AGENDA
VENETA CITY COUNCIL
MONDAY, JUNE 8, 2020 – 6:30 P.M.
Veneta Administrative Center, 88184 8th Street, Veneta, Oregon

PURSUANT TO GOVERNOR BROWN'S EXECUTIVE ORDER NO. 20-07, ALL CITY OF VENETA PUBLIC MEETINGS WILL BE LIMITED TO NO MORE THAN 10 PEOPLE ATTENDING, INCLUDING STAFF AND ELECTED/APPOINTED OFFICIALS.

PURSUANT TO GOVERNOR BROWN'S EXECUTIVE ORDER NO. 20-16, CITY OF VENETA PUBLIC MEETINGS CAN BE ACCESSED VIA TELECONFERENCE. TO LISTEN TO THIS MEETING, CALL 1- 978-990-5248, ENTER ACCESS CODE 8848223.

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.

6:35 **3. PUBLIC HEARING ON USES OF STATE SHARED REVENUE**
- a. Open Public Hearing
- b. Staff Report/Agenda Item Summary – S. Hartz (pgs.3-4)
- c. Public Comment
- d. Questions from Council
- e. Close Public Hearing
- f. Council Deliberation (if needed)

6:45 **4. PUBLIC HEARING ON APPROVED BUDGET FOR FISCAL YEAR 2020-21**
- a. Open Public Hearing
- b. Staff Report/Agenda Item Summary – S. Hartz (pgs. 5-8)
- c. Public Comment
- d. Questions from Council
- e. Close Public Hearing
- f. Council Deliberation (if needed)

6:55 **5. LEGISLATIVE PUBLIC HEARING – VENETA MUNICIPAL CODE UPDATES TYPE I – V PROCEDURES**
- a. Open Public Hearing
- b. Staff Report/Agenda Item Summary – E. MacKenzie (pgs. 9-45)
- c. Public Comment
- d. Questions from Council
- e. Close Public Hearing
- f. Council Deliberation (if needed)
- g. **FIRST READING, ORDINANCE NO. 557** – AN ORDINANCE ADOPTING AMENDMENTS TO LAND DEVELOPMENT ORDINANCE NO. 493 AND LAND DIVISION ORDINANCE NO. 494 SPECIFICALLY ADOPTING TYPE I-V PROCEDURES FOR PROCESSING LAND USE APPLICATIONS for first reading by title only. (pgs. 47-85)

7:05 **6. CONSENT AGENDA**
- a. Minutes for May 11, 2020 Work Session (pgs. 87-89)
- b. Minutes for May 11, 2020 (pgs. 91-95)
- c. Accounts Payable
  - i. Paid Invoices Through May 26, 2020 (pgs. 97-100)
  - ii. Unpaid Invoices Through June 3, 2020 (pgs. 101-107)
- d. Request from Food for Lane County to use Territorial Park for Summer Lunch Program (pgs. 109-110)

7:10 **7. COUNCIL BUSINESS AND REPORTS**
- a. Business
  - (1) Lane County Sheriff's Activity Report (pg. 111)
- b. Council/Committee Liaison Reports

7:15 **8. STAFF REPORTS**

a. HR Specialist/Program Manager……..……..….....…Stacy Cornelius

(1) Adoption of Revised Veneta Community Pool Employee Manual

i. Agenda Item Summary (pg. 113)

ii. **RESOLUTION NO. 1296** – A RESOLUTION ADOPTING THE VENETA COMMUNITY POOL EMPLOYEE MANUAL, AND REPEALING RESOLUTION NO. 1250 (pgs. 115-143)

(2) Adoption of Revised City of Veneta Employee Handbook

i. Agenda Item Summary (pgs. 145-146)

ii. **RESOLUTION NO. 1297** – A RESOLUTION ADOPTING THE CITY OF VENETA EMPLOYEE HANDBOOK AND REPEALING RESOLUTION NO. 1153 (pgs. 147-195)

7:30 b. Community Development Director……..……...….....Evan MacKenzie

(1) Transportation System Development Charges – Consideration of Options (pgs. 197-200)

7:45 c. Finance Director……..……..…….....…Shauna Hartz

(1) Transfer Appropriations for 2019-2020 Fiscal Year

i. Agenda Item Summary (pgs. 201-202)

ii. **RESOLUTION NO. 1299** – A RESOLUTION TRANSFERRING APPROPRIATIONS FOR 2019-2020 FISCAL YEAR (pg. 203)

7:55 d. City Administrator……...…...…….……..…..…Matt Michel

(1) Cost Adjustment to Intergovernmental Agreement (IGA) for Building Permit Program Services (pgs. 205-210)

(2) Zayo Fiber Update - Verbal

(3) Questions from Councilors

8:10 **9. OTHER**

8:15 **10. ADJOURN**

Times are approximate. This meeting will be digitally recorded. Location is wheelchair accessible (WCA). Individuals needing special accommodations, such as sign language or foreign language interpreters, should make such requests by contacting the City Recorder at 541-935-2191(voice) or by e-mail at: dhenneman@ci.veneta.or.us. Requests made after 10:00 a.m. two working days prior to a meeting may not be accommodated.
Los tiempos son aproximados. Esta reunión se grabará digitalmente. La ubicación es accesible para sillas de ruedas (WCA). Las personas que necesiten un alojamiento especial, tales como lenguaje de señas o intérpretes de idiomas extranjeros, deben hacer tales peticiones poniéndose en contacto con el registrador de la ciudad en 541-935-2191 (voz) o por correo electrónico a: dhenneman@ci.veneta.or.us. Las solicitudes hechas después de las 10:00 a.m. dos días hábiles antes de una reunión no pueden ser acomodadas.

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

PUBLIC HEARINGS - Please observe the following rules.

WRITTEN TESTIMONY:
Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the City Council members to be considered in their decision.

ORAL TESTIMONY:
If you wish to testify with regard to a matter which has been set for ***Public Hearing*** please observe the following rules:

1. **State your name and address.**
2. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point. Comments can be in favor, against, or neutral regarding the proposal.**

The City Council considers all public comments, staff reports, and City ordinances in arriving at a final decision.
Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.

VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: **Public Hearing on Uses of State Shared Revenue**

Meeting Date: June 8, 2020
Department: Finance

Staff Contact: Shauna Hartz
Email: shartz@ci.veneta.or.us
Telephone Number: 541-935-2191 Ext. 305

ISSUE STATEMENT

To remain eligible for State Shared Revenue apportionments the City Council is required to conduct a public hearing regarding the uses of the revenue in the upcoming fiscal year.

BACKGROUND

The State of Oregon collects Cigarette, Liquor, Highway Gas, and Marijuana Sales Taxes. The State then, as required by Oregon Revised Statues (ORS) "shares" a portion of the money collected with cities and counties. The ORS also dictate how much is to be shared. The actual amount received by each city and county is dependent on each entities' population. For the upcoming fiscal year it is estimated that the City of Veneta will receive a total of $506,553.

In order to remain eligible to receive the shared revenue each city and county must conduct two public hearings. One hearing by the budget committee and the other one by the Council. The purpose of the hearings is to give the public an opportunity to comment on the use of the state shared revenue. For fiscal year 2020-21 the budget committee conducted their public hearing on May 21, 2020. There were no public comments or changes made by the committee.

Attached is a schedule showing the fiscal year 2020-21 estimated amounts for Veneta by revenue type. The Highway Gas Tax is restricted to street maintenance and repairs. The other types are not restricted. The City has chosen to use the Liquor and Cigarette Taxes for operating costs within the General Fund and the State Shared Revenue portion of the Liquor Tax for operating costs in the Parks and Recreation Fund. The Marijuana Tax is being split 50/50 into the Parks and Recreation and Law Enforcement Funds.

COUNCIL OPTIONS

The role of the City Council during this hearing is to listen to and discuss public comments regarding the uses of the State Shared Revenue. If the Council, based on the public comment, wishes to make changes to the approved budget, they can do so prior to adopting the budget.

ATTACHMENTS

1. Calculation Schedule

APPORTIONMENTS FROM STATE OF OREGON

Preliminary Population: *				4,800	
Reduction Factor for decreased sales in recession				0.95	0.85
Revenue Type	Rate per Capita	Amount to Budget	Allocation % to Fund(s)	Fund	Account #
Liquor Taxes 95%	19.79	90,242	100%	General	100-000-41325
Cigarette Taxes 95%	1.13	5,153	100%	General	100-000-41330
Marijuana Taxes 95%	3.51	8,003	50%	Law Enforcement	120-000-41330
		8,003	50%	Parks and Recreation	130-000-41330
Highway Gas Taxes 85%	78.94	318,854	99%	Street	230-000-41310
		3,218	1%	Street (A)	230-000-41315
State Revenue Sharing (Liquor Tax) 95%					
Fiscal Year	Actual Amounts Received	Amount to Budget (B)	Allocation % to Fund(s)	Fund	Account #
2015-16	44,427				
2016-17	48,019				
2017-18	49,836				
2018-19	52,100				
Estimate for FY2020-21		46,166	100%	Parks	130-000-41320
State Marijuana Tax 95%					
		Amount to Budget (D)	Allocation % to Fund(s)	Fund	Account #
2017-18	29,765				
2018-19	26,896				
Estimate for FY2020-21		13,457	50%	Law Enforcement	120-000-41330
		13,457	50%	Parks and Recreation	130-000-41330

Totals by Fund:

General	95,395
Law Enforcement	21,460
Parks and Recreation	67,626
Street	322,072
	$ 506,553

(A) Restricted for pedestrian and bicycle pathways

(B) Based on average of actual amounts received in last four years

(D) Based on average of actual amounts received in last two years. This should increase to four years as time goes on.

Note: The information in the columns entitled "Allocation %, Fund and Account # are based on current practice/policy. If the practice/policy changes, the informtion in this spreadsheet should be updated.

VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: **Public Hearing on Approved Budget**

Meeting Date: June 8, 2020
Department: Finance

Staff Contact: Shauna Hartz
Email: shartz@ci.veneta.or.us
Telephone Number: 541-935-2191 Ext. 305

ISSUE STATEMENT

Prior to considering the budget for adoption the City Council is required, by State Budget Law, to conduct a hearing on the budget as it was approved by the budget committee.

BACKGROUND

The State of Oregon has established a process by which governmental and other agencies create and adopt an operating budget for a specified amount of time. The timeline for the process is up to the individual agencies; however, the budget does need to be adopted by midnight on June 30th for operations to continue legally.

One of the State's objectives for the process is to allow for citizen involvement and participation. This is achieved by appointing citizen members to be on the budget committee, public notices being published, and by conducting public hearings.

The public hearing scheduled for tonight, on the Fiscal Year 2020-21 Approved Budget, was noticed in the newspaper on June 3, 2020. A copy of the notice is attached (Attachment 1). The approval was granted, by the budget committee, on May 21, 2020.

Attached also is a summary (Attachment 2), by fund, of the projected beginning fund balance, anticipated new revenues, expected expenditures, the projected ending fund balance, and the total budget. Detail sheets can be provided upon request. The entire budget document is available for review at the City's Administrative Center (City Hall) and on the City's website: www.venetaoregon.gov.

The formal adoption of the fiscal year 2020-21 budget is scheduled for the June 22, 2020 City Council meeting.

COUNCIL OPTIONS

The role of the City Council during this hearing is to listen to and discuss public comments regarding the Approved Budget.

