_\_, day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
Sandra H. Larson  
Executed on \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
Darci Henneman, City Recorder  
Executed on \_\_\_\_\_



**EXHIBIT “A”  
FINDINGS OF FACT  
CITY COUNCIL**

**AMENDMENTS TO THE VENETA LAND DEVELOPMENT ORDINANCE NO.  
493 AND LAND DIVISION ORDINANCE NO. 494  
File (A-1-16)**

**A. The Veneta City Council finds the following:**

1. A public hearing was held at the Planning Commission on April 5, 2016 on the proposed amendments after providing the required notice as per Section 2.11 of Veneta’s Land Development Ordinance No. 493.
2. The Veneta Planning Commission recommended adoption of the proposed amendments to the Land Development and Land Division Ordinances at the meeting.
3. A public hearing was held by the Veneta City Council on May 9, 2016 on the proposed amendments after providing the required notice as per Section 2.11 of Veneta’s Land Development Ordinance No. 493.
4. The proposed amendments to the Veneta Land Development Ordinance are consistent with the goals and policies of the adopted Veneta Comprehensive Plan Ordinance No. 523, and therefore comply with all applicable statewide planning goals.
5. These amendments do not alter the intent or purpose of any portion of the Land Development and Land Division Ordinances. The intent of these amendments is to provide flexibility, clarity, and consistency within the Land Development and Land Division Ordinances.

**FINDINGS**

Applicable Ordinance and Comprehensive Plan provisions are set forth in *italics*, below. Findings showing compliance with the applicable criteria and standards are in **bold**.

**FINDINGS OF CONSISTENCY FOR COMPREHENSIVE PLAN NO. 504**

*Chapter III PLAN ELEMENTS AND POLICIES*

*B. Community, Building, and Site Design Element*

*GOAL: Create a city with efficient and ecologically sensitive infrastructure; an environment that aesthetically stimulates us; and buildings, sidewalks, trails, and other public facilities that are accessible to everyone.*

**POLICIES:**

- “8. Promote building and site design that contribute positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, frontages, entries, and yards to public streets and adjacent properties. The architecture and scale of commercial buildings should provide attractive street frontages and minimize the placement of parking lots and loading docks along public streets.
9. Construct new commercial or public buildings with parking to the side or in the rear.”

**FINDINGS:**

- 1. The amendments to Veneta Land Development Ordinance 493 are consistent with Comprehensive Plan policies 8 and 9 above. The amendments maintain the City’s desire to require parking lots and loading docks to the rear and sides of buildings in the commercial core and downtown areas of the City and allow flexibility in design for challenging sites through an alternative design process. Through a public hearing process, alternative designs must meet criteria which promotes pedestrian safety, convenience and comfort and contains architectural features substituting for code required features.**

**FINDINGS OF CONSISTENCY FOR LAND DEVELOPMENT ORDINANCE**

*“PURPOSE OF LAND DEVELOPMENT ORDINANCE NO. 493: The purpose of this ordinance is to establish standards and procedures for the orderly development of land within the City of Veneta; to assist in implementing the Veneta Comprehensive Plan and to promote the public health, safety and general welfare.”*

**FINDINGS:**

- 1. The amendments to the Land Development Ordinance No. 493 do not affect the stated purpose of the Land Development Ordinance.**
- 2. The proposed amendments clarify existing regulations and allow an alternative site plan review process which will promote orderly development within the City.**
- 3. The proposed amendments update standards and procedures in the Veneta Land Development Ordinance. The amendment brings City public noticing requirements into compliance with Oregon Administrative Rule 660-018-0020(1), which requires notice of the first public hearing at least 35 days prior to an amendment to a Comprehensive Plan.**

### **FINDINGS OF CONSISTENCY FOR LAND DIVISION ORDINANCE 494**

*“SECTION 1.02 PURPOSE: The purpose of this ordinance is to establish standards and procedures for the division of land within the jurisdiction of the City of Veneta. These regulations are necessary in order to provide uniform procedures and standards for the division of land; to provide for the proper width and arrangement of streets; to coordinate proposed development with any overall plan; to provide for utilities and other public facilities; to avoid undue congestion of population; to assure adequate sanitation and water supply; to provide for the protection, conservation, and proper use of land; and in general to protect the public health, safety and welfare.”*

### **FINDINGS:**

1. **Oregon Revised Statute 92.010(12) defines “property line adjustment” as “a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.”**
2. **The amendments ensure consistency between state and local standards for lot line adjustments regulated in Ordinance 494. Consistency will ensure uniform procedures and standards, consistent with the purpose of the Land Division Ordinance.**

### **CONCLUSIONARY FINDINGS**

**Based on the information and findings stated above, the proposed text amendments to the Veneta Land Development Ordinance 493 and Land Division Ordinance 494 complies with all applicable polices of the Ordinance Nos. 493 and 494 and the Veneta Comprehensive Plan. The Veneta City Council hereby approves the proposed amendments, and adopts these findings of fact.**



# VENETA CITY COUNCIL AGENDA ITEM SUMMARY

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## **Title/Topic: TRANSIENT ROOM TAX ORDINANCE – FIRST & SECOND READING**

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Meeting Date: May 23, 2016  
Department: Community Development

Staff Contact: Kay Bork  
Email: kbork@ci.veneta.or.us  
Telephone Number: 541-935-2191 Ext.314

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### **ISSUE STATEMENT**

Staff is presenting a Transient Room Tax (TRT) Ordinance No. 534 for first and second reading by title only.

### **BACKGROUND**

Planning approved a site plan for the construction of a new business, Yurtel Veneta (bed & breakfast) which is under construction and plans to open by July 2016. The state allows local government to collect a transient room tax on all overnight stays in the city, including hotels, motels, campgrounds, retreat centers, RV parks, bed and breakfasts, vacation rentals, and short-term rentals.

State statute require at least 70% of the tax dollars collected be used for tourism promotion or tourism-related facilities, and no more than 30% of tax revenue be used for city services.

There are several jurisdictions in Lane County who charge a transient room tax. Florence 4.0%, Cottage Grove 4.0%, Springfield 4.5%, and Eugene 4.5%. Staff is proposing a 4.0% room tax for Veneta. . Lane County charges a county-wide 8.0% room tax and the State charges a 1.8% tax, bringing the total for Veneta lodging establishments to 13.8%.

Other elements of the TRT Ordinance include:

- The City of Veneta Finance Director will serve as the Tax Administrator and will collect the tax.
- Each operator is required to file a return and pay the tax monthly. A return must be filed even if there is no tax collected for the reporting period.
- The proposed Ordinance exempts incidental private home vacation rentals, e.g. Air B&B and VRBO. See section 3.5.60 in Ordinance 534.
- The proposed Ordinance also includes penalty provisions which give the City the ability to send business operators to collections and revoke business registrations for non-payment.

If City Council chooses, the Ordinance can be read for a first and second reading for final enactment on June 23, 2016. This will allow the City to collect the TRT at the time the B&B opens on July 1, 2016.

The Ordinance was prepared by legal counsel and reviewed by City staff. A separate Resolution will be presented to Council at a later date that establishes the tax rate.

**RELATED CITY POLICIES**

None.

**COUNCIL OPTIONS**

1. Adopt Ordinance No. 534.
2. Do not adopt Ordinance No. 534.
3. Recommend changes and adopt Ordinance No. 534.

**CITY ADMINISTRATOR’S RECOMMENDATION**

Adopt Ordinance No. 534 as presented.

**RECOMMENDED MOTION**

1. *“I make a motion to adopt Ordinance No. 534, an Ordinance Adopting a Transient Room Tax for the City of Veneta, for first reading by title only.”*
2. *I make a motion to adopt Ordinance No. 534, an Ordinance Adopting a Transient Room Tax for the City of Veneta, for second reading by title only and final enactment.”*

**ORDINANCE NO. 534**

**AN ORDINANCE ESTABLISHING A TRANSIENT ROOM TAX  
FOR THE CITY OF VENETA**

**WHEREAS**, Section 4 of the City of Veneta Charter of 1999 provides as follows: the city has all powers which the constitutions, statutes, and common law of the United States and of this state now or hereafter expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers; and

**WHEREAS**, the Veneta City Council wishes to levy a transient room tax in the City of Veneta in order to raise funds to support tourism within the City and to support city services;

**NOW THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1.** Title 3 of the Veneta Municipal Code is hereby amended to add the following Chapter 3.50:

**Transient Room Tax**

**3.50.010 Title.**

This Chapter 3.50 shall be known as the Transient Room Tax and shall apply to all areas within the incorporated city limits of the City of Veneta.

**3.50.020 Definitions.** Except where the context otherwise requires, the definitions given in this section govern Chapter 3.50 of this Code.

(1) "Accrual accounting" means a system of accounting in which the operator enters on the operator's records the rent due from a transient when the rent is earned, whether or not it is paid.

(2) "Cash accounting" means a system of accounting in which the operator does not enter on the operator's records the rent due from a transient until the rent is paid.

(3) "City Administrator" means the City Administrator of the City of Veneta or the City Administrator's designee.

(4) "Council" means the City Council of the City of Veneta.

(5) "Hotel" means any structure or portion of any structure which is occupied or intended or designed for transient occupancy for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, house, cabin, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment, condominium,

other dwelling unit, public or private dormitory, fraternity, sorority, public or private club, recreational vehicle park, or similar facility or structure or portion thereof so occupied, provided the occupancy is for less than a 30-day period.

(6) "Occupancy" means the use or possession, or the right to use or possession, for lodging or sleeping purposes, of any portion of a hotel.

(7) "Operator" means the person who is proprietor of a hotel in any capacity and, where the operator performs the operator's functions through a managing agent other than an employee, the managing agent shall have the same duties and liabilities as the managing agent's principal. Compliance with the provisions of Chapter 3.50 of this Code by either the principal or the managing agent shall be considered to be compliance by both.