ATTACHMENTS

1. Copy of Public Hearing Notice
2. Summary of Approved Budget

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FORM LB-1 **NOTICE OF BUDGET HEARING**

A public meeting of the Veneta City Council will be held on June 8, 2020 at 6:30 p.m. at 88184 8th Street, Veneta, Oregon. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2020 as approved by the City of Veneta Budget Committee. A summary of the budget is presented below. A copy of the budget may be inspected, at the above address, by calling to make an appointment between the hours of 9:00 a.m. and 4:30 p.m. or online at www.venetaoregon.gov. This budget is for an annual budget period. This budget was prepared on a basis of accounting that is the same as the preceding year

Contact: Shauna Hartz Telephone: 541-935-2191 Email: shartz@ci.veneta.or.us

FINANCIAL SUMMARY - RESOURCES			
TOTAL OF ALL FUNDS	Actual Amount 2018-19	Adopted Budget This Year 2019-20	Approved Budget Next Year 2020-21
Beginning Fund Balance/Net Working Capital	15,830,929	10,942,396	13,572,376
Fees, Licenses, Permits, Fines, Assessments & Other Service Charges	3,396,423	3,418,611	3,313,355
Federal, State and all Other Grants, Gifts, Allocations and Donations	1,996,417	1,825,142	1,910,696
Revenue from Bonds and Other Debt	0	0	0
Interfund Transfers / Internal Service Reimbursements	1,470,500	229,000	602,000
All Other Resources Except Current Year Property Taxes	488,661	295,754	264,320
Current Year Property Taxes Estimated to be Received	1,652,296	1,631,264	1,639,713
Total Resources	**24,835,226**	**18,342,167**	**21,302,460**

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
Personnel Services	1,650,396	1,974,398	2,054,362
Materials and Services	2,633,249	3,972,434	3,716,485
Capital Outlay	4,080,457	1,976,150	3,602,789
Debt Service	803,939	857,848	848,768
Interfund Transfers	1,470,500	229,000	602,000
Contingencies	0	480,500	430,500
Special Payments	0	0	0
Unappropriated Ending Balance and Reserved for Future Expenditure	14,196,685	8,851,837	10,047,556
Total Requirements	**24,835,226**	**18,342,167**	**21,302,460**

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM *			
Name of Organizational Unit or Program **FTE** for that unit or program			
Administration/Finance/Community Development	2,664,515	2,914,695	2,315,470
FTE	10	11	10
Public Works	14,977,390	10,741,701	14,048,713
FTE	6	6	7
Law Enforcement	1,122,797	1,138,197	1,310,713
FTE	0	0	0
Not Allocated to Organizational Unit or Program	6,070,524	3,547,574	3,627,564
FTE	0	0	0
Total Requirements	**24,835,226**	**18,342,167**	**21,302,460**
Total FTE	**16**	**17**	**17**

STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING *

RESOURCES: The City is expecting modest declines in most of the general operating revenue types and a substantial increase in Transfer revenues. The amount of Transfers in the fiscal year 2020-21 includes one-time transfers to close two funds and an increase in the amount going into the Street Fund to offset a portion of the E. Hunter improvement project cost. REQUIREMENTS: Citywide expenditures are expected to increase from $9.4 million to $10.2 million. Personal Services are expected to increase due to higher wages and increases in benefit rates and Materials and Services are expected to decrease because the large street maintenance projects included the current year have been completed. These decreases are being offset by a $1.6 million increase in Capital Outlay. The 4th Street improvement project is being carried forward into the new budget year. The design work done previously for E. Hunter, the Downtown Parking Lot and Phase II of the City Park improvements enables the City to budget and start construction this summer. Transfers are also increasing as explained in the Resources section. The three largest transfers are meant to be one-time transfers on the expenditure side also.

PROPERTY TAX LEVIES			
	Rate or Amount Imposed 2018-19	Rate or Amount Imposed This Year 2019-20	Rate or Amount Approved Next Year 2020-21
Permanent Rate Levy (rate limit 5.6364 per $1,000)	5.6364	5.6364	5.6364
Local Option Levy	0	0	0
Levy For General Obligation Bonds	89,453	89,453	89,453

STATEMENT OF INDEBTEDNESS		
LONG TERM DEBT	Estimated Debt Outstanding on July 1.	Estimated Debt Authorized, But Not Incurred on July 1
General Obligation Bonds	680,975	0
Other Bonds	12,332,932	0
Other Borrowings	184,045	0
Total	$13,197,952	$0

SUMMARY OF RESOURCES AND REQUIREMENTS

FUNDS BY TYPE	BEGINNING FUND BALANCE PROJECTED FUND BALANCE @ 7-1-2020	TOTAL NEW REVENUE	TOTAL RESOURCES (Beginning Fund Balance + New Revenue)	TOTAL EXPENDI-TURES	ENDING FUND BALANCE PROJECTED FUND BALANCE @ 6-30-2021	TOTAL REQUIRE-MENTS (Expenditures + Ending Fund Balance)
GENERAL FUND:						
GENERAL	1,182,784	689,758	1,872,542	1,118,817	753,725	1,872,542
SPECIAL REVENUE FUNDS:						
LAW ENFORCEMENT	205,804	1,104,909	1,310,713	1,151,494	159,219	1,310,713
PARKS & RECREATION	584,841	644,858	1,229,699	720,897	508,802	1,229,699
PLANNING	224,654	218,274	442,928	259,143	183,785	442,928
STREETS	1,713,817	2,021,067	3,734,884	3,196,253	538,631	3,734,884
STORMWATER	220,458	72,032	292,490	68,796	223,694	292,490
BUILDING INSPECTION PROGRAM	5,933	111,050	116,983	110,901	6,082	116,983
GOVERNMENTAL SDC	1,370,617	69,414	1,440,031	1,290,500	149,531	1,440,031
GRANT	-	-	-	-	-	-
ZUMWALT	157,760	77,698	235,458	101,053	134,405	235,458
BUSINESS ASSIST LOAN/GRANT	149,581	1,392	150,973	45,050	105,923	150,973
LOCAL IMPROVEMENT	311,539	5,641	317,180	18,543	298,637	317,180
ENTERPRISE FUNDS:						
WATER	2,825,319	1,178,051	4,003,370	1,348,449	2,654,921	4,003,370
SEWER	2,594,043	1,289,509	3,883,552	985,172	2,898,380	3,883,552
WATER SDC	85,650	58,376	144,026	45,141	98,885	144,026
SEWER SDC	700,110	60,582	760,692	165,392	595,300	760,692
CAPITAL PROJECT FUNDS:						
CAPITAL PROJECT-NEW POOL	80,000	-	80,000	80,000	-	80,000
CAPITAL PROJECT- W BRDWAY DEVELOPMENT	65,000	-	65,000	65,000	-	65,000
DEBT SERVICE FUND:						
DEBT SERVICE	149,867	90,617	240,484	94,303	146,181	240,484
RESERVE FUNDS:						
PW EQUIPMENT	196,870	16,668	213,538	40,000	173,538	213,538
GOVERNMENTAL RESERVE	524,774	15,052	539,826	350,000	189,826	539,826
ENTERPRISE RESERVE	222,955	5,136	228,091	-	228,091	228,091
TOTALS	$ 13,572,376	$ 7,730,084	$ 21,302,460	$ 11,254,904	$ 10,047,556	$ 21,302,460

VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: **Procedural Updates to Land Development (No. 493) and Land Division (No. 494) Ordinances**

Meeting Date: June 8, 2020
Department: Community Development

Staff Contact: Evan MacKenzie
Email: emackenzie@ci.veneta.or.us
Telephone Number: 541-935-2191

ISSUE STATEMENT

Staff proposes to amend the City of Veneta Land Development Ordinance (No. 493) and Land Division Ordinance (No. 494) to incorporate a single source of standardized language for all land use application procedures and definitions, similar to that used by many other jurisdictions in Oregon. The current language is inconsistent and vague, making procedural standards unclear and difficult to administer. No changes to the list of permitted or prohibited uses, or other development regulations, are associated with this request.

This issue was discussed before the Planning Commission at its January 7, 2020 meeting, and then the City Council at its January 27 meeting. Both bodies recommended staff move the issue forward for consideration and adoption. The City Attorney is also supportive of the change and has reviewed the proposed amendments.

The amendments were formally presented to the Planning Commission at a duly noticed public hearing on May 5, 2020. The Commission recommended the City Council approve the proposed amendments with minor revisions, which have been incorporated into the material under consideration for adoption.

BACKGROUND

Staff has maintained a list of potential code updates for many years. The previous Community Development Director included a recommendation to transition the City to a standardized "Type" application procedure on that list. Many other jurisdictions use this procedure for processing land use actions that classify all applications depending on who issues the final decision and how. The proposed amendments would carry out that recommendation by classifying all land use applications under one of the five following procedural Types:

A. **Type I Procedure (Ministerial).** Type I decisions are made by staff, without public notice and without a public hearing. The Type I Procedure uses clear and objective approval criteria that allows for the application of city standards and criteria without the exercise of discretion. Most Type I decisions require only an application form and can be approved by staff upon or shortly after receipt. Type I decisions are not land use decisions, and are not appealable.

B. **Type II Procedure (Administrative).** Type II decisions are made by staff with public notice, submittal of written comments only (not a hearing), findings addressing all approval criteria and the

exercise of limited discretion, and a decision to approve or deny the application. Interested parties may appeal a Type II decision if they believe a decision was made in error. Appeal of a Type II decision is heard by the Planning Commission.

C. **Type III Procedure (Quasi-Judicial).** Type III decisions are made by the Planning Commission after public notice, and opportunity for written and oral public comment at a public hearing. Type III decisions generally apply approval criteria requiring the exercise of discretion, allowing the Planning Commission to weigh evidence presented and make its own findings and decision. Type III decisions may be appealed to the City Council.

D. **Type IV Procedure (Quasi-Judicial).** Certain zoning map amendments are discretionary in nature, and require the exercise of judgment in applying the policies of the Comprehensive Plan and its implementing ordinances. These actions require a quasi-judicial review by the Planning Commission similar to a Type III action, but also require review and approval by the City Council and adoption by ordinance. Appeals of Type IV decisions go to the Oregon Land Use Board of Appeals (LUBA).

E. **Type V Procedure (Legislative).** Type V procedures apply to legislative matters. Legislative matters include the adoption and amendment of land use regulations, and the City's Comprehensive Plan. Type I-IV decisions require consistency with adopted standards; Type V decisions generally change the standards and procedures that apply to land use applications. While Type II-IV applications require some level of quasi-judicial protection to discrete applicants, legislative decisions apply Citywide, and thus require a lower level of procedural protections. Type V matters are considered initially by the Planning Commission, which forwards a recommendation (not a decision) to the City Council. As Type V decisions involve policy choices about how the City should develop, the City enacts legislative decisions by ordinance. Appeals go to LUBA.

Staff has historically presented certain applications to the Planning Commission even if applicable approval criteria offered no discretion. Staff proposes to amend Ordinances 493 and 494 to clearly direct staff review of such actions unless an associated application, such as a Variance, requires review by the Planning Commission in order to approve it. In that event, the Planning Commission would review both applications, weigh any public testimony, and make findings, which may require discretion to determine if the evidence supports a decision to approve or deny or approve with conditions. Although the approval criteria for various land use applications may be different, the process that the City uses to arrive at a decision is often in line with one of the five procedural types identified above. Therefore, staff recommends deleting all procedural standards from Ord. 494 (Land Division) and assigning all applications in both ordinances with similar procedural requirements to the appropriate classification in the new Article 11 in Ord. 493 (Land Development).

The advantage of using the system outlined above is that all applications can be processed in a uniform way that City staff, members of the public, and applicants can easily understand. Removing and replacing the procedures currently scattered throughout the Land Development and Land Division Ordinances and consolidating them into one location will avoid confusion about the standards and processes that apply to each individual land use application. Moreover, many developers and contractors are familiar with these terms and procedures from other jurisdictions.

Definitions
The amendments will remove all definitions from the Land Division Ordinance, and incorporate them by reference into the Land Development Ordinance. The current language of the Land Division Ordinance repeats verbatim many of the same definitions from the Land Development Ordinance, even though many of the defined words do not actually appear in the Land Division Ordinance(!). The proposed amendments will ensure that both ordinances rely on a single set of definitions in the Land Development Ordinance.

Note - Text Formatting
There may exist inconsistencies in formatting in the attached amendment files, in relation to each other as well as in relation to the two original ordinances proposed for amendment. Staff will work to remedy these inconsistencies after the final version of each document is approved, when they are integrated into the respective ordinances. It is also possible that some references to other sections may be incorrect once all of the proposed amendments are incorporated. Staff will address these as scrivener errors.

Last-minute change
After the Planning Commission public hearing, staff realized that no changes to the procedural requirements for adopting a Planned Development Subzone (/PD) in Section 4.14 had been made for consistency with other Type I-V amendments. These changes have been incorporated into Exhibit B (Amendments to Ordinance No. 493) on page 10.

PUBLIC NOTICE
Any proposed amendments to the Comprehensive Plan or implementing ordinances require notice of a "Post Adoption Plan Amendment" (PAPA) to the Department of Land Conservation and Development (DLCD) a minimum of 35 days before the first evidentiary hearing. Notice was provided through the online PAPA submittal portal on January 31, 2020. Because the proposed amendments will not change any allowed or conditionally permitted uses on property in the City, no notices were mailed to property owners.

RELATED CITY POLICIES
Veneta Land Development Ordinance (No. 493)
Veneta Land Division Ordinance (No. 494)
Both ordinances are available online here: https://www.codepublishing.com/OR/Veneta/

The following Articles and Sections of the Land Division and Development Ordinances will be amended *(See individual Exhibits for all amendments):*

LAND DEVELOPMENT ORDINANCE (NO. 493)

Article 1 – Introductory Provisions
Add new section 1.03 Severability
Add new section 1.04 Policy of Nondiscrimination
Add new section 1.05 Duty of Enforcement

Article 2 – Administrative Provisions
New Section 2.01B. Penalties for Noncompliance
2.03 Administration. *Remove all procedural language in B, C and D.*
2.06 Form of Petitions…
2.07 Appeals.
2.11 Notice of Public Hearing.
2.12 Continuance.
2.13 Notice of Limited Land Use Actions.

Article 4 – Use Zones
4.14 Planned Development Subzone

Article 5 – Supplementary Provisions
Regulatory
All references to "Track 2 Site Plan Review" changed to Type III Site Plan Review
New Section 5.31, section title omitted from original document
Existing Section 5.31 will now be 5.32

Article 6 – Site Plan Review
6.06 Procedure.
6.07 Amendments.

Article 7 – Temporary Use Permit Regulations
7.05 Procedure for Approving…

Article 8 – Conditional Uses
8.03 Taking Action…
8.05 Time Limit

Article 10 – Variances
10.04 Procedure for Taking Action

Article 11 – Amendments
Delete all language in current Article 11; rename
Procedural Standards
Add all new Article 11 with Type I-V Procedural Standards

Article 12 – Home Occupations
12.03 Minor Home Occupations.

Article 13 – Definitions
13.02 Definitions *Incorporate definitions from Land Division Ordinance*

LAND DIVISION ORDINANCE (NO. 494)

Repeal all procedural language and direct to Article 11 in the Land Development Code (Ord. 493)

Article 2 – Application and Variance Procedures
2.03 Submission Procedure
2.05 Variance Petition
2.06 Notice of Limited Land Use Actions
2.07 Wetland Development

Article 3 – Property Line Adjustments and Replats
3.01 Submission Requirements

Article 4 – Subdivisions
4.02 Tentative Plan Review and Action Procedures
4.03 Categories for Review…
4.06 (Final Plat) Review and Action Procedures

Article 5 - Partitions
5.03 Tentative Plan Review and Action Procedures
5.07 (Final Plat) Review and Action Procedures

Article 8 – General Provisions
8.06 Definitions. *Delete all definitions and reference Development Code Article 13*

COUNCIL OPTIONS

1) Adopt the proposed amendments as written.
2) Adopt the proposed amendments with changes.
3) Decline to adopt the proposed amendments.

Note: The City Attorney may recommend some additional changes after the staff report is prepared and prior to adoption. Staff has accounted for this by including two alternative recommended motions.

CITY ADMINISTRATOR'S RECOMMENDATION

That the City Council adopt the proposed amendments as written, unless specific changes are requested by the City Attorney prior to adoption.

SUGGESTED MOTION

"I make a motion to adopt Ordinance No. 557, an Ordinance Adopting Amendments to Land Development Ordinance No. 493 and Land Division Ordinance 494 specifically adopting Type I-V Procedures for processing land use applications for first reading by title only."

ATTACHMENTS

1. Proposed Changes to Ordinance No. 493, Land Development Ordinance
2. Proposed Changes to Ordinance No. 494, Land Division Ordinance

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City of Veneta Ordinance No. 557
Amendments to the
VENETA LAND DEVELOPMENT ORDINANCE
No. 493

Only those sections with amendments are shown.
Deleted language in ~~strikethrough~~
New language in **bold**

Article 1 – Introductory Provisions
Amend section 1.02, add new sections 1.03, 1.04, 1.05
Article 2 – Administrative Provisions
2.01 Compliance
2.03 ~~Administration.~~ Unlawful Construction or Use
2.06 Form of Petitions…*Delete and replace with new procedural language.*
2.07 Appeals. *Delete and replace with new procedural language.*
2.11 Notice of Public Hearing. *Delete and replace with new procedural language.*
2.12 Continuance. *Delete and replace with new procedural language.*
2.13 Notice of Limited Land Use Actions. *Delete and replace with new procedural language.*
Article 5 – Supplementary Provisions
5.04 ~~Reserved Section~~ General Standards for Single Family Detached Dwellings
All references to "Track 2 Site Plan Review" changed to Type III Site Plan Review
New Section 5.31, section title omitted from original document
Existing Section 5.31 will now be 5.32
Article 6 – Site Plan Review
6.06 Procedure. *Delete and replace with new procedural language.*
6.07 Amendments. *Delete and replace with new procedural language.*
Article 7 – Temporary Use Permit Regulations
7.05 Procedure for Approving… *Delete and replace with new procedural language.*
Article 8 – Conditional Uses
8.03 Taking Action… *Delete and replace with new procedural language.*
8.05 Time Limit… *Delete and replace with new procedural language.*
Article 10 – Variances
10.04 Procedure for Taking Action… *Delete and replace with new procedural language.*
Article 11 – Amendments
Delete all language in current Article 11; rename **Procedural Standards** **(See separate attachment)**
Add all new Type I-IV Procedural Standards, including appeals, time limits and extensions
Article 12 – Home Occupations
12.03 Minor Home Occupations. *Direct approval procedure to a Type I permit.*
Article 13 – Definitions
13.02 Definitions *Incorporate definitions from Land Division Ordinance*

ARTICLE 1 - INTRODUCTORY PROVISIONS

1.01 TITLE

This ordinance shall be known as the VENETA LAND DEVELOPMENT ORDINANCE of 2010.

1.02 PURPOSE

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.

The provisions of this Ordinance shall be deemed minimum requirements necessary to implement the Veneta Comprehensive Plan in accordance with Oregon Revised Statutes Chapter 197 and to preserve the public safety, health, convenience, comfort, prosperity and general welfare of the people of the City of Veneta.

1.03 SEVERABILITY

The provisions of this ordinance are severable. If a section, sentence, clause or phrase of this ordinance is held invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

1.04 POLICY OF NONDISCRIMINATION

Age, gender/race or physical disability shall not be a consideration in making any decision under this ordinance.

1.05 DUTY OF ENFORCEMENT

It shall be the duty of the City Administrator to enforce this ordinance. No permit for the construction or alteration of any building or part thereof shall be issued unless the plans, specifications and intended use of such building conform in all respects with the provisions of this ordinance.

ARTICLE 2 - ADMINISTRATIVE PROVISIONS

2.01 COMPLIANCE WITH ORDINANCE PROVISIONS

A. Development **Consistent with Ordinance.**
   1. Land may be used and a structure or part of a structure may be constructed, altered, occupied or used only as this ordinance permits.
   2. No lot area, yard, off-street parking area, off-street loading area or other open space existing on or after the effective date of this ordinance shall be reduced below the minimum required for it by this ordinance.
   3. No lot area, yard, off-street parking area, off-street loading area or other open space shall be used as the required lot area, yard, off-street parking area, off-street loading area or other open space of another use, except as provided for in this ordinance.
   4. **Development shall not commence until the applicant has received all approvals required under this ordinance or Land Division Ordinance 494.**

2.03 ~~ADMINISTRATION~~ UNLAWFUL CONSTRUCTION OR USE

~~The City Administrator or other official designated as the building and planning official by the City shall have the power and duty to enforce the provisions of this ordinance.~~

A. Violations.

If a structure is located, constructed, maintained, repaired, altered or used in violation of this ordinance, or land is used in violation of this ordinance, the City may utilize the procedures in this ordinance, or any other lawful means, to correct the violation.

1. **Within a reasonable time after discovering a violation of this ordinance, the Building and Planning Official shall notify the property owner that such a violation exists.**
2. **If the violation does not involve a structure, action to correct the violation shall be made within 30 days. If the violation involves a structure, action to correct the violation shall be made within 60 days.**
3. **If no action has been taken to correct the violation within the specified time, the Building and Planning Official shall refer the violation to the City Administrator for enforcement.**

B. Penalties for noncompliance.

1. **Violation of any provision of this ordinance or any amendment thereto is punishable, upon conviction, by a fine of not less than $50 nor more than $500 dollars.**
2. **A violation of this ordinance shall be considered a separate offense for each day the violation continues.**

~~2.07 APPEALS~~

~~1. An action or ruling of the Building and Planning Official pursuant to this ordinance may be appealed to the Veneta Planning Commission within fifteen (15) days after the Building and Planning Official decision is mailed. An action or ruling of the Planning Commission pursuant to this ordinance may be appealed to the City Council within fifteen (15) days after the Planning Commission has rendered its decision and the final order has been signed. Written notice of appeal from a decision of either the Building and Planning Official or the Planning Commission shall be filed with the City within fifteen (15) days of the date the final order has been signed.~~

~~2. Issues of appeal must be raised with sufficient specificity to have afforded the decision maker and the applicant, if appropriate, an adequate opportunity to respond to and resolve each issue. The failure to raise an issue in person or by letter filed in a timely manner precludes appeal and the failure to specify to which criterion the comment is directed, precludes appeal based on that criterion. Appeals may only be made by an adversely affected or aggrieved person or an affected party who appears in person or to a timely presentation of written testimony to the Building and Planning Official or the Planning Commission and who files a written "Notice of Appeal" within fifteen (15) days of the decision.~~

~~3. The written notice of appeal shall:~~

~~a. be made on the appeal form provided by the City and include applicant's valid signature,~~