(8) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(9) "Recreational Vehicle Park" means a development which is occupied or intended or designed for transient occupancy for thirty (30) days or less, on which travel trailers, pickup campers, tent trailers, tents, and/or self-propelled motorized vehicles are parked or set up; the purpose of such development being to provide to the public a temporary location for dwelling, lodging, or sleeping purposes, but excluding recreational vehicle parks operated by the federal government.

(10) "Rent" means the consideration charged, whether or not received by the operator, for the occupancy of space in a hotel whether or not valued in money, goods, labor, credits, property, or other consideration valued in money, without any deduction.

(11) "Rent Package Plan" means the consideration charged for both food and rent where a single rate is made for the total of both. The amount applicable to rent for determination of the transient room tax under section 3.50.030 of this Code shall be the same charge made for rent when not a part of a package plan.

(12) "Tax" means either the tax payable by the transient, or the aggregate amount of taxes due from an operator during the period for which the operator is required to report the operator's collections.

(13) "Tax Administrator" means the Finance Director of the City of Veneta or the Finance Director's designee.

(14) "Transient" means any individual who exercises occupancy or is entitled to occupancy in a hotel for a period of less than 30 consecutive calendar days, counting portions of calendar days as full days. The day a transient checks out of the hotel shall not be included in determining the 30-day period if the transient is not charged rent for that day by the operator. Any individual so occupying space in a hotel shall be deemed to be a transient until the period of 30 days has expired, unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. A person who pays for lodging on a monthly basis, irrespective of the number of days in the month, shall not be deemed a transient.

**3.50.030 Levy.**

For the privilege of occupancy in any hotel located in the City of Veneta, each transient shall pay a tax of four percent (4%) of the rent charged by the operator for the occupancy. The tax shall constitute a debt owed by the transient to the City and shall be extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. The operator shall enter the tax on the operator's records when the rent is collected, if the operator keeps the operator's records on the cash accounting basis, and when earned, if the operator keeps the operator's records on the accrual accounting basis. If the rent is paid in installments, a proportionate share of the tax shall be paid by the transient to the operator with each installment. If for any reason the tax due is not paid to the operator of the hotel, the Tax Administrator may require that the tax be paid directly to the City. In all cases the rent paid or charged for occupancy shall exclude amounts received for the sale of goods, services, or commodities; other than the furnishing of rooms, accommodations, and parking space in recreational vehicle parks.

**3.50.040 Collection.**

(1) Every operator renting a room in the City of Veneta, the occupancy of which is not exempted under the terms of section 3.50.060 of this Code, shall collect a tax from the occupant of the room. The tax collected or accrued by the operator constitutes a debt owing by the operator to the City.

(2) In all cases of credit or deferred payment of rent, the payment of the tax to the operator may be deferred until the rent is paid, and the operator shall not be liable for the tax until the credit is paid or the deferred payment is made.

(3) The Tax Administrator shall enforce Chapter 3.50 of this Code and may adopt rules and regulations consistent with those sections and necessary to aid in the enforcement.

**3.50.050 Operator's Duties.**

Each operator shall collect the tax imposed by section 3.50.030 of this Code on a transient at the same time as the operator collects rent from the transient. The

amount of the tax shall be separately stated upon the operator's records and on any receipt for the rent rendered by the operator to the transient. No operator shall advertise that the tax or any part of the tax will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, when added, any part will be refunded.

**3.50.060 Exemptions.**

No tax may be imposed upon:

- (a) Any occupant for more than 30 successive calendar days;
- (b) Any person who pays for lodging on a monthly basis, irrespective of the number of days in the month;
- (c) Any occupant whose rent is of a value less than \$2.00 per day;
- (d) Any occupant whose rent is paid for a hospital room or to a medical clinic, convalescent home, or home for aged people.
- (e) Any occupant whose rent is paid by a local agency, either directly or through a voucher, in response to a local disaster or declared emergency.

**3.50.070 Registration.**

Every person engaging in business as an operator of a hotel in the City of Veneta shall register with the Tax Administrator on a form provided by the Tax Administrator within 15 calendar days after commencing operation of the hotel. Nonregistration under this section shall not relieve any person from the obligation to pay the tax. The registration shall set forth the name under which the operator transacts or intends to transact business, the location of the operator's place or places of business, and such other information that the Tax Administrator requires to facilitate the collection of the tax. The registration shall be signed by the operator. The Tax Administrator shall, within 10 days after the registration, issue without charge a certificate of authority to the registrant to collect the tax from the occupants of the hotel, together with a duplicate thereof for each additional place of business of the registrant. Such a certificate shall be non-assignable and nontransferable and shall be surrendered immediately to the Tax Administrator upon the cessation of business at the location named on the certificates or upon sale or transfer of the business. Each such certificate and duplicate thereof shall state the place of business to which it is applicable and shall be prominently displayed so as to come to the notice readily of all occupants and persons seeking occupancy in the hotel. The certificate shall, among other things state the following:

- (a) The name of the operator;
- (b) The address of the hotel;
- (c) The date when the certificate is issued;

(d) "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the transient room tax ordinance of the City of Veneta by registration with the Tax Administrator for the purpose of collecting from transients the City's transient room tax and remitting the tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a hotel without strictly complying with all local applicable laws, including, but not limited to, those requiring a permit from any board, commission, department or office of the City. This certificate does not constitute a permit."

**3.50.080 Returns.**

(1) The tax imposed by section 3.50.030 of this Code shall be paid by the transient to the operator when the transient pays rent to the operator. All such taxes collected by any operator are due and payable to the Tax Administrator on the fifteenth day of the month for the preceding month and are delinquent on the last day of the month in which they are due.

(2) On or before the fifteenth day of the month following each month of collection by an operator, he or she shall file a return for that month's tax collections with the Tax Administrator. The return shall be filed in such form as the Tax Administrator prescribes.

(3) A return shall show the amount of tax collected or otherwise due for the period for which the return is filed; the total rentals upon which the tax is collected or otherwise due; gross receipts of the operator for the period; the amount of any exempt rents; and an explanation of any discrepancies in the amounts included in the return.

(4) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Tax Administrator at the Tax Administrator's office; either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery.

(5) The Tax Administrator may, for good cause, extend the time for making any return or paying any tax for a period not to exceed one month. No further extension may be granted, except by the City Administrator. Any operator to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due, without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties prescribed in section 3.50.090 of this Code.

(6) The Tax Administrator, if he or she deems it necessary in order to insure payment or facilitate collection by the City of the amount of taxes in any individual case, may require returns and payment of the amount of taxes for other than monthly periods.

**3.50.090 Penalties and Interest.**

(1) Any operator who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by section 3.50.030 of this Code prior to delinquency shall pay a penalty of ten percent (10%) of the amount of the tax due in addition to the amount of the tax.

(2) Any operator who has not been granted an extension of time for remittance of tax due, and who fails to pay any delinquent remittance on or before a period of 30 days following the date on which the remittance first becomes delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due plus the amount of the tax and the ten percent (10%) penalty first imposed.

(3) If the Tax Administrator determines that the nonpayment of any remittance due under section 3.50.030 of this Code is due to fraud or intent to evade the provisions of this Code, a penalty of twenty-five percent (25%) of the amount of the tax shall be added due in addition to the amount of tax due and the penalties stated in subsections (1) and (2) of this section.

(4) In addition to any penalties imposed, any operator who fails to remit any tax imposed by section 3.50.030 of this Code shall pay interest on the amount of tax due, exclusive of penalties, at the rate of one half of one percent per month or fractions thereof, without proration for portions of a month, from the date on which the remittance first becomes delinquent, until paid in full.

(5) Every penalty imposed and such interest as accrues under the provisions of this section shall be merged with, and become a part of, the tax required to be paid.

**3.50.100 Deficiencies, Fraud, Evasion, Delay.**

(1) If the Tax Administrator determines that a tax return required by section 3.50.080 of this Code is incorrect, the Tax Administrator may compute and determine the amount required to be paid, upon the basis of the facts contained in the return or returns or upon the basis of any information within the Tax Administrator's possession. One or more deficiency determinations may be made of the amount due for one or more periods, and the amount so determined shall be due and payable immediately upon service of notice as provided in this Chapter and shall be subject to penalties for deficiencies as set forth in section 3.50.090 of this Code.

(a) In making a deficiency determination the Tax Administrator may offset overpayments, if any, against any underpayment for a subsequent period or periods, or against penalties and interest on the underpayment. The interest on underpayment shall be computed in the manner set forth in section 3.50.090.

(b) The Tax Administrator shall give to the operator or occupant a written notice of the Tax Administrator's determination. The notice may be served personally or by mail. If served by mail, the notice shall be addressed to the operator at the operator's address as it appears in the records of the Tax Administrator and service shall be deemed complete at the time of deposit in the United States Post Office, postage prepaid.

(c) Except in the case of fraud or intent to evade this Chapter 3.50 or any rules or regulations promulgated pursuant to this Chapter 3.50, every deficiency determination shall be made and notice of the deficiency determination shall be mailed within three years after the last day of the month following the close of the monthly period for which the deficiency is alleged, or within three years after the return is filed, whichever period expires later.

(d) Any deficiency shall become due and payable immediately upon service of notice by the Tax Administrator and a deficiency determination shall become final on the tenth calendar day after the date the Tax Administrator serves notice of the deficiency determination unless the Tax Administrator receives a written petition for redetermination before the Tax Administrator's determination becomes final.

(2) If any operator fails or refuses to collect the tax or to make any report required by this Chapter, within the time required by this Chapter, or to remit the tax or any portion thereof required to be remitted, or makes a fraudulent return or otherwise willfully attempts to evade the provisions of this Chapter, the Tax Administrator shall proceed to obtain facts and information on which to base an estimate of the tax due and shall proceed to determine and assess against the operator the tax, interest, and penalties provided for by sections 3.50.030 and 3.50.090 of this Code. In the event such a determination is made, the Tax Administrator shall give a notice, in the manner prescribed by section 3.50.100(1)(b) of the amount so assessed. The determination and notice shall be made and mailed within three years after discovery by the Tax Administrator of any fraud, intent to evade, failure or refusal to collect the tax, or failure to file a required return. Any deficiency determination shall become due and payable immediately upon service of the notice and shall become final on the tenth calendar day after the Tax Administrator serves the notice after the date the Tax Administrator serves notice of the deficiency determination unless the Tax

Administrator receives a written petition for redetermination before the Tax Administrator's determination becomes final.