~~b. be filed with the appropriate fee,~~

~~c. include all matters specifically appealed, including a brief summary of the material presented to the Building and Planning Official or the Planning Commission upon which the decision which is being appealed was based.~~

~~4. Specific statutory citations supporting the appeal shall also be included. Failure to comply with one or more of these appeal requirements constitutes a jurisdictional defect which precludes the Planning Commission or City Council from considering the appeal. Any issue not specifically raised in the written appeal shall be deemed waived and will not be heard by the Planning Commission or the City Council as part of the appeal. If the appeal is filed, the Planning Commission or City Council shall receive a report and recommendation thereon from the Building and Planning Official or the Planning Commission and shall hold a public hearing on the appeal. Review is de novo by both the Planning Commission and City Council. The Planning Commission or City Council may continue the hearing for good cause.~~

~~Following the hearing, the Planning Commission or City Council may sustain, reject, or overrule any recommendations or rulings of the Building and Planning Official or Planning Commission, provided such action complies with the provisions of this ordinance.~~

~~2.11 NOTICE OF PUBLIC HEARING~~

1. ~~Each notice of public hearing authorized by this ordinance shall be published in a newspaper of general circulation in the City and posted at Veneta City Hall at least ten (10) days prior to the date of the hearing.~~
2. ~~A notice of public hearing on an amendment to a zoning map shall be mailed to all owners of property located within not less than 500 feet from the exterior boundaries of the property for which the zoning map amendment has been requested. Notice shall also be provided to any neighborhood or community organization recognized by the City and whose boundaries include the site; to public notice subscribers; to the Lane County Assessor; and to the Lane County Land Management Division.~~
3. ~~A notice of public hearing on a quasi judicial land use decision shall be mailed to the property owner, applicant, anyone who has expressed interest in the application or public notice subscribers, and all owners of property located within 300 feet of the property, for which the quasi judicial land use decision has been requested. A notice shall also be posted on the property for which the land use decision has been requested.~~
4. ~~For the purpose of mailing notices of public hearing, the applicant shall provide the City with a list of property owners of record on the most recent property tax assessment roll. If the applicant fails to provide a list, the City may prepare the list and charge the applicant for the staff time involved as a part of the publication costs.~~
5. ~~The notice of hearing shall be mailed at least:~~
   a. ~~Twenty (20) days before the hearing; or~~
   b. ~~If two (2) or more hearings are required, ten (10) days before the first hearing.~~
6. ~~Failure of a person to receive the notice prescribed in this section shall not impair the validity of the hearing.~~
7. ~~When an application is received to change the zone of any property which includes all or part of a manufactured dwelling park, written notice by first class mail shall be sent to each existing mailing address for tenants of the manufactured dwelling park at least ten (10) days, before the date of the first hearing on the application.~~
8. ~~The public notice shall explain the nature of the application and the proposed use or uses which would be authorized; list the applicable criteria from the ordinance and the comprehensive plan that apply to the application; cite the street address or some other easily understood geographical reference to the subject property; state the date, time and location of the hearing; include the name and telephone number of the City representative to contact for additional information; state that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost and that a staff report will be available for inspection at no cost at least seven (7) days prior to the hearing and will be provided at reasonable cost. The notice shall also include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings and shall state that failure to raise an issue in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal based on that issue. It shall also state that failure of the applicant to raise constitutional or other issues relating to the proposed conditions of approval with sufficient specificity to allow the city to respond to the issues precludes an action for damages in circuit court.~~
9. ~~The notice provisions of this section shall not restrict the giving of notice by other means.~~
10. ~~A notice of hearing on an amendment to a zoning map or text amendment shall be mailed to the Land Conservation and Development Commission (LCDC) Department of Land Conservation and Development (DLCD) 45 35 days prior to the first evidentiary hearing date.~~
11. ~~The City shall provide notice of the decision to the applicant and any person who submits written or oral testimony. The notice of the decision must identify the application, state the decision being made~~

~~and the date it was signed, include an explanation of appeal rights, either at the local level or to the Land Use Board of Appeals (LUBA), and briefly summarize the local decision making process for the decision being made.~~

12. ~~If the City Council approves a zone change, notice of the decision shall also be mailed to the Lane County Assessor's Office.~~

~~2.12 CONTINUANCE, EXTENSIONS AND REOPENING PUBLIC HEARINGS~~

1. ~~The Planning Commission may continue the public hearing to a time, date, and place certain if additional information is needed to make a decision.~~
2. ~~Unless there is a continuance, if a participant so requests before the conclusion of the initial public hearing, the record shall remain open for at least seven (7) days after the hearing. Such an extension shall be subject to the limitations of the 120 Day Rule, unless the extension is requested or agreed to by the applicant. Unless waived by the applicant, the City must allow the applicant at least seven (7) days after the record is closed to all other parties to submit final written arguments in support of the application. This seven (7) day period is not subject to the 120-Day Rule.~~
3. ~~When a local governing body, planning commission, council or hearings officer reopens a record to admit new evidence, arguments, or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.~~

~~2.13 NOTICE OF LIMITED LAND USE ACTIONS~~

~~Limited Land Use decisions do not require public hearings; however, the decision is subject to the following requirements:~~

1. ~~The City shall follow the applicable procedures contained within its land use regulations and other applicable legal requirements.~~
2. ~~Written notice shall be posted at City Hall and mailed to the property owner, applicant and all owners of property within 300 feet of the entire contiguous site for which the application is made. Notice shall also be provided to any neighborhood or community organization recognized by the City and whose boundaries include the site; anyone who has paid a public notice subscription fee; and to Lane County Land Management Division. A notice shall also be posted on the property for which the limited land use decision has been requested.~~
3. ~~Failure of a person to receive the notice prescribed in this section shall not impair the validity of the decision.~~
4. ~~The public notice shall provide a fourteen (14) day period for submission of written comments prior to the decision. The notice shall explain the nature of the application and the proposed use or uses which would be authorized; list the applicable criteria from the ordinance that apply to the application; cite the street address or some other easily understood geographical reference to the subject property; state the place, date and time that comments are due; include the name and telephone number of the City representative to contact for additional information; state that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. The notice shall state that issues which may provide the basis for an appeal to the Council shall be raised in writing prior to the expiration of the comment period and issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.~~
5. ~~The City shall provide notice of the decision to the applicant and any person who submits comments within the fourteen (14) day period provided. The notice of the decision must include an explanation of appeal rights and briefly summarize the local decision making process for the decision being made.~~

ARTICLE 3 - ESTABLISHMENT OF ZONES

3.01 CLASSIFICATION OF BASIC ZONES

For the purposes of this ordinance the following basic zones are hereby established:

ABBREVIATED BASIC ZONES	DESIGNATION
Rural Residential	RR
Single-Family Residential	SFR
General Residential	GR
Residential-Commercial	RC
Broadway Commercial	BC
Community Commercial	CC
Highway Commercial	HC
Industrial-Commercial	IC
Light Industrial	LI
Medium Industrial	MI Public Facilities and Parks PFP

4.02 SINGLE-FAMILY RESIDENTIAL ZONE (SFR)

~~In an SFR zone, the following regulations shall apply:~~

1. Purpose. To provide areas suitable and desirable for primarily single-family and public service uses, with options and flexibility to provide a variety of housing through clustering and planned developments, including the provision of limited multi-family use subject to lot size and density standards. The net density ~~in the SFR zone~~ shall not exceed eight (8) dwelling units per acre. Lots ~~in the SFR zone~~ are subject to the minimum lot area and dimensional standards of the zone.
2. Uses Permitted Outright. ~~In a SFR zone,~~ **T**he following uses and their accessory uses are permitted outright:
   A. One detached single-family dwelling per buildable legal lot.
   B. One duplex on a corner lot, provided driveway access is taken from an alley or from two local streets; i.e., one for each dwelling unit. Access from a collector street may be approved where the driveway access is setback at least 50 feet from the street intersection and the City Engineer finds that applicable sight distance requirements are met.
   C. A maximum of one Accessory Dwelling Unit per legal single-family detached dwelling subject to standards in Section 5.31.
   D. Domestic horticulture.
   E. Adult Foster Home.
   F. Registered or certified family daycare.
   G. The keeping of backyard chickens on lots less than one acre in size, in compliance with Section 5.30.
   H. Uses similar to the above permitted uses as provided by Section 2.05.
3. Uses Permitted Subject to Site Plan Review. ~~In a SFR zone~~, the following uses and their accessory uses are permitted subject to site plan review, as described in Section 6.01:
   A. Public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.
   B. Accessory structures not exceeding 2500 square feet in size.
   C. Residential facilities.
   D. Non-commercial animal husbandry on properties one acre in size or larger. See Section 4.01 (2) (c) for requirements.
   E. The garage of a single-family dwelling within a subdivision may be used as a temporary sales office before permanent occupancy. The sales office must be converted to a garage before permanent occupancy.

F. Uses similar to the above permitted uses as provided by Section 2.05.

4. Conditional Uses. ~~In a SFR zone,~~ the following uses and their accessory uses may be permitted subject to the provisions of Article 8, Conditional Uses. Conditional Uses may also be subject to the provisions of Article 6, Site Plan Review.
   A. Major home occupation. See Article 12 for Home Occupation Requirements.
   B. Neighborhood commercial centers.
   C. Multi-family housing or Residential facilities. Approval must be based upon a development plan, subject to Site Review procedures per Article 6 and Conditional Use standards of Article 8.
   D. Public structures or uses of land for public utility facilities such as:
      i. Electric substation or transformer.
      ii. Public or community sewage disposal plant or pumping station.
      iii. Radio or television tower or cell tower transmitter.
      iv. Telephone exchange.
      v. Transportation improvements not identified by the City of Veneta Transportation System Plan.
   E. Day care facilities.
   F. Accessory structure larger than 2,500 square feet.
   G. Uses similar to the above conditional uses as provided by Section 2.05.
   H.
5. Lot Size and Width. Except as provided in Articles 5, 6 and 8, the minimum lot size and width in an SFR zone shall be as follows:
   A. The minimum lot area is 6,000 square feet, except 7,500 square feet is required for duplex lots and 18,000 square feet is required for multifamily lots; an additional 2,000 square feet is required for all proposed lots with an average pre-development slope of 15% or greater (See Section 5.25). Smaller lots may be approved through a Specific Development Plan or Planned Unit Development.
   B. The minimum lot width is sixty (60) feet. Lot widths may be reduced to thirty (30) feet for single-family attached homes, provided that not more than four (4) dwellings are consecutively attached.
   C. The Planning Commission may require larger lot areas, at the time a land division is granted, when it determines that it is necessary to do one of the following:
      i. Protect natural drainage-ways.
      ii. Provide drainage or utility easements.
      iii. Protect future right-of-way.
      iv. Protect un-buildable steep slope areas above the 450-foot elevation level.
      v. Protect flood plain hazard areas.
   D. Smaller lots may be allowed if public space in addition to that required by section 5.26 Parkland Dedication Requirements, is dedicated or otherwise permanently preserved to protect natural resources or provide recreational opportunities. When the provisions of this section are utilized to develop smaller lots than would otherwise be allowed by the base zone, the following standards shall apply and shall supersede the standards for the base zone.
      i. In no case shall the gross density of the development exceed the maximum gross density of the site if it were developed with standard minimum lot sizes for the base zone, irrespective of wetland or Greenway areas.
      ii. In no case will the minimum lot size be less than 70% of the minimum lot size for the base zone.
      iii. Developments seeking to qualify for such a density bonus may be required to relocate structures currently within the Greenway subzone to less sensitive areas.
      iv. Side yards shall be no less than 5 feet on a side.
      v. Front yard setbacks shall be no less than ten (10) feet, except garage and carport openings shall be setback at least twenty (20) feet.
      vi. Exceptions to these setback requirements may be allowed when necessary to provide a larger buffer between waterways or other natural resources and development.

E. When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities.

6. Yards. Except as provided in Articles 5, 6 and 8, or as otherwise allowed under Section 4.02 (5) (c), in an SFR zone, yards shall be as follows:
   A. Front yards shall be a minimum of twenty (20) feet.
   B. Back and side yards shall be a minimum of 5 feet when the building elevation closest to the property line is 22 feet or less in building height, and a minimum of 10 feet when the building elevation closest to the property line is greater than 22 feet in building height.
   C. Yards shall be landscaped as provided in Section 5.12.
   D. See Section 5.09 for additional setbacks on designated street, or construction of new streets. Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets, or construction of new streets.
   E. See Veneta Tree Preservation and Protection Ordinance for possible setback exemptions for the preservation of heritage trees.
7. Lot Coverage. In an ~~SFR~~ zone, all buildings shall not occupy more than forty percent (40%) percent of the lot area. In the case that any portion of the primary dwelling is taller than twenty-two (22) feet, the maximum allowable lot coverage is thirty percent (30%). When lots smaller than 6,000 square feet are approved under subsection 4.02(5)(d), an additional ten percent (10%) of each such lot may be covered by buildings.
8. Building Height. Except as provided in Articles 5, 6 and 8, or as otherwise required by Section 4.02, in a SFR zone, no building shall exceed 35 feet in height.
9. Residential Design Standards. All residential developments, including land divisions, individual dwelling units, and residential care homes, as applicable, and projects that are subject to Site Plan Review or Planned Unit Development review, shall conform to the design standards in Section 5.29.
10. For additional requirements, see Article 5 - Supplementary Provisions.

4.03 GENERAL RESIDENTIAL ZONE (GR)

~~In a GR zone, the following regulations shall apply:~~

1. Purpose. To provide areas suitable and desirable for a variety of housing types and densities with provisions for associated public service uses and open space, and allowing flexibility through planned developments and other options under controlled conditions. The net density in the GR zone shall not exceed fifteen (15) dwelling units per net acre and twenty (20) units in planned developments, and are subject to the minimum lot area and dimensional standards of the zone.
2. Uses Permitted Outright. ~~In a GR zone,~~ the following uses and their accessory uses are permitted outright:
   A. One detached single-family dwelling per buildable legal lot.
   B. One duplex per legal buildable lot.
   C. A maximum of one Accessory Dwelling Unit per legal single-family detached dwelling subject to standards in Section 5.31.
   D. Domestic horticulture.
   E. Registered or certified family daycare.
   F. Adult Foster Home.
   G. The keeping of backyard chickens on lots less than one acre in size, in compliance with Section 5.30.
   H. Uses similar to the above permitted uses as provided by Section 2.05.
3. Uses Permitted Subject to Site Plan Review. ~~In a GR zone,~~ the following uses and their accessory uses are permitted subject to site plan review, as described in Section 6.01:
   A. Public and semi-public uses, including transit facilities and transportation improvements conforming to the City of Veneta Transportation System.

B. Multi-family dwellings.
C. Residential facilities.
D. Accessory structures not exceeding 2,500 square feet in size.
E. Non-commercial animal husbandry on properties one acre in size or larger. See Section 4.01 (2) (c) for requirements.
F. The garage of a single-family dwelling within a subdivision may be used as a temporary sales office before permanent occupancy. The sales office must be converted to a garage before permanent occupancy.
G. Attached single-family dwellings (townhouse or rowhouse).
H. Uses similar to the above permitted uses as provided by Section 2.05.

4. Conditional Uses. ~~In a GR zone,~~ the following uses and their accessory uses may be permitted subject to the provisions of Article 8, Conditional Uses. Some Conditional Uses are also subject to the provisions of Article 6, Site Plan Review.
   A. Major home occupation. See Article 12 for Home Occupation Requirements.
   B. Neighborhood commercial centers.
   C. Day care facilities.
   D. Manufactured dwelling parks, subject to Site Plan Review provisions of Article 6. Manufactured dwelling parks are also subject to state regulations under Oregon Revised Statutes Chapter 446.
   E. Public structures or uses of land for public utility facilities such as:
      1. Electric substation or transformer.
      2. Public or Community sewage disposal plant or pumping station.
      3. Radio or television tower or cell tower transmitter.
      4. Telephone exchange.
      5. Transportation improvements not identified by the City of Veneta Transportation System Plan.
   F. Accessory structures larger than 2,500 square feet.
   G. Uses similar to the above conditional uses as provided by Section 2.05.
5. Lot size and Width. Except as provided in Articles 5, 6 and 8, the minimum lot size and width in a GR zone shall be as follows:
   A. For any housing type, the maximum density allowed per legal lot is one dwelling per 6,000 square feet (5,400 in the downtown area on the Comprehensive Plan map), two (2) dwellings per 7,500 square feet, plus 2,000 square feet for each additional dwelling unit.
   B. Lot sizes smaller than 6,000 square feet are allowed for single-family attached homes that do not exceed the overall net density allowed for multi-family housing. Lots for single-family attached homes do not need to meet the minimum lot width.
   C. The minimum lot width is sixty (60) feet. Lot widths may be reduced to thirty (30) feet for single-family attached homes, provided that not more than four (4) dwellings are consecutively attached.
   D. The Planning Commission may require larger lot areas, at the time a land division is granted, when it determines that it is necessary to do one of the following:
      1. Protect natural drainage-ways
      2. Provide drainage or utility easements.
      3. Protect future right-of-way.
      4. Protect unbuildable steep slope areas above the 450-foot elevation level.
      5. Protect flood plain hazard areas. (Why not put in common space instead?)
   E. Smaller lots may be allowed if public space in addition to that required by section 5.26 Parkland Dedication Requirements, is dedicated or otherwise permanently preserved to protect natural resources or provide recreational opportunities. When the provisions of this section are utilized to develop smaller lots than would otherwise be allowed by the base zone, the following standards shall apply and shall supersede the standards for the base zone.
      1. In no case shall the gross density of the development exceed the maximum gross density of the site if it were developed with standard minimum lot sizes for the base zone, irrespective of wetland or Greenway areas.

2. In no case will the minimum lot size be less than 70% of the minimum lot size for the base zone.
3. Developments seeking to qualify for such a density bonus may be required to relocate structures currently within the Greenway subzone to less sensitive areas.
4. Side yards shall be no less than 5 feet on a side.
5. Front yard setbacks shall be no less than ten (10) feet, except garage and carport openings shall be setback at least twenty (20) feet.
6. Exceptions to these setback requirements may be allowed when necessary to provide a larger buffer between waterways or other natural resources and development.

F. When residential development is proposed for a lot that is twice the minimum lot size which also has potential for future division, the applicant must submit a shadow plat to show how the lot could be further developed to urban densities.

6. Yards. Except as provided in Articles 5 and 6, or as otherwise allowed under **Section 4.03 (5) (e),** ~~in a GR zone~~, yards shall be as follows:
   A. Front yards shall be a minimum of twenty (20) feet except that an unenclosed front porch may extend eight (8) feet into a required front or street side yard.
   B. Back and side yards shall be a minimum of 5 feet when the building elevation closest to the property line is 22 feet or less in building height, and a minimum of 10 feet when the building elevation closest to the property line is greater than 22 feet in building height.
   C. Yards shall be landscaped as provided in Section 5.12.
   D. See Section 5.09 for additional setbacks on designated streets. Yard requirements are in addition to any planned road right-of-way widths in order to permit the eventual widening of streets, or construction of new streets.
7. Lot Coverage. ~~In a GR zone,~~ where the primary dwelling is twenty two (22) feet or less in height, the total area covered by all buildings shall not occupy more than fifty percent (50%) percent of the lot area; where the primary dwelling is taller than twenty-two (22) feet, the maximum allowable lot coverage is forty percent (40%). Where lots smaller than 6,000 square feet are approved under subsection 4.03(5)(e) an additional ten percent (10%) of each such lot may be covered by buildings.
8. Building Height. Except as provided in Articles 5, 6 and 8, or as otherwise required by Section 4.03, in a GR zone, no building shall exceed 35 feet in height.
9. Residential Design Standards. All residential developments, including land divisions, individual dwelling units, residential care homes and care facilities, and projects that are subject to Site Plan Review or Planned Unit Development review, as applicable, shall conform to the design standards in Section 5.29.
10. For additional requirements, see Article 5 - Supplementary Provisions.

4.14 PLANNED DEVELOPMENT PLAN SUBZONE (/PD)

4) General Development Plan and Program.
   A. After receiving approval in principle of the Preliminary Development Plan and Program, the applicant shall submit a General Development Plan and Program to the Building and Planning Official at least 45 days prior to the date of public hearing.
   B. The applicant shall petition for ~~an~~ **a Type III** amendment to the zoning map as specified in Article 11. Ten (10) copies of the General Development Plan and Program shall be submitted to the Building and Planning Official at least 45 days prior to the date of public hearing. The Building and Planning Official shall notify Lane County about applications that may have a potential impact or effect on lands, services or facilities outside the City limits.
   C. Upon receipt of the re-zone petition accompanied by the General Development Plan and Program, the Planning Commission shall hold a public hearing in accordance with the provisions of Article 11. At the public hearing the applicant shall present the General Development Plan and Program.
   D. The General Development Plan and Program shall contain the following elements:

12) Expiration.
   a. If substantial construction or development has not taken place within ~~one (1) year from the date of final approval by the City Council of the General Development Plan and Program~~ **the approval period for a Type III action**, the /PD Subzone shall become null and void.
   b. Upon abandonment of a particular Planned Development or if it is specified in the General Plan and Program, it may be determined by the Planning Commission and the City Council, after the appropriate public hearings, that the granting of approval be nullified and the re-zone repealed and further use of the property and structures thereon shall be in accordance with the existing basic zone, unless a request to extend the time limit is approved.

ARTICLE 5 - SUPPLEMENTARY PROVISIONS

5.01 GENERAL PROVISIONS REGARDING ACCESSORY USES

An accessory use shall comply with all requirements for a principal use, except where specifically modified by this section. Accessory uses shall not be used for human habitation. Accessory uses shall comply with the following standards.