(3) If the Tax Administrator believes that the collection of any tax or any amount of tax required to be collected and paid to the City by section 3.50.030 of this Code or any deficiency determination made under this Section 3.50.100 is jeopardized by delay, the Tax Administrator shall make a determination of the tax or amount of tax required to be collected, noting that fact upon the determination. The amount so determined as provided in this Section 3.50.100 shall be immediately due and payable, and the operator shall immediately pay the determined amount to the Tax Administrator after service of notice thereof. However, the operator may petition in writing for redetermination and refund, if the petition is filed within 10 calendar days from the date of service of notice by the Tax Administrator.

**3.50.110 Transient Room Tax - Redeterminations.**

(1) Any person against whom a determination is made under section 3.50.100 of this Code or any person directly interested in the determination may petition for a redetermination, and refund if applicable, within the time required in section 3.50.100 of this Code. If a petition for redetermination is not filed within the time required in section 3.50.100, the determination shall become final at the expiration of the allowable time.

(2) If a petition for redetermination is timely filed the Tax Administrator shall reconsider the determination, and, if requested in the petition, the Tax Administrator shall grant the petitioner hearing and shall give the petitioner at least 10 days' notice of the time and place of the hearing. The Tax Administrator may continue the hearing from time to time as necessary.

(3) Following receipt of the petition, and the hearing if applicable, the Tax Administrator may decrease or increase the amount of the determination, and if an increase is determined, the increase shall be payable immediately upon service of the Tax Administrator's redetermination.

(4) The decision of the Tax Administrator upon a petition for redetermination shall become final 10 calendar days after service upon the petitioner of notice thereof, unless a written appeal of the Tax Administrator's decision is filed with the City Administrator prior to the expiration of the 10 day period.

(5) No petition for redetermination or appeal therefrom shall be effective for any purpose unless the operator first complies with the payment provisions of this Chapter 3.50.

**3.50.120 Transient Room Tax – Security, Collection, Business Registration Revocation.**

(1) The Tax Administrator, whenever he or she deems it necessary to insure compliance with this Chapter, the Tax Administrator may require any operator subject to the transient room tax to deposit with the Tax Administrator such security in the form of cash, bond, or other assets as the Tax Administrator may require. The amount of the security shall be fixed by the Tax Administrator but shall not be greater than twice the operator's estimated average monthly liability for the period for which the operator files returns, or five thousand dollars (\$5,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the Tax Administrator subject to the limitations of this Section 3.50.120.

(2) At any time within three years after any tax or any amount of tax required to be collected becomes due and payable, or at any time within three years after any determination by the Tax Administrator under this Chapter becomes final, the Tax Administrator may bring an action in the courts of this state, or any other state, or of the United States, in the name of the City, to collect the amount of delinquent tax, together with any penalties and interest.

(3) At any time within three years after any tax or any amount of tax required to be collected becomes due and payable, or at any time within three years after any determination by the Tax Administrator under this Chapter becomes final, the Tax Administrator may contract with a collections agency to collect the amount of delinquent tax, together with any penalties and interest.

(4) At any time after a determination by the Tax Administrator under this Chapter becomes final, the City Administrator may revoke the City of Veneta business registration for non-payment of delinquent tax. The business registration shall not be reinstated unless and until the City receives payment for the amount of delinquent tax, together with any penalties and interest.

**3.50.130 Transient Room Tax – Lien.**

The tax imposed by section 3.50.030 of this Code, together with the interest and penalties provided by section 3.50.090 and the filing fees paid to the Department of Deeds and Records of Lane County, Oregon, and advertising costs which may be incurred when the tax becomes delinquent shall be, and until paid shall remain, a lien from the date of its recording with the Department of Deeds and Records of Lane County, Oregon, and superior to all subsequent recorded liens on all tangible personal property used in the hotel of an operator within Veneta and may be foreclosed on and sold as necessary to discharge the lien. Notice of the lien may be issued by the Tax Administrator whenever the operator is in default in the payment of the tax, interest, or penalties, and shall be recorded with the Department of Deeds and Records of Lane County, Oregon, with a copy mailed to the delinquent operator at the operator's address as it appears in the records of the Tax Administrator. The personal property subject to the lien and

seized by the Tax Administrator may be sold by the Tax Administrator at public auction after 10 days' notice thereof published in a newspaper in the City.

Any such lien shall, upon the payment in full to the City of the taxes, penalties, and interest for which the lien has been imposed, be released by the Tax Administrator. The operator or person making the payment shall receive a receipt stating that the full amount of the taxes, penalties, and interest has been paid and that the lien is thereby released and the record of lien satisfied.

**3.50.140 Transient Room Tax - Refunds.**

Whenever the amount of any tax imposed under this Chapter has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator, it may be refunded, provided a written verified claim stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. The claim shall be made on a form provided by the Tax Administrator. If the Tax Administrator approves the claim, the excess amount collected or paid may be refunded or may be credited against any amounts then due and payable from the operator from whom it was originally collected or by whom it was originally paid, and the balance may be refunded. All refunds shall be charged to the fund receiving room tax revenues.

**3.50.150 Transient Room Tax - Collection Fee.** An operator liable for the collection and remittance of the tax imposed by section 3.50.030 of this Code may withhold five per cent (5%) of the net tax due to cover the operator's expenses related to the collection and remittance of the tax.

**3.50.160 Transient Room Tax - Administration.**

(1) The Tax Administrator shall deposit all money collected pursuant to the provisions of this Chapter into the fund receiving room tax revenues.

(2) Every operator shall maintain records of rentals and accounting books and records of the rentals. The operator shall retain these records for three years and six months after they are created.

(3) The Tax Administrator or any person authorized in writing by the Tax Administrator may, after notification of the operator and during normal business hours, examine the books, papers, and accounting records relating to rentals of any operator liable for the tax, and may investigate the business of the operator in order to verify the accuracy of any return made, or if no return is made by the operator, to ascertain and determine the amount required to be paid by the operator.

(4) The City shall keep records related to the payment of the tax confidential to the extent those records are exempt from disclosure by ORS 192.502(18). Nothing in this subsection shall prevent, however:

(a) The disclosure to, or the examination of records by another City of Veneta official, employee, or tax-collecting agent for the sole purpose of administering or collecting the tax.

(b) The disclosure, after the filing of a written request to that effect, to the taxpayer or the taxpayer's receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, of information as to any such tax paid, any such tax unpaid or the amount of any such tax required to be collected, together with interest and penalties thereon provided the city attorney approves each such disclosure. The Tax Administrator may refuse to make any such disclosures referred to in this paragraph when in the Tax Administrator's opinion the public interest would suffer thereby.

(c) The disclosure of the names and addresses of any persons to whom transient occupancy registration certificates have been issued.

(d) The disclosure of general statistics regarding taxes collected or business done in the city.

**3.50.170 Transient Room Tax - Appeal to City Administrator.**

Any person aggrieved by any decision of the Tax Administrator may appeal the decision to the City Administrator by filing a written appeal with the City Administrator within 10 days of the date of service of the Tax Administrator's decision. The City Administrator shall fix a time and place for hearing the appeal and shall give the appellant at least 10 days' written notice of the time and place of the hearing.

**3.50.180 Transient Room Tax - Appeal to Council.**

Any person aggrieved by any decision of the City Administrator under section 3.50.170 of this Code may appeal the City Administrator's decision to the Council by filing a written appeal with the City Administrator within 10 days of the date of service of the City Administrator's decision. The City Administrator shall transmit the notice together with the file of the appealed matter, to the council, who shall fix a time and place for hearing the appeal. The council shall give the appellant not less than 10 days written notice of the time and place of hearing of the appeal. The decision of the City Administrator upon a petition for redetermination shall become final 10 calendar days after service upon the petitioner of notice thereof, unless a written appeal of the City Administrator's decision is filed with the City prior to the expiration of the 10 day period.

**3.50.190 Transient Room Tax – Business Registration.**

Every person engaging in business as an operator of a hotel in the City of Veneta shall comply with the business registration requirements of Chapter 5.05 of this Code. A hotel as defined in 3.50.010 is not a property rental, apartment, or

manufactured home park exempted from business registration by Chapter 5.05.050 of this Code.

**3.50.200 Transient Room Tax - Violations.**

No operator or other person subject to the provisions of this Chapter shall:

(1) Fail or refuse to register as required by section 3.50.070 of this Chapter;

(2) Fail or refuse to furnish any return required to be made under this Chapter or to furnish a supplemental return or other data required by the Tax Administrator;

(3) Render a false or fraudulent return under this Chapter; or

(4) Render, sign, or verify any false or fraudulent report regarding the transient room tax.

**Section 2 Severability.** The sections, subsections, paragraphs, and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

**Section 3 Effective Date.** This ordinance shall take effect on the thirtieth day after its adoption.

READ FOR A FIRST TIME, BY TITLE ONLY, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ vote against by the Veneta City Council this \_\_\_\_ day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Sandra H. Larson, Mayor  
Executed this \_\_\_\_ day of \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, City Recorder  
Executed this \_\_\_\_ day of \_\_\_\_\_

**ORDINANCE NO. 529**

**AN ORDINANCE AMENDING  
VENETA MUNICIPAL CODE TITLE 13, CHAPTER 10**

**WHEREAS**, the current terms and definitions in Veneta Municipal code (VMC) Title 13, Chapter 10 were established by Ordinance No. 258 in 1983; and

**WHEREAS**, since that time, the definition of certain terms has slightly changed; and

**WHEREAS**, the housekeeping changes proposed within VMC 13.10 ensure this Chapter's consistency to the City's other utility code provisions.

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1 Amending VMC 13.10.I, Definitions:** VMC 13.10.040 is amended to read as follows:

**"13.10.040 City.**

"City" means the City of Veneta, Oregon."