1. Fences, hedges and walls may be located within required yards but shall not exceed 48" (four (4) feet) in height in any required front yard which abuts a street other than an alley nor 2-1/2 feet in height in a vision clearance area. Elsewhere, fences, hedges and walls shall not exceed six (6) feet in height in residential and commercial zones and eight (8) feet in height in industrial zones. Swimming pools, tennis courts, and other accessory recreational structures may have fences that exceed six (6) feet, provided they are not located within the front yard, but may be allowed within the side and rear yards.
2. No sales shall be made from a greenhouse or hothouse maintained as an accessory to a dwelling in a residential zone unless the sales have been approved as a home occupation.
3. The highest point of the roof of an accessory or structure shall not exceed a building height of 24 feet in a residential zone.
4. A garage shall be located a minimum of twenty (20) feet from front lot line in a residential zone except in an RC zone and as specified in Section 5.09(1). Parking requirements as specified in Section 5.20 continue to apply to lots with reduced setbacks. Garages must also meet the requirements of Article 13, Section 13.02 Dwelling, Single-Family (8).
5. Except for garages and carports, accessory structures in the SFR, GR, and RC zones, including those not requiring a building permit, shall not be located between any front or side street and a principal building and must comply with the minimum yard setbacks for the zone in which they are located.
6. Boats, trailers, detached campers, motorized dwellings and similar recreation equipment may be stored, but not used for human habitation, on a lot as an accessory use to a dwelling provided that storage shall not be permitted in a front yard.
7. All buildings that are accessory structures shall have a minimum roof pitch of 2:12, **except for Accessory Dwelling Units (ADUs).**

5.04 ~~RESERVED SECTION~~ GENERAL STANDARDS FOR SINGLE FAMILY DETACHED DWELLINGS

All new single family detached dwellings shall:

1. Meet current energy standards as adopted by the State of Oregon.
2. Be occupied only for residential purposes.
3. Conform to all residential use development standards for one-family dwellings.
4. Be constructed or installed in accordance with the ~~State Building Code (CABO)~~ **Oregon Residential Specialty Code** as adopted by the City or as defined within the statutes of the State of Oregon.
5. Be placed or constructed on foundations:
   a. Stick-built homes shall have foundation systems in accordance with the ~~State Building Code (CABO)~~ **Oregon**

Residential Specialty Code);

b. Manufactured dwellings shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than sixteen (16) inches of the enclosing material exposed above grade. Where the building site has a sloped grade, no more than sixteen (16) inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the sixteen (16) inch limitation will not apply.

6. Have a minimum width of eighteen (18) feet as measured by the narrowest elevation.
7. Have an exterior finish and roof materials commonly found on residential structures in the area and City of Veneta.
8. Have a roof with eaves and gable overhangs of not less than six (6) inches measured from the vertical side of the structure and shall include gutters.
9. Have an enclosed garage or carport whichever is commonly found in the surrounding area and its exterior covering and roof materials shall be the same as the main structure. The maximum size of the garage shall be three stalls, with a maximum floor area of 900 square feet. Garage may be attached to house or detached.
10. Have electrical meter base attached either to the garage or dwelling unit.
11. Have a roof with a nominal pitch of 3 feet in height for each twelve feet in width.

Note: The language added to 5.04 was formerly located in Article 13, Definitions as regulatory language within the definition of a Dwelling

All references to "Track 2 Site Plan Review" changed to Type III Site Plan Review

by the Planning Commission through the **Track 2** Site Plan Review process (see Section 6.05(2)	5.13. (1)
and any street, except as approved through **Track 2** Site Plan Review. (see figure 5.13(d) below).	5.13 (2)(l)
Commission in evaluating adjustments (**Track 2** Site Plan Review) for consistency with the	5.13 (3)
be located to the side or rear of the building, except as approved through **Track 2** Site Plan Review.	5.20 (3)(b)
in excess of 50% may be permitted through a **Track 2** Site Plan Review, pursuant to Article 6, if	5.20 (11)
right-of-way is available, subject to a **Track 2** Site Plan Review. The Planning Commission may	5.20 (14)(b)
approved by the Planning Commission through a **Track 2** Site Plan Review where the applicant	5.20 (15)
by the Planning Commission through the **Track 2** Site Plan Review process (see Section 6.05(2)(	5.29 (1)
Planning Official, or Planning Commission for **Track 2** reviews) where such review is required in	5.29 (2)
or detailing when a project is subject to a **Track 2** Site Plan Review, Planned Unit Development	5.29 (3)(d)
and aesthetic interest, similar to options 1-14, as approved through **Track 2** Site Plan Review.	5.29 (3)(d)(14)

Planning Commission through a public hearing (**Track 2** Site Plan Review) where innovative techniques	5.29 (5)
open space standard may be adjusted through **Track 2** Site Plan Review, provided the development	5.29 (5)(b)3
by the Planning Commission through the **Track 2** Site Plan Review process (see Section 6.05(2)(	5.29 (6) **Will be 5.31 (1)*
Planning Official, or Planning Commission for **Track 2** reviews) where such review is required in	5.29 (7) **Will be 5.31 (2)*
or detailing when a project is subject to a **Track 2** Site Plan Review, Planned Unit Development	5.30 (9)(d) **Will be 5.31 (4)(d)*
and aesthetic interest, similar to options 1-14, as approved through **Track 2** Site Plan Review.	5.30 (9)(d)(14) **Will be 5.31 (4)(d)(14)*
Planning Commission through a public hearing (**Track 2** Site Plan Review) where innovative techniques	5.30 (10) **Will be 5.31 (5)*
open space standard may be adjusted through **Track 2** Site Plan Review, provided the development	5.30 (10)(b)(3) **Will be 5.31 (5)(b)(3)*

**See amendments on next page.*
Section 5.30 continues into another section that has no section break or title.

New Section break and Title in Article 5 – somehow omitted from current document and included in 5.30 BACKYARD CHICKENS starting at (6)

5.31 STANDARDS FOR NEW RESIDENTIAL DEVELOPMENT

All sections starting at 5.30(6) will be renumbered beginning at (1); TOC will be updated. NO CHANGES to text.

~~5.31~~ 5.32 ACCESSORY DWELLING UNIT STANDARDS

Section 5.31 renumbered to 5.32 to account for correction above; TOC will be updated. NO CHANGES to text.

ARTICLE 6 - SITE PLAN REVIEW

6.01 SITE PLAN REVIEW PURPOSE AND APPLICABILITY

1. Purpose. The purpose of the site plan review procedures is to correlate the general ordinance requirements with the specific site conditions and proposed uses and changes of use through a comprehensive review process to assure that developments are in conformance with the applicable land use regulations of the Land Development Ordinance.
2. Applicability. Site Plan Review is required for all new construction or expansion of existing uses or structures exceeding 10% or 1,000 square feet, whichever is greater, of the original structure(s) on the site. Site Plan Review is not required for detached single-family dwellings on individual lots. Site Plan Review may be required where site or development characteristics, as determined by the Building and Planning Official, warrant a site plan review, including but are not limited to:
   A. Site is traversed by a natural drainageway or has demonstrated drainage limitations as shown on the utility plans required in Section 6.03(1)(b)(4) of this ordinance. Demonstrated drainage limitations are site or development conditions that prevent the unrestricted flow from areas draining through the site or that do not allow the extension of the system to serve such area as per the City's Drainage Master Plan, or that prevent stormwater from being directed to storm sewers or to natural drainageways in accordance with the Land Division and Land Development Ordinances.
   B. Site includes or is adjacent to Open Space and/or Greenway Areas designated on the Veneta Zoning Map as a Greenway subzone.
   C. Site is located in a Flood Hazard subzone.
   D. Site includes significant wetland resources, or is located within 50 feet of a wetland resource identified as locally significant in the Veneta Local Wetlands Inventory.
   E. Site has slopes of (15) fifteen percent (or greater) (see Section 5.25 of this Ordinance).
   F. Site is an undersized lot.
   G. Expansion of parking lots, relocation of parking spaces on a site, or other changes which affect circulation, landscaping or drainage.

   The Building and Planning Official or Planning Commission may waive any component of the Site Plan Review for a development if it finds the required information does not apply to the development, the information is already available to the City or the change of use does not increase traffic volume, water or sewer use or drainage.
3. **Types of Review. Site Plan Review applications shall be submitted and processed pursuant to the Type II procedure set forth in Article 11 of this ordinance. If the applicant requests an adjustment to any Site Plan Review standards contained in this Article, the application shall be processed by the Planning Commission pursuant to the Type III procedures set forth in Article 11 of this ordinance.**

6.03 REQUIRED INFORMATION ON SITE PLAN

~~An application for a Site Plan Review, Site Plan Review with adjustments (Track 2), or Amendment, as applicable,~~ **All Site Plan Review applications** shall include the following information based on the size, scale and complexity of the development. The Building and Planning Official, at his or her discretion, may waive certain application submittal items where such items are not relevant to the review or the information is already available.

6.05 APPROVAL CRITERIA

After an examination of the site and prior to approval of plans, the Planning Commission or Building and Planning Official must make the following findings:

(g) Where the applicant has requested an adjustment to Site Plan Review criteria ~~(Track 2 Site Plan Review)~~ pursuant to Veneta Land Development Ordinance, the applicant shall identify all applicable criteria in this ordinance and specifically address each adjustment.

6.06 PROCEDURE FOR ~~APPROVING~~ SITE PLANS

1. Prior to taking action on a site plan the City must provide notice of a Type II procedure in compliance with ~~Section 2.13~~ **Article 11 of this ordinance**. ~~Track 2 Site Plan Reviews shall be noticed in compliance with Section 2.11, Notice of Public Hearing.~~
2. ~~2.~~ **Approval of any Site Plan will be subject to compliance with the standards set forth in this ordinance and standards established elsewhere by City ordinance.** ~~The Planning Commission~~ **Type III Site Plan Review applications and major site plan amendments may be reviewed against approval criteria that involve the use of discretion and** may **be** approve**d**, ~~disapprove or~~ approve**d** with conditions or **denied** ~~new site plans and major site plan amendments~~. **Type II Site Plan Review applications and** Minor site plan amendments may be ~~approved~~ **reviewed** by the Building and Planning Official, **and if approved, may include** ~~with~~ conditions as necessary to ensure compliance with applicable requirements if not shown on submitted plans. ~~Approval of any Site Plan will be subject to compliance with the standards set forth in this ordinance and standards as established elsewhere by City ordinance or resolution.~~
3. ~~Where the applicant has requested an adjustment to the Residential or Commercial/Mixed Use Design Standards through the Track 2 process, the Planning Commission shall be the decision making body and the application shall be reviewed in a public hearing ("Track 2" Site Plan Review).~~
4. ~~The Planning Commission may call for a public hearing to receive testimony if it determines that the proposed development may produce adverse impacts on surrounding properties, the neighborhood or the City.~~
5. As a result of an approved site plan, a final map shall be prepared and filed with the ~~Building and Planning Official~~, **Community Development Department**, including all required modifications and conditions. Once approved, the site plan submitted shall become the official plan. The applicant may be required to sign and record a Development Agreement in a form approved by the City Attorney against the property to assure compliance with ongoing conditions of approval. Building permits shall be issued only for plans which substantially conform to the official plan and all construction shall substantially conform to the official plan or a Certificate of Occupancy may be withheld until compliance.

6.07 AMENDMENTS

Amendments are only permitted for developments for which the City has record of an approved Site Plan. A change to an existing development for which a previous site plan has never been approved requires a full site plan review. If the proposed use is more intensive than the existing use, additional Systems Development Charges shall be assessed at the time a building permit is issued.

Major amendments to an approved site plan shall follow the same procedure as for an approval of a site plan review. A new application and filing fee is required and the proposal must be approved by the Planning Commission. Major site plan amendments involve a change that does not meet the criteria listed under minor site plan amendments. Minor site plan amendments that may be approved ~~as an Administrative Decision by the Building and Planning Official~~ **through a Type II procedure** shall meet the following criteria:

1. The site plan amendment does not involve any interpretation of submission requirements or required findings that would set a precedent for other site plans or site plan amendments.
2. The site plan amendment will not change the impacts (such as traffic generation, emissions or drainage) on surrounding properties.
3. The site plan amendment fully complies with City ordinances and does not require a variance.
4. There are no unusual circumstances relative to the site plan amendment.
5. There are no questions of adequacy of services raised by The Public Works Superintendent, City Engineer, or any affected public or private agency.