**Section 2 Amending VMC 13.10.I, Definitions:** VMC 13.10.090 is amended to read as follows:

**"13.10.090 Person.**

"Person" means any individual, firm, co-partnership, association, corporation or other legally recognized organization."

**Section 3 Amending to VMC 13.10.I, Definitions:** VMC 13.10.220 is amended to read as follows:

**"13.10.220 Superintendent.**

"Superintendent" means the superintendent of the public works department of the City of Veneta or the Superintendent's designee."

**Section 4 Unamended Provisions.** All unamended provisions of Chapter 13.10 shall remain in full force and effect.

**Section 5 Savings.** Notwithstanding these amendments, the City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

**Section 6 Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 7 Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be

renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 3 through 7) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 8 Effective Date.** This ordinance will go into full force and effect on the 1st day of July, 2016.

READ FOR A FIRST TIME, BY TITLE ONLY, this 9 day of May, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this \_\_\_ day of \_\_\_\_\_, 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_ vote for and \_\_\_ vote against by the Veneta City Council this \_\_\_ day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Sandra H. Larson, Mayor  
Executed this \_\_\_ day of \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Darci Henneman, City Recorder  
Executed this \_\_\_ day of \_\_\_\_\_

**ORDINANCE NO. 530**

**AN ORDINANCE AMENDING  
VENETA MUNICIPAL CODE TITLE 3 CHAPTER 20**

**WHEREAS**, the current language in Veneta Municipal code (VMC) Title 3, Chapter 20 was primarily established by Ordinance No. 96A in 1974 and No. 233 in 1982; and

**WHEREAS**, the City population, billing practices and utility services are substantially different than when Ordinances 96A and 233 were adopted; and

**WHEREAS**, changes to the policies relating to the City's collection of utility deposits are needed to reflect changes in the City's deposit, billing, collection, and use practices; and

**WHEREAS**, the City is also amending other chapters and sections of the code to enhance the consistency of terms and definitions used for utility billing and other services to which fees and charges apply.

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1 Amending VMC 3.20, Water and Sewer Use Fees and Deposits:**  
VMC 3.20 is hereby amended to read as follows:

“Chapter 3.20

Utility Account Deposits

Sections:

- 3.20.005 Definitions
- 3.20.010 Deposit
- 3.20.015 Deposit refund – Conditions.
- 3.20.020 Reposting of deposit – Conditions.
- 3.20.030 Deduction of unpaid balances on utility accounts.
- 3.20.035 Minimum amount of deposit refund

**3.20.005 Definitions**

As used in this chapter, the following terms shall mean:

**ACTIVE:** All Utility Accounts are considered Active unless the City has been notified in writing, on a form provided by the City, of the Responsible Party's intention to temporarily or permanently inactivate the Responsible Party's account and to stop receiving Utility Services or Other Services at a particular Billing Unit, Occupied Unit or Developed Property.

**BILLING UNIT:** Any structure or any portion of any structure intended for residential, commercial, industrial, or other uses. For example, in a multi-family residential development, each Dwelling Unit shall be considered a separate Billing Unit, and each retail outlet or non-residential operation in a shopping mall shall be considered a separate Billing Unit.

**CITY:** The City of Veneta, Oregon.

**CITY ADMINISTRATOR:** The City's Administrator or the City Administrator's designee.

**CITY SYSTEM:** The City's property, infrastructure, service yard, and offices connected therewith, clerical or field, existing and necessary for the provision of water, sewage, transportation and storm-water services, individually or combined, within and without the limits of the City of Veneta, Oregon.

**DEVELOPED PROPERTY:** A parcel or legal portion of real property, on which improvements exist or are being constructed. The term "Improvement" includes, but is not limited to buildings, parking lots, landscaping and outside storage.

**DWELLING UNIT:** A single unit providing complete independent living facilities, designed for occupancy by one (1) family and including permanent provisions for living, sleeping, eating, cooking and sanitation.

**FINANCE DIRECTOR:** The City Finance Director or the Finance Director's designee.

**NONRESIDENTIAL PROPERTY:** Property that is not primarily used for personal domestic accommodation. Nonresidential Property includes industrial, commercial, institutional, hotels and motels, and other nonresidential uses. Also includes property with facilities for residential homes and or care as defined in the City's Land Development Ordinance.

**OTHER SERVICES:** The existence and availability for use of streets, pathways, bike lanes, storm-water infrastructure and drainage ways.

**OWNER:** The Owner or Owners of record title, or the purchaser or purchasers under a recorded land sales agreement, and other Persons having an interest of record in the described real property.

**PAST DUE NOTICE:** The notice stating that a Utility Account is past due and delinquent and that failure to submit required payment will jeopardize the continuance of Utility or Other Services to the Billing Unit, Occupied Unit or Developed Property.

**PERSON:** Any individual, firm, co-partnership, association, corporation, or other legally recognized organization.

**PREMISES:** A parcel of land within the Veneta City limits that receives services or has the potential to receive services from one or more of the City's Systems.

**PUBLIC WORKS DIRECTOR:** The City Public Works Director or the Public Works Director's designee.

**RESIDENTIAL PROPERTY:** Property that is used primarily for personal domestic accommodation, including single-family, multi-family Residential Property and home occupations, but not including hotels and motels or other uses listed in the definition of "Non Residential Property".

**RESPONSIBLE PARTY:** The Person or Persons who by occupancy or ownership use one or more City Utility and Other Services, or by contractual arrangement on file with

City are responsible to pay for Utility and Other Services provided to a Billing Unit, Occupied Unit or Developed Property.

**SERVICE MONTH:** A period that begins with the first (1<sup>st</sup>) day of each calendar month and ends with the last day of that month.

**UTILITY ACCOUNT:** The account set up for each Responsible Party to record billings, payments, adjustments, and other information pertaining to City's provision of Utility Services and/or Other Services.

**UTILITY SERVICES:** The City's provision of water to and sewage removal from a Billing Unit, Occupied Unit or Developed Property.

### **3.20.010 Deposit**

(1) The City shall bill the Responsible Party a deposit amount as established by council resolution to guarantee the payment for services rendered to such Premise whenever:

(a) an application for City Utility Services is approved to a Premise having no prior service;

(b) an application is approved for services to a Premise having an existing service, said application made for reasons of change in property ownership, Responsible Party or other Persons;

(c) an application is approved for services or restoration of services to a Premise having been disconnected or service discontinued by the City for delinquency of payment or other violations of this Code or other causes; or

(d) any deposit on record is applied, in whole or in part, to a Utility Account unpaid balance and the Responsible Party has not provided written notice of service termination per VMC 13.25.055.

(2) Notwithstanding the provisions of this section, no deposit shall be required of any Responsible Party agreeing to accept services from the City prior to construction of the applicable City System until said system is constructed and the Premise are connected.

(3) Such deposits, when paid, shall be recorded in the City's financial records and held as payable. Reductions of the payable amount shall occur when deposits are refunded or applied to the unpaid balances of Utility Accounts.

**3.20.015 Deposit refund – Conditions.** Whenever any water or sewer deposit required by the Veneta Municipal Code (VMC) or by the City's resolutions, has been on file with the City for at least two years, and whenever during such two-year period all amounts billed on the Utility Account have been paid on a regular and timely basis, such Responsible Party may, after such period, make written application for and be granted a refund of the deposit amount. This section shall be subject to the remaining sections of this chapter.

**3.20.020 Reposting of deposit – Conditions.** If, at any time after such deposit refund is made to a Responsible Party, the Responsible Party becomes consistently delinquent in making payments on the associated Utility Account or to the extent that it is necessary

to issue a "Past Due Notice", the City, as a condition of continuation or reconnection of service, shall require such deposit to be repaid on the Utility Account.

**3.20.030 Deduction of unpaid balances on Utility Account.** Whenever a Responsible Party shall apply for the refund of the deposit, whether because of the provisions of this chapter or those of the VMC or whenever a Responsible Party requests, in writing on forms provided by the City, a discontinuance of service due to vacating the Premise the City shall first apply said deposit to any unpaid balance on the Responsible Party's Utility Account and for services rendered by the City and billable, before remitting any excess to the Responsible Party upon termination of their Utility Account.

**3.20.035 Minimum amount of deposit refund.** If the deposit amount remaining after applying amounts due to the City, per VMC 3.20.030 of this chapter, is \$5.00 (five) or more, a refund check shall be issued to the Responsible Party and mailed to the Responsible Party's last known address. Deposit amounts of less than \$5.00 (five) shall be forfeited to the City by the Responsible Party."

**Section 2 Savings.** Notwithstanding these amendments, the City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

**Section 3 Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 4 Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 3 through 7) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 5 Effective Date.** This ordinance will go into full force and effect on the 1st day of July, 2016.

READ FOR A FIRST TIME, BY TITLE ONLY, this 9 day of May, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this        day of                   , 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a        vote for and        vote against by the Veneta City Council this        day of   , 2016.

XXXXXXXXXXXXXXXXXX  
Sandra H. Larson, Mayor  
Executed this        day of                   

ATTEST:  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
Darci Henneman, City Recorder  
Executed this        day of

## ORDINANCE NO. 531

### AN ORDINANCE AMENDING VENETA MUNICIPAL CODE TITLE 3 CHAPTER 25

**WHEREAS**, the current language in Veneta Municipal code (VMC) Title 3 Chapter 25 was primarily established by Ordinance prior to 1982; and

**WHEREAS**, the City population, billing practices and utility service are substantially different than when the original VMC 3.20 was adopted; and

**WHEREAS**, changes to the policies related to the processes and billing cycle for utility services are needed to reflect changes in the City's utility billings, collections, and use practices; and

**WHEREAS**, the City is also amending other chapters and sections of the code to enhance the consistency of terms and definitions used for utility billing and other services for which fees and charges apply.

#### **NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

##### **Section 1 Amending VMC 3.25, Regulation of Sewer Connection and Use**

**Fees:** VMC 3.25 is hereby amended to read as follows:

“Chapter 3.25

Utility Service Billing Code

Sections:

- 3.25.005 Definitions
- 3.25.010 Council to set rates and other fees by resolution.
- 3.25.015 Annual reviews – Revisions.
- 3.25.020 Additional fees for non-assessed partition property.
- 3.25.025 Use of funds collected– Applicability.
- 3.25.030 Application for service - Requirements.
- 3.25.035 With-holding of services - Unpaid balances
- 3.25.040 Person responsible for payment for services rendered
- 3.25.045 Meter reading and billing
- 3.25.050 Delinquent accounts – Suspension of services
- 3.25.055 Voluntary discontinuation of services – permanent and temporary
- 3.25.060 Adjustments and refunds other than deposits and leaks
- 3.25.065 Adjustments for leaks
- 3.25.070 Charges for inspecting and testing meters

##### **3.25.005 Definitions**

(1) As used in this chapter, the following terms shall mean:

**ACTIVE:** All Utility Accounts are considered Active unless the City has been notified in writing, on a form provided by the City, of the Responsible Party's intention to temporarily or permanently inactivate the Responsible Party's account and to stop receiving Utility Services or Other Services at a particular Billing Unit, Occupied Unit or Developed Property.

**BILLING UNIT:** Any structure or any portion of any structure intended for residential, commercial, industrial, or other uses. For example, in a multi-family residential development, each Dwelling Unit shall be considered a separate Billing Unit, and each retail outlet or non-residential operation in a shopping mall shall be considered a separate Billing Unit.

**CITY:** The City of Veneta, Oregon.

**CITY ADMINISTRATOR:** The City's Administrator or the City Administrator's designee.

**CITY SYSTEM:** The City's property, infrastructure, service yard, and offices connected therewith, clerical or field, existing and necessary for the provision of water, sewage, transportation and storm-water services, individually or combined, within and without the limits of the City of Veneta, Oregon.

**DEVELOPED PROPERTY:** A parcel or legal portion of real property, on which improvements exist or are being constructed. The term "Improvement" includes, but is not limited to buildings, parking lots, landscaping and outside storage.

**DWELLING UNIT:** A single unit providing complete independent living facilities, designed for occupancy by one (1) family and including permanent provisions for living, sleeping, eating, cooking and sanitation.

**FINANCE DIRECTOR:** The City Finance Director or the Finance Director's designee.

**NONRESIDENTIAL PROPERTY:** Property that is not primarily used for personal domestic accommodation. Nonresidential Property includes industrial, commercial, institutional, hotels and motels, and other nonresidential uses. Also includes property with facilities for residential homes and or care as defined in the City's Land Development Ordinance.

**OTHER SERVICES:** The existence and availability for use of streets, pathways, bike lanes, storm-water infrastructure and drainage ways.

**OWNER:** The Owner or Owners of record title, or the purchaser or purchasers under a recorded land sales agreement, and other Persons having an interest of record in the described real property.

**PAST DUE NOTICE:** The notice stating that a Utility Account is past due and delinquent and that failure to submit required payment will jeopardize the continuance of Utility or Other Services to the Billing Unit, Occupied Unit or Developed Property.

**PERSON:** Any individual, firm, co-partnership, association, corporation, or other legally recognized organization.

**PREMISES:** A parcel of land within the Veneta City limits that receives services or has the potential to receive services from one or more of the City's Systems.

**PUBLIC WORKS DIRECTOR:** The City Public Works Director or the Public Works Director's designee.

**RESIDENTIAL PROPERTY:** Property that is used primarily for personal domestic accommodation, including single-family, multi-family Residential Property and home

occupations, but not including hotels and motels or other uses listed in the definition of “Non Residential Property”.

**RESPONSIBLE PARTY:** The Person or Persons who by occupancy or ownership use one or more City Utility and Other Services, or by contractual arrangement on file with City are responsible to pay for Utility and Other Services provided to a Billing Unit, Occupied Unit or Developed Property.

**SERVICE MONTH:** A period that begins with the first (1<sup>st</sup>) day of each calendar month and ends with the last day of the month.

**UTILITY ACCOUNT:** The account set up for each Responsible Party to record billings, payments, adjustments, and other information pertaining to City’s provision of Utility Services and/or Other Services.

**UTILITY SERVICES:** The City’s provision of water to and sewage removal from a Billing Unit, Occupied Unit or Developed Property.

(2) Unless otherwise defined herein, terms used in this Veneta Municipal Code (VMC) 3.25 have the meaning ascribed in VMC 3.20.005.

**3.25.010 Council to set rates and other fees by resolution.**

(1) The council shall have power and authority to establish all rates, deposits, fees, penalties and other charges for connection to and use of City Utility Services by council resolution and to provide for the payment of billings, deposits, penalties and other charges and to discontinue services to any Billing Unit where any such charge is not duly paid within the time provided therefor, or when any of the rules and regulations of the City are disregarded or disobeyed.

(2) The council shall have power and authority to classify Utility and Other Services by service pipe size, meter size, demand, nature of usage, or other means deemed equitable by the council, and to establish associated rates and minimum charges by council resolution.

(3) The council shall have power and authority to enter into special agreements for Utility Service users and at special rates either greater or less than existing rates to users within or without the boundaries of the City.

**3.25.015 Annual reviews – Revisions.** An annual review of established Utility Service fees may be made by the council and said fees may be revised periodically to reflect actual costs for operation, repairs, improvements, expansion and maintenance of the City’s Utility Systems.

**3.25.020 Additional fees for non-assessed partition property.** In addition to City Utility Service fees set forth above, an applicant desiring to partition property, any part of which has never been fully assessed, shall pay an additional fee which shall also be set forth by resolution. This additional fee shall not relieve the property or properties created from any assessments provided by other ordinances in the future. This section shall not apply when, after the partitioning, all the parcels or lots created are located within 100

feet of a dedicated City right-of-way. The fee shall not apply to each additional lot created.

**3.25.025 Use of funds collected – Applicability.**

(1) All sewer funds collected from the provisions of this chapter shall be recorded into the municipal sewer fund and shall be used only for the operation, repairs, improvements, expansion and maintenance of City's sewage collection, treatment and effluent system.

(2) All water funds collected from the provisions of this chapter shall be recorded into the municipal water fund and shall be used only for the operation, repairs, improvements, expansion and maintenance of City's water treatment and distribution system.

**3.25.030 Application for service - Requirements.**

(1) Person(s) requesting to receive Utility or Other Services from the City shall make written application to the City, on the forms provided by the City, and provide other information as requested to identify a Responsible Party for the Utility Account to be established upon approval of the application for service.

(2) A completed application identifying the Responsible Party and including Owner and occupant's agreement to abide by this Code and any written rules or regulations adopted for the Utility System and Owner's consent to lien the Premises being served in the amount of past due amounts and charges in the event of non-payment shall be submitted in person to City with at least one piece of government issued identification for the identified Responsible Party.

(3) Non-owner persons applying for Utility Services or Other Services shall also present an executed and valid rental agreement.

(4) If an application meeting the requirements of VMC 3.25.030(2) is not on file with the City, Utility and Other Service charges and fees shall be charged to the Utility Account and the billings mailed to the property Owner on record.

(5) City shall determine, in City's sole discretion, whether all Utility Service application requirements are met. Utility and Other Services shall begin on the earlier of the date specified on the application or on the date the City approves the application.

**3.25.035 With-holding of services - Unpaid balances**

(1) If a person moves to a different Premise within the City, leaving an unpaid balance on their Utility Account for Utility or Other Services at a former Premise, the City shall, prior to initiation of Utility Services at the new Premise and in addition to payment of the required deposits at the new Premise, require the payment of the unpaid balance and payment for Utility and Other Services rendered and billable at the former Premise.

(2) If a person submits an application for Utility or Other Services at a Premise for which an unpaid balance exists on any Utility Account associated with the provision of Utility or Other Services at that Premise, the City shall, prior to initiation of Utility Services at the Premise and in addition to payment of the required deposits at the Premise, require the payment of the unpaid Utility Account(s) balance(s) or require that an agreement, provided by and satisfactory to the City, be entered into by the property Owner.

(3) The Owner's responsibility for payment of bills per VMC 3.25.035 (1) and (2) shall not be reduced or waived because of the City's attempts to collect from the Responsible Party, so long as the Owner is sent notice of the delinquent billing by first class mail to Owner's last address on file with the City at the time notice is sent to the Responsible Party.

**3.25.040 Person responsible for payment for services rendered.** The person known or determined to be the Responsible Party at the time Utility or Other Services are rendered shall be responsible for payment of applicable fees authorized by this and other chapters of this Code, as adopted by council resolution. In cases where the Responsible Party is not the Owner and Responsible Party is delinquent on a Utility Account, the Owner of that Premise shall be liable for all past due amounts and charges. The Owner's responsibility for payment of bills shall not be reduced or waived because of the City's attempts to collect from the Responsible Party, so long as the Owner is sent notice of the delinquent billing by first class mail to Owner's last address on file with the City at the time notice is sent to the Responsible Party.

**3.25.045 Meter reading and billing.** The water meters for all service connections will be read on or about the twenty-fifth day of each month, and the Responsible Party for each Utility Account shall be billed on or about the first day of each month for the Utility and Other Services rendered during the preceding month. Said bills shall be due and payable on or before the fifteenth day of each month, and shall become delinquent on the sixteenth day of said month.

**3.25.050 Delinquent accounts – Suspension of services**

(1) Where the Responsible Party is delinquent in payment on their Utility Account, a Past Due Notice shall be mailed to the Responsible Party and to the property Owner of record, if different than the Responsible Party.

(2) The Past Due Notice shall inform the Responsible Party and the property Owner that:  
a) if the unpaid balance on the Utility Account has not been paid in full by 4:00 p.m. on the twenty-seventh day of the month, Utility Services shall be suspended on the following business day without any further notice; b) a turn-off/turn-on fee will be charged and payable prior to restoration of Utility Service; and c) a lien may be placed on the property and the Utility Account may be assigned to a third-party collection agency.