~~A minor amendment requires Planning Commission approval if it~~ **Any amendment that** involves commercial or industrial development adjacent to Hwy 126 and involves a change in use that is more intensive than the current or previous use as determined by the Building and Planning Official **shall require a Type III procedure**.

~~A new application, including a narrative statement and filing fee is required.~~ The Planning Commission shall be advised of all administrative decisions regarding applications for site plan amendments at the following regular Planning Commission meeting. ~~Appeals of an administrative decision will go before the Planning Commission.~~

ARTICLE 7 - TEMPORARY USE PERMIT REGULATIONS

7.05 PROCEDURE FOR ~~APPROVING~~ REVIEWING TEMPORARY USE PERMITS

1. Prior to taking action on a temporary use permit, the City must provide notice of a Type II procedure, except for Mobile Vending Units which will be processed as follows:
   A. A mobile Vending Unit application shall be submitted and processed ~~administratively~~ **pursuant to the Type I procedure set forth in Article 11 of this ordinance**.
   B. A mobile Vending Site application shall be submitted and processed ~~administratively with public notice provided in accordance with Section 2.13 – Limited Land Use Actions~~ **pursuant to the Type II procedure set forth Article 11 of this ordinance**.
2. The Building and Planning Official may approve, disapprove, or conditionally approve the Temporary Use Permit. If the application is for a highly visible location or potentially controversial use, the Building and Planning Official may forward the application to the Planning Commission for decision. Approval of the Temporary Use Permit will be subject to compliance with the standards as set forth in this ordinance and standards established elsewhere by City ordinance or resolution.
3. The Building and Planning Official or the Planning Commission may attach appropriate and reasonable conditions to the permit that are necessary to secure the public health, safety, and welfare and to maintain compliance with city codes and ordinances. Such clear and objective standards may include but are not limited to:
   A. Setback requirements
   B. Screening
   C. Control of points of ingress and egress
   D. Special provisions for signs
   E. Landscaping and maintenance of landscaping
   F. Maintenance of grounds
   G. Control of noise, vibration, and odors

H. Limitation of hours for certain activities
I. Limitation of duration of temporary use
J. Once approved, the site plan for the temporary use as modified with conditions shall become the official plan.
K. If written Notice of Appeal is not filed within fifteen (15) days of the date the Final Order is signed and mailed, the decision becomes final.
L. Compliance with conditions imposed in the temporary use permit and adherence to the approved plans is required. The Building and Planning Official may revoke the temporary use permit with any departure from the approved plans or conditions or approval.
M. All temporary uses involving a business must comply with Veneta Municipal Code Chapter 5.05, Business Registration.

7.06 ~~PROCEDURE FOR~~ RENEWING TEMPORARY USE PERMITS

1. Temporary Use Permit shall be subject to review and approval by the Building and Planning Official on an annual basis.
2. Public Notice requirements may be waived for renewal of Temporary Use Permits at the discretion of the Building and Planning Official provided that:
   A. No formal complaints have been filed regarding the temporary use.
   B. There have been no changes made to the site plan or activities from the time of initial approval as verified by the Building and Planning Official.

ARTICLE 8 - CONDITIONAL USES

8.03 PROCEDURE FOR TAKING ACTION ON A CONDITIONAL USE APPLICATION

~~The procedure for taking action on an application for a conditional use shall be as follows:~~ **Conditional Use applications shall be submitted and processed pursuant to the Type III procedure set forth in Article 11.**

~~1. A property owner may initiate a request for a conditional use by filing an application, a narrative statement explaining how the proposed use complies with the Comprehensive Plan and the standards of this ordinance, plans, and other supplementary data with the Building and Planning Official, using forms prescribed pursuant to Section 2.06. A filing fee in accordance with the provisions of Section 2.08 shall accompany an application for a conditional use and shall be submitted at least 45 days prior to the date of the public hearing.~~

2. Lane County shall be notified of any conditional use permits that will have a potential impact or effect on lands, services or facilities outside the city limits.

~~3. Before the Planning Commission may act on a conditional use application, it shall hold a public hearing thereon in accordance with the provisions of Section 2.11.~~

~~4. Within seven (7) days after a decision has been rendered with reference to a conditional use application, the Building and Planning Official shall provide the applicant with written notice of the decision of the Planning Commission.~~

~~8.05 TIME LIMIT ON AN APPROVED CONDITIONAL USE APPLICATION~~

~~Conditional Use permit approvals shall be effective three (3) years from the date of final decision, unless a building permit has been issued, substantial construction pursuant thereto has taken place or the authorized use has commenced. Within one (1) year from the final decision, a final map shall be prepared and filed with the Building and Planning Official, including all required modifications and conditions. Approved conditional use permits that do not have a final map submitted within one (1) year shall be void.~~

ARTICLE 10 – VARIANCES

10.04 PROCEDURE FOR TAKING ACTION ON A VARIANCE APPLICATION

~~The procedure for taking action on an application for a variance shall be as follows:~~ **Variance applications shall be submitted and processed pursuant to the Type III procedure set forth in Article 11.**

~~(1) A property owner may initiate a request for a variance by filing an application with the Building and Planning Official, using forms prescribed pursuant to Section 2.06. A filing fee in accordance with the provisions of Section 2.08 shall accompany an application for a variance. The applicant shall submit evidence that the circumstance for granting a variance as outlined in Section 10.03 applies to the variance request.~~

~~(2) Before the Planning Commission may act on a variance application, a public hearing shall be held thereon in accordance with the provisions of Section 2.11.~~

(3) The Planning Commission may prescribe the terms and conditions upon which a variance may be granted and set a time limit for the duration of such variance and may require guarantees in such form as deemed proper under the circumstances to ensure that the purpose for which said variance is granted will be fulfilled and that the conditions of the variance will be met.

~~(4) Within seven (7) days after a decision has been rendered with reference to a variance application, the Building and Planning Official shall provide the applicant with written notice of the decision.~~

~~10.06 TIME LIMIT OF AN APPROVED VARIANCE APPLICATION~~

~~Variance approvals shall be effective three (3) years from the date of final decision, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Within one (1) year from the final decision, a final map shall be prepared and filed with the Building and Planning Official, including all required modifications and conditions. Approved variances that do not have a final map submitted within one (1) year shall be void.~~

ARTICLE 12 - HOME OCCUPATIONS

12.03 MINOR HOME OCCUPATIONS

Home occupations in compliance with the standards for all home occupations and the standards listed below are permitted as accessory uses. ~~No special land use permit shall be required to establish and maintain such uses.~~ An annual business registration is required as well as a signed agreement acknowledging compliance with the relevant home occupation standards**.**

1. All aspects of the home occupation, including storage of materials and equipment, shall be contained and conducted within a completely enclosed, lawfully-built structure and be conducted in such a manner as not to give an outward appearance of a business.
2. The home occupation shall use no more than 25 percent of the floor area used for human occupancy, or no more than 500 square feet in an accessory structure or attached garage.
3. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible, or flammable) is prohibited.
4. The use shall involve no more than an average of five customers/clients per week.
5. No one from outside the resident household shall work at the home occupation site. The home occupation site shall not be used as a gathering or meeting place for people employed by or associated with the home occupation. A "home occupation site" means the property on which the home occupation is conducted.
6. There shall be no more than an average of one commercial delivery or pickup per week to or from the home occupation site.
7. No additional on-site parking will be needed. Residential off-street parking requirements as specified in 417 5.20(11) still apply.

8. No written complaints have been received regarding the home occupation. If a written complaint is submitted to city staff, the city shall not renew the business license until the Planning Commission has approved the home occupation as a conditional use.

ARTICLE 13 - DEFINITIONS

13.02 DEFINITIONS

As used in this ordinance **and Ordinance No. 494** the following words and phrases shall mean:

Abut. Contiguous to or immediately join. For example, two (2) lots with a common property line are considered to be abutting.
Access. The way or means by which pedestrians and vehicles enter and leave property.
Accessory Structure or Use. A structure or use incidental, appropriate and subordinate to the main use of property and located on the same lot as the main use. Accessory structures are not permitted on vacant parcels of land. Accessory structures (including those originally designed for human habitation such as mobile homes) shall not be used for human habitation.
Activity Center. Property or buildings that are open to the public and attract visitors for civic, community, commercial, or recreational purposes. Uses include, but are not limited to, public parks, public buildings (e.g., post office, library, city offices, schools), elder care facilities, and shopping centers.
Alley. A street that is more than ten (10) feet and less than sixteen (16) feet in width which affords primarily a secondary means of access to property.
Alter. Any change, addition or modification in construction or occupancy.
Applicant. The person making application to the City for any action as the owner or representative of the owner of the property that is subject of the action. The applicant shall provide proof of permission for the requested action from all owners or other persons having an interest in the property subject to the action.
Barn. A farm building for housing livestock or animals**.**
Basement. A story partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half of its height is above the average level of the adjoining ground.
Block. An area bounded on 4 sides by streets not including cul-de sacs. In residential zones, block lengths do not exceed 600 feet and block perimeters do not exceed 1800 feet except where topography, natural features, or existing development creates conditions requiring longer blocks.
Building. Any structure used or intended for supporting or sheltering any use or occupancy.
Building Height. The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. The average maximum vertical height of a building or structure measured at a minimum of three points from finished grade along each building elevation. Architectural elements that do not add floor area to a building or structure, such as chimneys, vents, antennae and towers are not considered part of the height of a building or structure.
Building Inspector. The Division Director of the Lane County Department of Environmental Management, Construction Permits Division, his authorized representative or any other authorized building inspector appointed by the Veneta City Council.
Building Line. A line on a plat or map indicating the limit beyond which buildings or structures may not be erected. Buildings shall not overhang over an easement or dedicated right-of-way.
Building & Planning Official. An employee of the City appointed by the City Council with duties and authority as designated by the Council, including the duties and authority as designated by the Council, including the enforcement of the provisions.
Chicken Run. An enclosed area in which chickens are allowed to walk and run about and that is attached to a chicken coop.
City. The City of Veneta, Oregon.
City Council. The Council of the City of Veneta, Oregon, which is the governing body of said City.
Comprehensive Plan. The City's formally adopted plan to guide growth and development in the City,, including amendments which may be made from time to time.
Day Care Facility. Any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home or similar unit operating under any name serving sixteen (16) or more children.

Day Care - Family, Registered or Certified. A day care that is a certified under ORS 657A.280, serving sixteen (16) or fewer children or registered under ORS 657A.330 serving ten (10) or fewer children.
Declarant. A person who files a declaration under ORS 92.075.
Declaration. The instrument described in ORS 92.075 by which the subdivision or partition plat was created.
Density, Gross. The number of dwelling units per acre of land, including areas devoted to dedicated streets, sidewalks, other public rights-of-way, parks, and non-residential uses allowed in residential areas.
Density, Net. The number of dwelling units per acre of land in planned or actual use -- excluding from the acreage dedicated streets, sidewalks, other public rights-of-way, parks, and non-residential uses allowed in residential areas.
Designated Arterials and Connectors. Streets identified in the Veneta Comprehensive Plan Functional Class map as Principal or Minor Arterials or Major or Minor Collectors.
Development. A building or mining operation, making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, including partitions and subdivisions as provided in ORS 92.010 to 92.285, and creating or terminating a right of access.
Director. The City of Veneta Community Development Director or the City Administrator's designee.
Dog Kennel. A place of business for the care of dogs, including but not limited to the boarding, grooming, breeding, training, or selling of dogs, but not including an animal hospital.
Driveway. An area on private property where automobiles and other vehicles are operated or allowed to stand.
Driveway Approach. An area within the Right-of-Way, between the roadway of a public street and private property line, intended to provide access for vehicles from the roadway to a definite area of the private property, such as a driveway or parking area intended and used for the ingress and egress of vehicles. The component parts of the driveway approach are termed the apron, the end slopes or curb return, and the sidewalk section.
Dwelling, Accessory. Accessory Dwelling Unit means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single family dwelling.
Dwelling, Multi-family. Attached housing where each dwelling unit is not located on a separate lot.
Dwelling, Single-family. A ~~single-family dwelling is a~~ building (detached or attached) used exclusively as a **dwelling** unit and built to the specifications of the ~~State Building Code (CABO)~~ **Oregon Residential Specialty Code,** ~~as adopted by the City of Veneta,~~ or a manufactured home as defined within the statutes of the State of Oregon, on a permanent foundation.