(3) Payment extensions of no more than five (5) calendar days may be granted upon request of the Responsible Party, if the Utility Service bills for the prior three months were timely paid and any prior extension terms were honored. Requests for payment extensions need not be in writing; however, such request must be made no later than 3:00 p.m. on the fifteenth day of the month. If the fifteenth day of the month falls on a weekend or holiday, the request must be made the preceding business day.

(4) Payments returned to the City due to "non-sufficient funds" (NSF) shall be treated as if no payment was made. The Responsible Party shall be notified in writing of lack of payment. Notification will include a deadline for re-payment and inform the Responsible Party of the NSF fee, in an amount set by council resolution. Lack of re-payment by the deadline shall put the Utility Account into delinquent status, subject to discontinuance of service per this Code.

(5) If Utility Service is discontinued for lack of payment, the entire unpaid balance on the Utility Account plus the turn-off/turn-on fee must be received by the City prior to restoration of Utility Services. Exceptions, if requested in writing, may be granted by the Finance Director or City Administrator in their sole discretion. Considerations for granting exceptions shall include, payment history, whether or not prior exceptions or extensions were honored, and whether or not the service has been discontinued previously for lack of payment.

(6) Should the water to any Premises served by a City System be turned on by any user or other Person without authority from the City, the Utility Service may then be shut off at the main, or the meter removed. The cost thereof shall be established by council resolution, and service shall not be restored to Premises until all accrued charges are paid.

(7) Unpaid balances on Utility Accounts shall be a lien against the Premises served and entry made on the ledger or other records of the City pertaining to such ledger 30 days after the Utility Service has been discontinued for non-payment or other violations of applicable provisions of this Code.

(8) Utility Accounts with unpaid balances shall be assigned to a third-party collection agency 30 days after the Utility Service has been discontinued for non-payment or other violations of applicable provisions of this Code.

**3.25.055 Voluntary discontinuation of services – permanent and temporary**

(1) The Responsible Party for each Utility Account shall continue to receive billings and be charged for services rendered until such time as the City receives written application, using forms provided by the City, to transfer Responsible Party status for the Utility Account to a different Responsible Party.

(2) Persons can request to have Utility and Other Services discontinued by giving written notice to the City, when the Premises will be permanently or temporarily vacated or Utility Services are requested to be temporarily suspended for Premise repairs or maintenance.

(3) When written notice is received for the reason of permanently vacating the Premises, the City shall prepare and mail a final bill to the address on record. The final billing will include prorated base charges and fees, a use fee based on the actual use of water from the last meter reading and a credit for any deposit remaining on the Utility Account per VMC 3.20.015.

(4) The final billing shall be due on or before the due date shown on the billing.

(5) Responsible Parties or Property Owners of Premises with unpaid and inactive Utility Accounts may request to enter into a written pay agreement with City. Said agreement shall be recorded against the Premises and allow payment for a period of time not to exceed six months from the date services were discontinued. No variances to payment terms will be allowed unless a new agreement has been requested and approved by the City. Violations of pay agreement terms shall result in charges, penalties and collection per applicable provisions of this Code. Existence of a pay agreement for one Premise

within the City shall have no bearing on City's approval for services at another Premise within the City.

(6) Unpaid and inactive Utility Accounts not subject to a written pay agreement shall be recorded as a lien against the Premises served and are subject to referral to a third-party collection agency.

(7) Unless the City has written instructions stating otherwise, the water meter for all Premises being permanently vacated shall be turned off and locked until such time as a new Responsible Party is approved by the City.

(8) When written notice is received for the reason of temporarily leaving the Premises the City shall prorate the base charges and fees and calculate a usage fee based on the actual use of water from the last meter reading. The City shall also charge the Responsible Party the turn off/turn on fee set by council resolution.

(9) The City will bill the Responsible Party the calculated charges at the Responsible Party's address on record or as otherwise provided on the notice, as part of City's regular billing cycle established in VMC 3.25.045.

(10) Base charges and fees shall be suspended until such time as the City receives notice that services are to be restored or until water use occurs. It will be determined that water use has occurred if and when any digits on the water meter register for that Premise have changed from the previous reading.

(11) When written notice is received to temporarily suspend Utility Service, City will endeavor to turn off the appropriate meter within 24 hours of the time and date requested and to turn on the meter within 24 hours after City receives notice that the repairs and/or maintenance have been completed.

(12) A turn off/turn on fee shall not be charged for temporary service discontinuances requested for repairs or maintenance. A proration of the base charges and fees shall not be made and all water used, as determined by reading the water meter register, shall be billed at the standard use rates.

### **3.25.060 Adjustments and refunds other than deposits and leaks**

(1) Adjustments and refunds, other than deposits, to Utility Accounts may be made by the Finance Director or designee pursuant to the following:

- a. All adjustments and refunds will be reviewed by a staff member other than the staff preparing the adjustment or refund.
- b. All adjustment and refunds in the amount of \$200 or more shall be reviewed by the Finance Director, or Finance Director's designee.
- c. All adjustments and refunds in the amount of \$2,500 or more shall only be made upon motion of the City council.

(2) No retroactive adjustment or refund shall extend beyond three (3) service months nor be granted in amounts less than five (\$5.00) dollars.

(3) The provisions of this section apply to all adjustments and refunds increasing or decreasing amounts due on Utility Accounts.

(4) In the event of a Responsible Party's death or bankruptcy, the City may eliminate any unpaid balance on the applicable Utility Account subject to the procedures set forth in VMC 3.25.060(1).

**3.25.065 Excessive water leaks – adjustments and payment terms**

(1) Requests for a billing adjustment due to a leak occurring may be made, using the forms provided by the City.

(2) Adjustments shall only be made if the leak resulted in water use equal to or greater than two times the previous highest monthly usage for that responsible party at the same premise.

(3) Adjustment shall be limited to removing excess sewer charges, if such charges have occurred, and recalculating the water usage charge at the Tier 1 rate.

(4) Payment for the recalculated amount shall be due, in full, under the same terms as the regular monthly utility bill.

(5) If payment in full is not possible by the due date, the Responsible Party may request to enter into a payment agreement with the City. City acceptance of the agreement is subject to Finance Director's approval. The payment amount subject to the agreement shall be an amount exceeding the average amount billed for water usage to that Premise for the preceding three service months.

**3.25.070 Charges for inspecting and testing and broken meters.**

(1) When any Responsible Party submits a complaint that the water use fee billed for any particular period is excessive, the City shall, upon written request by the Responsible Party, have such meter reread and the service inspected for leaks. The City will not charge for such rereading and inspection unless more than one request is made within a thirty (30) day period. The costs of more than one repeat rereading and inspections shall be charged to the Utility Account of the Responsible Party in an amount established by council resolution.

(2) Should such Responsible Party desire that the meter be tested or changed, such test or change shall be made by the City and the cost of said test or change shall be charged to the Utility Account of the Responsible Party in an amount established by council resolution. However, should the test of the meter show a registration in excess of three percent in favor of the City, the amount charged to the associated Utility Account for such test will be cancelled or credited as the case may be and the balance on the Utility Account adjusted accordingly. The excess registration, not to exceed the three previous readings, shall be credited to the account. Where no such error is found, the amount charged for such test will be retained to cover City test or change expenses.

(3) When any Owner or Person receiving Utility Service from the City shall request a relocation or alteration of the service or meter location, either vertically or horizontally, a determination of advisability of such relocation or alteration shall be made by the Public Works Director or designee. The decision of the Public Works Director or designee shall prevail, subject to the order of the council. In no event shall the meter or service be relocated onto private property beyond the property line, except by order of the Council. The cost of such relocation or alteration shall be charged to the Utility Account of said

Owner or Person in an amount established by council resolution. However, should a service or meter relocation or alteration be deemed beneficial to the City by the Public Works Director or designee, such relocation or alteration may be done by the City whether desired by the property Owner or not, and such relocation or alteration shall be at City's expense.

(4) Whenever a water meter is found by the meter reader to be inoperative, an amount equal to the average water use of the three preceding months and the applicable base charges and fees shall be charged to the Utility Account for that month."

**Section 2 Unamended Provisions.** All unamended provisions of Chapter 3.25 shall remain in full force and effect.

**Section 3 Savings.** Notwithstanding these amendments, City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

**Section 4 Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 5 Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 3 through 7) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 6 Effective Date.** This Ordinance will go into full force and effect on the 1st day of July, 2016.

READ FOR A FIRST TIME, BY TITLE ONLY, this 9 day of May, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ vote against by the Veneta City Council this \_\_\_\_ day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Sandra H. Larson, Mayor  
Executed this \_\_\_\_ day of \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXX

\_\_\_\_\_  
Darci Henneman, City Recorder  
Executed this \_\_\_\_ day of \_\_\_\_\_



**ORDINANCE NO. 532**

**AN ORDINANCE AMENDING VENETA MUNICIPAL CODE SECTIONS 13.35.010, 13.35.050, 13.35.080; REPEALING 13.35.070; AND INSERTING 13.35.090**

**WHEREAS**, the City first established a stormwater drainage fund and stormwater drainage fee by Ordinance No. 446, effective August 26, 2004, codified at Veneta Municipal Code (VMC) Title 13, Chapter 35; and

**WHEREAS**, the fee is used for planning, design, construction, operation, maintenance and administration of stormwater drainage facilities throughout the City of Veneta; and

**WHEREAS**, the obligation to pay the stormwater drainage fee is currently tied to whether or not a developed property is connected to the City's water or sewer systems; and

**WHEREAS**, all Developed Properties increase impervious surface and accordingly increase those properties' usage of City stormwater drainage services; and

**WHEREAS**, the Council wishes to better allocate responsibility for the funding of City stormwater drainage system improvements.

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1 Amending VMC 13.35.010, Definitions:** VMC 13.35.010 is hereby amended to read as follows:

**“13.35.010 Definitions.**

Unless otherwise defined herein, terms used in Veneta Municipal Code (VMC) 13.35 have the meaning ascribed in VMC 3.20.005. As used in this chapter, the following terms shall mean:

(1) “Developed Property” means a parcel or legal portion of real property, on which improvements exists or are being constructed. The term “Improvement” includes, but is not limited to buildings, parking lots, landscaping, and outside storage.

(2) “Impervious Surface” means any surface area which either prevents or retards saturation of water into the land surface, or a surface which causes water to run off the land surface in greater quantities or at an increased rate of flow from that present under natural conditions pre-existent to development. Common Impervious Surfaces include, but are not limited to, rooftops, concrete or asphalt sidewalks, walkways, patio areas, driveways, parking lots or storage areas, graveled, oiled or macadam surfaces or other surfaces which similarly impede the natural saturation or runoff patterns which existed prior to development.

(3) “Improved premises” means any area which the City determines has been altered such that the runoff from the site or impact to water quality is greater than that which could historically have been expected. “Improved premises” does not include public ways under the jurisdiction of the City, county, state or federal government; however, it does include,

but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations.

(4) "Open Drainage" means a natural or manmade path, ditch or channel which has the specific function of transmitting natural stream water or Stormwater from a point of higher elevation to a point of lower elevation.

(5) "Responsible Party" means the Person or Persons who by occupancy or contractual arrangement are responsible to pay for utility and other services provided to a Billing Unit, Developed Property or Occupied Unit. Unless another party has agreed in writing to pay and a copy of the writing is filed with the City, the person(s) required to pay the City's water or sewer bill for an Occupied Unit shall be deemed the Responsible Party as to that Occupied Unit. For any Occupied Unit not otherwise required to pay a City utility bill, "Responsible Party" shall mean the person or persons legally entitled to occupancy of the Occupied Unit, unless another Responsible Party has agreed in writing to pay and a copy of the writing is filed with the City. Any person who has agreed in writing to pay is considered the Responsible Party if a copy of the writing is filed with City.

(6) "Stormwater Drainage Facilities" means any structure or configuration of the ground that is used or by its location becomes a place where Stormwater flows or is accumulated, including but not limited to pipes, sewers, curbs, gutters, manholes, catch basins, ponds, Open Drainage ways and their appurtenances.

(7) "Stormwater Drainage Service" means the collecting of Stormwater discharged from property on which development exists and its deposit directly or indirectly into public Stormwater Drainage Facilities.

(8) "Stormwater" means water from precipitation, surface or subterranean water from any source, drainage and non-septic waste water.

**Section 2 Amending VMC 13.35.050, Charges for Stormwater Drainage Services:** VMC 13.35.050 is hereby amended to read as follows:

**"13.35.050 Stormwater Drainage Fee.**

(1) A Stormwater drainage fee, in an amount to be set by Council resolution, is hereby established and imposed upon all persons who use Developed Property. It is presumed that Stormwater Drainage Services are used whenever a premise located within the City's limits is developed, improved, contains one or more impervious surfaces, or whenever an improved premise is connected to the City's sewer or water systems.

(2) The Stormwater drainage fee will be set in an equitable amount for residential, commercial and industrial users in amounts which will provide sufficient funds to properly manage and maintain the City's Stormwater Drainage Facilities.

(3) The Finance Director shall charge the appropriate Stormwater drainage fee to the Responsible Party for each Billing Unit with an Active Utility Account or, for Occupied Units not connected to City water and/or sewer, to the Responsible Party for each Occupied Unit of residential and non-residential property. The amount payable shall be redetermined if there is a change of use or development. All redeterminations based on a change in use or development shall be prospective only.

(4) The Stormwater drainage fee shall be billed and collected from the Responsible Party identified in subsection (3), above. Stormwater drainage fees shall be included as part of the water and sewer bill for Billing Units with Active Utility Accounts, and included on an "Other Utility" bill for Occupied Units not connected to City water or sewer services. All such bills shall be rendered regularly by the Finance Director and shall become due and payable upon receipt.

(5) Collections from Responsible Parties will be applied first to interest and penalties, second to City transportation utility fees, third to Stormwater drainage fees, fourth to sanitary sewer service utilities, and last to water utilities.

**Section 3 Repeal.** VMC 13.35.070, Enforcement is hereby repealed in its entirety.

**Section 4 Amending VMC 13.35.080, Initiation of billing.** VMC 13.35.080 is hereby amended to read as follows:

**"13.35.080 Initiation of services**

For newly developed properties, the fees imposed under this Chapter shall be come due and payable from and after the earlier of the date when the Developed Property is occupied or when City water or sanitary sewer service is initiated."

**Section 5 Adopting VMC 13.35.090.** VMC 13.35 is hereby amended to insert subsection 13.35.090, as follows:

**"13.35.090 Collection and Enforcement**

To the extent not addressed in VMC 13.35, Stormwater drainage fees and associated charges shall be billed, collected monthly, and enforced as established in VMC Title 3, Chapters 20 and 25."

**Section 6 Unamended Provisions.** All unamended provisions of VMC Chapter 13.35 establishing Stormwater drainage fees for the City of Veneta, shall remain in full force and effect.

**Section 7 Savings.** Notwithstanding these amendments, the City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

**Section 8 Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 9 Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 3 through 7) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 10 Effective Date.** This ordinance will go into full force and effect on the 1st day of July, 2016.

READ FOR A FIRST TIME, BY TITLE ONLY, this 9 day of May, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ vote against by the Veneta City Council this \_\_\_\_ day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Sandra H. Larson, Mayor  
Executed this \_\_\_\_ day of \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, City Recorder  
Executed this \_\_\_\_ day of \_\_\_\_\_

**ORDINANCE NO. 533**

**AN ORDINANCE AMENDING  
VENETA MUNICIPAL CODE TITLE 13 CHAPTER 05**

**WHEREAS**, the current language in Veneta Municipal code (VMC) Title 13, Chapter 05 was primarily established by Ordinance No. 38 in 1967; and

**WHEREAS**, the City population, billing practices and utility services are substantially different than when Ordinance 38 was adopted; and

**WHEREAS**, changes to the policies relating to the City's Utility Systems collection of associated utility fees and systems are needed to reflect changes in the City's System usage, billing and collection practices; and

**WHEREAS**, the current VMC 13.05 contains a mix of policies related to the City's water system and City billing for such use; and

**WHEREAS**, separating these billing and use policies, and unifying the City's utility billing code provisions and practices will provide more efficient implementation and clarity for customers and staff; and

**WHEREAS**, the City is also amending other chapters and sections of the Code to enhance the consistency of terms and definitions used for utility billing and other services to which fees and charges apply.

**NOW, THEREFORE, THE CITY OF VENETA ORDAINS AS FOLLOWS:**

**Section 1 Amending VMC 13.05, Water:** VMC 13.05 is hereby amended to read as follows:

"Chapter 13.05

**WATER**

Sections:

- 13.05.010 Short title.
- 13.05.020 Definitions.
- 13.05.030 Authority.
- 13.05.040 Council powers and authority.
- 13.05.050 Council to set connection fee, penalties and other charges.
- 13.05.090 Application for connection to water system – Requirements.
- 13.05.100 Installation of service from main to curb line or property line.
- 13.05.110 Services outside the City.
- 13.05.120 Separate service to each house, unit, building or installation.
- 13.05.130 Access to premises for inspection.
- 13.05.150 Charges for relocation and alteration of meters.
- 13.05.180 Water shortage and water conservation measures.
- 13.05.220 Unauthorized water use
- 13.05.230 Faucet placement.
- 13.05.240 Abandoned and new revenue producing services.
- 13.05.250 Water system shut-off – Responsibility.

- 13.05.260 Damage through pipe and fixtures.
- 13.05.270 Use of City water and private water.
- 13.05.280 Operating valves or hydrants without authority.
- 13.05.300 Unauthorized service extensions.
- 13.05.310 Violation – Penalty.

**13.05.010 Short title.** This code shall be known as the “water code,” and may be so cited and pleaded.

**13.05.020 Definitions.** As used in this chapter, the following terms shall mean:

**PERSON:** Any individual, firm, co-partnership, association, corporation, or other legally recognized organization.

**CITY:** The City of Veneta, Oregon.

**CITY SYSTEM:** The City’s property, infrastructure, service yard, and offices connected therewith, clerical or field, existing and necessary for the provision of water, sewage, transportation, and storm-water services, individually or combined, within and without the limits of the City of Veneta, Oregon.

**WATER DEPARTMENT:** The total Water Department of the City of Veneta, including office, service yard, and all employees connected therewith, clerical or field.

**PUBLIC WORKS DIRECTOR:** The City Public Works Director or the Public Works Director’s designee.

**13.05.030 Authority.** The council shall have charge of the total water works, plant, and City System of the City of Veneta.

**13.05.040 Council powers and authority.**

(1) The Council is authorized and empowered to purchase, construct, keep, conduct, extend, and maintain the City System and all necessary plants and facilities to furnish water to the City and to areas adjacent thereto and to areas adjacent to the pipes, conduits, or aqueducts constructed or used for such purposes, and to that end may acquire, by purchase or otherwise, and own and possess such real and personal property within and without the limits of the City as in the judgment of the council may be deemed necessary and convenient.

(2) The council shall have power and authority to enter into the necessary contracts or agreements to purchase all necessary material, equipment, and supplies as it may deem necessary or convenient to the conduct, extension, operation, maintenance, and management of the City System, and to do any other act in the construction, operation, and maintenance of the City System.

(3) The council shall have power and authority to acquire any waterworks or water plant, or part thereof, either by direct purchase or by condemnation proceedings, in the manner prescribed by law for the appropriation of private property for corporate purposes or public use.

(4) The council shall have power and authority to and shall, from time to time, make such regulations as may be necessary for the installation of water mains, and for the apportionment of the cost thereof between property owners and the City.

(5) Excepting such installations as are deemed by the council to be of benefit to the City System as a whole, the council shall not cause to be laid any water mains unless, in its judgment, the revenue that will be derived from the water sales resulting from such installation shall produce a revenue equal to 10 percent per annum of the cost of such project. When the owner of property to be served by a water main, the income from which will not equal a sufficient amount to justify the cost of the project thereof as provided by this chapter and such council regulations, desires such service, the council may cause such project to be done, in accordance with City specifications, at the sole cost and expense of the property owner; such main becoming the sole property of the City upon completion of installation; and at any time thereafter when the annual income from such main shall be sufficient to have justified its construction, the City may reimburse the property owner at a price not exceeding the original cost, less five percent per annum for depreciation.

(6) The council shall have power and authority, by resolution and publication, to designate specific days, dates or hours during which users of water from the City System may use water for irrigation purposes, and may prohibit the use of water from the City System for purposes of irrigation and it shall be unlawful for any Person to irrigate or sprinkle in violation of such proclamation.

(7) The council shall have power and authority to do any other act or make any other regulation necessary and convenient for the conduct of its business and the due execution of the power and authority given it by Charter and not contrary to law.

**13.05.050 Council to set connection fees, penalties and other charges.**

(1) The council shall have power and authority to establish all fees, penalties and other charges for connecting to the City System and to provide for the payment of charges, fees, and penalties or when any of the rules and regulations of the City are disregarded or disobeyed. Said fees, penalties, and other charges shall be established by written resolution, without the necessity of amending the ordinance codified in this chapter, and such resolution when duly passed shall provide the lawful fees, penalties and other charges of the City in connection with such City System; provided however, the requirements of law be complied with in connection therewith.

(2) The council shall have power and authority to classify water services by service pipe size, meter sizes, demand, nature of usage, or other means deemed equitable by the council, and to establish minimum charges by said classification and the establishment of such classification and such minimums shall be by written resolution, without the necessity of amending the ordinance codified in this chapter, and such resolution, when duly and regularly passed, shall be the lawful classification of water services and minimum charges of the City.

(3) The council shall have power and authority to enter into special agreements for water usage and at special rates either greater or less than existing rates to water users within or without the boundaries of the City.

**13.05.090 Application for connection to water system – Requirements.**

(1) The property owner or authorized agent shall make written application for permits to connect premises with the City System, on the forms provided by the City, in which the applicant shall specify the location and the use for which the service is required and shall agree to abide by the provisions of this chapter, VMC 13.25 governing Utility Service and other applicable chapters of the Veneta Municipal Code.

(2) No application for a permit to connect any new structure to City water or sewer mains shall be accepted or installed without proof by the applicant of an approved building permit. The application shall only be valid as long as the building permit is valid. The City permit shall be automatically extended if the building permit is extended. When a building permit is terminated or voided for any reason, all fees paid for the building permit, water permit and/or sewer permit shall be forfeited by the applicant as liquidated damages. All systems development charges shall be refunded.

**13.05.100 Installation of service from main to curb line or property line.**

(1) Upon payment of the connection fee, the City or the consumer shall install a service pipe from the main to the curb or to the property line of the street in which the main is located, including curb stop, meter, and meter box. The City reserves the right to allocate the responsibility for the service pipe installation construction to consumer, at the consumer's own expense, based upon the location and extent of existing development on the premises, subject to all applicable building, plumbing, and sanitation codes and required inspections, fees and charges of the City.

(2) It shall be the duty of the City to maintain said service line from the main to the curb or property line of the street in which the main is located.

(3) The consumer shall, at consumer's own expense, install pipes from the curb or the property line of the street in which the main is located to the facilities as desired on consumer's premises, subject always to building, plumbing, and sanitation codes and required inspections of the City.

**13.05.110 Services outside the City.** The City may furnish water to places, individuals, companies, towns, and water districts outside the boundaries of the City and may charge therefor rates fixed by the council. In case such service is to companies, towns, or water districts, the aforesaid shall furnish to the City a map of its system, the number of consumers, and other information when called upon to do so, and the City may refuse to sell water to consumers who do not comply with the requirements of this section.

**13.05.120 Separate service to each house, unit, building or installation.**

(1) A separate service shall be furnished to each house or residence being individual and separate unto itself, whether abutting a street, easement, or public thoroughfare, or otherwise; and being not a part of a motel, trailer court, apartment house, or other multiple occupancy installation, nor being a related occupancy.

(2) A separate service shall be required to each unit of separate ownership, and in no event shall one service serve properties under separate ownership.

**13.05.130 Access to premises for inspection.** City officials, agents, and employees shall at all reasonable times have access to any premises served by the City System for the purpose of inspection, repair, or enforcement of any of the provisions of this chapter,

and in the event that any inspection discloses excessive leaks or any undue waste of water, then the City shall have the right to discontinue water service to such premises until satisfactory repairs have been made.

**13.05.150 Charges for relocating and altering meters.**

(1) When any property owner or his agent being served water by the City shall request a relocation or alteration of the service or meter location, either vertically or horizontally, a determination of advisability of such relocation or alteration shall be made by the Public Works Director. The decision of the Public Works Director, or designee, shall prevail, subject to the order of the council. In no event shall the meter or service be relocated onto private property beyond the property line, except by order of the council. The cost of such relocation or alteration shall be charged to the account of said owner or agent as established in rate resolution. However, should a service or meter relocation or alteration be deemed beneficial to the City by the Public Works Director, or designee, such relocation or alteration may be done by the Water Department, whether desired by the property owner or not, and such relocation or alteration shall be at the expense of the City.

(2) Whenever a City owned meter is damaged, the Water Department shall repair the damage and charge the account of said owner or occupant as established in the rate resolution.

(3) When a service pipe, curb stop, meter, or meter box is damaged or destroyed by contractors or others in the performance of construction, excavation, hauling, or other work, or where service pipes are destroyed by electrolysis, the Person, contractor, or company responsible for such damage or destruction shall be billed by the City for the cost of repair or replacement of such pipes, curb stops, meter, or meter box as established in the rate resolution.

**13.05.180 Water shortage and water conservation measures.**

(1) In an effort to prevent a water shortage the City council may adopt water conservation measures by resolution.

(2) In the event a water shortage should occur, and it becomes necessary for water to be conserved, or water use restricted, the City council by resolution may place such restrictions and promulgate such regulations in connection therewith as may be necessary until said water shortage is over.

**13.05.220 Unauthorized water use.** No Person shall use water from the City water system for any other purpose than that stated in the application or to supply in any other way Persons without application and permit to do so, and where a violation of these provisions is found to exist, the City may discontinue service.

**13.05.230 Faucet placement.** No faucets shall be allowed on the outside of any building except hose connections. The City reserves the right to require separate stops or control valves. No faucets shall be allowed on sidewalks or at the curb line where they are accessible to the public.

**13.05.240 Abandoned and new revenue producing services.** Whenever a service connection to any premises is abandoned or no longer used, or when new buildings are to be erected on the site of old ones and it is desired to increase the size or change the location of the old service connection, the City may cut out or remove such service

connection, and any new service required to said premises shall be installed only on application and payment for a new service connection in the regular manner.

**13.05.250 Water system shut-off – Responsibility.** The City reserves the right at any time without notice to shut off the water supply for repairs, extensions, or nonpayment of rates, or for any other reason. The City shall not be responsible for any damage, such as bursting boilers, pipes or fixtures; stoppage or interruption of water supply, or any other damage resulting therefrom. The City shall not be responsible for broken pipes, leaks, or other defects in water lines or fixtures beyond the property line on private property. It shall be the duty of each property owner to install a shut-off valve on the property served to permit shut-offs for repairing leaks in property owners' own system, and the City shall not be obligated to close any valve upon any street or alley in order to effect such repairs.

**13.05.260 Damage through pipe and fixtures.** No water user or any Person shall cause or suffer water from the system to run, drain or flow from property having the water connection onto any other property or onto any street or way, and the City shall in no case be liable for damage occasioned from water running from open or faulty fixtures or from broken or damaged pipes beyond the property line.

**13.05.270 Use of City water and private water.** Owners of premises desiring to use both the City water system and a supply of water other than that furnished by the City may obtain water from the City upon the following conditions, and not otherwise.

Under no circumstances shall a physical connection, direct or indirect, exist or be made in any manner, even temporarily, between the City water supply and the other water supply. Where such connection is found to exist, or where provision is made to connect the two systems by any means, the City water supply shall be shut off from the premises without notice. Service to said premises shall not be restored until satisfactory proof is furnished that the cross connection has been completely and permanently severed.

**13.05.280 Operating valves or hydrants without authority.** It shall be unlawful for any Person without authority from the City to remove, injure, open, close, or in any way tamper with, any water pipe, water main, shut-off valve or hydrant which is a part of the City System.

**13.05.300 Unauthorized service extensions.** It shall be unlawful for anyone to cause or permit the extension of water service from one dwelling unit, building or parcel of land to another without authority of the City. When additional dwelling units, buildings or parcels of land are connected without proper application and permit, such premises may be charged at double the rate for the time they are in use, and service may be disconnected by the City. The cost of such disconnection shall be established in the rates resolution, and service shall not be restored to said premises until such charge has been paid in full.

**13.05.310 Violation – Penalty.** Any Person, firm or corporation who shall violate, fail, neglect or refuse to comply with any of the provisions of this chapter shall, upon conviction thereof, be deemed guilty of a violation and fined an amount not to exceed \$360; and each day during which any violation hereof shall continue and persist after due notice thereof shall constitute a separate and distinct violation of this chapter.”

**Section 2 Savings.** Notwithstanding these amendments, the City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

**Section 3 Severability.** The sections, subsections, paragraphs and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**Section 4 Codification.** Provisions of this Ordinance shall be incorporated into the City Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 3 through 7) will not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 5 Effective Date.** This Ordinance will go into full force and effect on the 1st day of July, 2016.

READ FOR A FIRST TIME, BY TITLE ONLY, this 9 day of May, 2016, no Council member present having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, this \_\_\_\_ day of \_\_\_\_\_, 2016, no Council member present having requested that it be read in full.

PASSED AND ADOPTED by a \_\_\_\_ vote for and \_\_\_\_ vote against by the Veneta City Council this \_\_\_\_ day of \_\_\_\_\_, 2016.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Sandra H. Larson, Mayor  
Executed this \_\_\_\_ day of \_\_\_\_\_

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
\_\_\_\_\_  
Darci Henneman, City Recorder  
Executed this \_\_\_\_ day of \_\_\_\_\_