~~1. Shall meet current energy standards as adopted by the State of Oregon.~~
~~2. Shall be occupied only for residential purposes.~~
~~3. Shall conform to all residential use development standards for one-family dwellings.~~
~~4. Shall be constructed or installed in accordance with the State Building Code (CABO)~~ **Oregon Residential Specialty Code** ~~as adopted by the City or as defined within the statutes of the State of Oregon.~~
~~5. Foundations:~~
   ~~a. Stick-built homes shall have foundation systems in accordance [illegible] the State Building Code (CABO);~~
   ~~b. Manufactured dwellings shall be placed on an ex[illegible] back-filled foundation, enclosed at the perimeter with no more than sixteen (16) inche[illegible] enclosing material exposed above grade. Where the building site has a sloped grade, no more [illegible] (16) inches of the enclosing material shall be exposed on the uphill side of the home. If the [illegible] home is placed on a basement, the sixteen (16) inch limitation will not apply.~~
~~6. Shall have a minimum width of [illegible] feet as measured by the narrowest elevation.~~
~~7. Shall have an exterior finish [illegible] or materials commonly found on residential structures in the area and City of Veneta.~~
~~8. Shall have a roof with eaves and gable overhangs of not less than six (6) inches measured from the vertical side of the structure and shall include gutters.~~
~~9. Shall have an enclosed garage or carport whichever is commonly found in the surrounding area and its exterior covering and roof materials shall be the same as the main structure. The maximum size of the garage shall be three stalls, with a maximum floor area of 900 square feet. Garage may be attached to house or detached.~~
~~10. Shall have electrical meter base attached either to the garage or dwelling unit.~~
~~11. Shall have a roof with a nominal pitch of 3 feet in height for each twelve feet in width.~~

Moved to Section 5.04

~~**Dwelling, single family attached.** Common-wall dwellings (townhomes and rowhouses) where each dwelling unit occupies a separate lot.~~

~~1. Shall be occupied only for residential purposes~~
~~2. Shall have an enclosed garage or carport, whichever is commonly found in the surrounding area and its exterior covering and roof materials shall be the same as the main structure.~~

Dwelling, single family detached. A ~~housing~~ **dwelling** unit that is free standing and separate from other housing units.

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.~~ **A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.** ***(Amended for consistency with ORSC)***

Facilities. For the purposes of this Code, facilities are water, sewer, stormwater, telephone, cable, natural gas, electric, telecommunication facilities and broadband fiber conduit.

Family. An individual or two (2) or more persons related by blood, marriage, legal adoption or legal guardianship living together in one dwelling unit using one kitchen and providing meals or lodging to not more than two (2) additional persons excluding servants; or a group of not more than five (5) unrelated persons living together in one dwelling unit using one kitchen.

Fence, sight-obscuring. A continuous fence, wall, evergreen planting or combination thereof, constructed and/or planted so as to provide a specified percentage of view-obscuring screens.

Final Action / Decision / Approval. ~~Means~~ Any legislative, administrative, or quasi-judicial action that establishes the final determination of the City on any land use action by reducing said decision in writing.

Floor Area. The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof, not provided with surrounding exterior walls, shall be the usable area under the vertical projection of the roof or floor above.

Grade (Ground) Level. The average elevation of the finished ground level at the exterior of all walls of a building, except that if a wall is parallel to and within five (5) feet of a sidewalk, the sidewalk elevation nearest the wall shall constitute ground level.

Hardscape. Permanent improvements to a site other than a building, including but not limited to, plazas, concrete planters, decks, sitting areas and other similar architectural features that include small unit pavers or concrete.

High Impact Recreation Facilities. Facilities which have the potential for creating significant impacts through traffic generation, noise, dust, chemical use, lighting, or other nuisance characteristics. High impact recreation facilities include, but are not limited to, sport complexes, stadiums, equestrian arenas, golf course and driving ranges, and swimming pools.

Home Occupation. A lawful business carried on by a resident of a dwelling where the business is secondary to the residential use of the property. See Veneta Municipal Code 5.05 for definitions and licensing requirements for businesses.

Horticulture. The cultivation of crops, orchards, or gardens. Domestic horticulture involves plants grown for the people living on the property. Commercial horticulture involves plants that will be sold; either on-site or delivered to a buyer off-site. Farm stands and u-pick sales are temporary uses that may require a permit.

Junkyard. Any property used by a business that deals in buying, selling, trading, and storing, old motor vehicles, old motor vehicle parts, abandoned autos, or machinery or parts thereof, or appliances or parts thereof.

Kennel. Any lot or premises on which three (3) or more adult dogs are kept, whether by owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six (6) months.

Legal Lot. A lot or parcel created pursuant to ORS 92.010 to 92.190, a unit of land created in compliance with all applicable city land division regulations, or a unit of land created by deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinance or regulations in effect at the time of the deed or land sales contract.

Loading Space. An off-street space or berth on the same lot with a building for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

Lot. A single unit of land that is created by a subdivision of land.

Lot Area. The total land area, commonly measured in square feet, within the boundaries of a legal lot, exclusive of any street or alley rights-of-way.

Lot, Corner. A lot at least two adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135 degrees.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets other than alleys.

Line, Property. The division line between two units of land.

Lot Line, Front. The lot line separating the lot from a street other than an alley and, in the case of a corner lot, the shortest lot line along a street other than an alley. For flag lots, the lot line abutting the pole portion of the lot. See also YARD, Front

Lot Line, Rear. The lot line which is opposite and most distant from the front lot line.

Lot Line, Side. Any lot line not a front or rear lot line. See also YARD, Side

Lot, Flag. A lot or parcel that has the bulk of its area set back some distance from a road or street and that is connected

to the road or street via a thin strip of land (i.e., the flagpole).

Lot Width. The horizontal distance between the side lot lines, ordinarily measured parall to the front lot line. For irregular shaped lot, lot width shall be determined by measuring the maximum diameter of a circle that fits entirely within the property lines as shown below:

Manufactured Dwelling. Residential trailers constructed before January 1, 1962; mobile homes constructed between January 1, 1962 and June 15, 1976, which met Oregon construction standards then in effect; and manufactured homes constructed to federal standards. (Refer to definition of "dwelling, single- family" for siting and construction requirements.)

Manufactured Dwelling Park. Any place where two (2) or more manufactured dwellings are parked within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. A manufactured dwelling park has the same definition as a mobile home park. Manufactured dwelling parks within Veneta are required to register as a business each year.

Map. A final diagram, drawing or other writing concerning a partition.

Medical marijuana Facility. A facility registered with the Oregon Health Authority under ORS 475.314 and OAR 333-008-1050 to:

1. Accept the transfer of usable marijuana and immature marijuana plants from a registry identification cardholder, the designated primary caregiver of a registry identification cardholder, or a person responsible for a marijuana grow site to the medical marijuana facility; or
2. Transfer usable marijuana and immature marijuana plants to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

Mobile Vending Unit. Any vehicle that is self-propelled, or can be pulled or pushed down a sidewalk, street, highway or waterway intended for retail, food, or drink sales.

Mobile Vending Site. One (1) site with multiple (three or more) mobile vendors.

Nonconforming Structure, Lot or Use. A lawful existing structure, lot or use at the time this ordinance or any amendment thereto becomes effective which does not conform to the dimensional or similar standards of the zone in which it is located.

Open Space. Land area to be used for scenic or open recreational purposes within the development. Open space does not include street right-of-way, driveways, parking areas, required setbacks or public service easements unless these areas have some special recreational design or purpose.

Owner. An individual, association, partnership, or corporation having legal or equitable title to land, other than legal title held for purpose of security only. **For the purposes of this Ordinance, the owner shall be the owner(s) of record on the most recent Lane County property tax assessment roll.**

Parcel. A unit of land that is created by a partitioning of land.

Parking Space. An off-street enclosed or unenclosed surfaced area with minimum dimensions of eighteen (18) feet by nine (9) feet, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile and connected with a street by a surfaced driveway which affords ingress and egress for automobiles.

Partition. Either an act of partitioning land or an area or tract of land partitioned as defined in this section.

Partition Land. To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition land" does not include divisions of land resulting from lien foreclosures; divisions of land resulting from the creation of cemetery lots; and divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or intestate succession; and "partition land" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot standards of the zoning ordinance.

Person. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

Planning Commission. The Planning Commission of the City of Veneta, Oregon.

Professional Office. An office occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers or surveyors or persons engaged in similar occupations.

Property Line Adjustment. 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. 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.

Public and Semi-Public Building or Use. A building or use owned or operated by a religious, charitable or other non-profit organization; a public utility or any social agency such as a church, school, auditorium, meeting hall, hospital, club, nursing or care home, stadium, library, art gallery, museum, fire station, utility substation, cemetery, park, playground, sports field, bicycle or pedestrian way or community center.

Quasi-Judicial. Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code. Quasi-judicial land use decisions involve a public hearing.

Recreational Vehicle. A vacation trailer or other unit, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational or emergency purposes. It shall also include a camper placed on a pickup truck.

Reduction. A lessening in value, quantity, size, or the like.

Remodel. The addition to, removal of or from, or physical modification or repair of an exterior part or portion of a building.

Replat. The act of plating the lots, parcels and easements in a recorded subdivision or partition plat to achieve a re-configuration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

Residential Facility. Residential Facility with six (6) or more persons as defined by ORS 197.660.

Residential Home. A residential treatment or training or adult foster home that provides residential care alone or in conjunction with treatment or training or a combination thereof as defined by ORS 197.660 for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Right-of-Way (ROW). The right of passage or of way, which is a servitude imposed by law or convention, and by virtue of which one has the right to pass over or through the property of another as is set forth by its terms.

Service Station, Automobile. A place or station designed and used primarily for the supplying of motor fuel, oil, lubrication and accessories to motor vehicles but excluding major repair and overhauling.

Shadow Plat. A future subdivision or partition concept plan approved by the city in conjunction with a request for interim development (often a single-family residence or partition). The shadow plat is not binding on either the property owner of the city; that is, the property owner would have to apply for tentative plat approval for future development proposals. Shadow plats are designed to ensure that an urban level of development will be possible when urban services become available.

Sign. Any medium including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising purposes.

Sight-Obscuring. To impede the visibility of an area by more than 75 percent through the use of fences, vegetation or other means.

Site. Site means a property (or group of adjacent parcels or lots under the same ownership) that is subject to a permit application under this code.

Street. A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land and including the term, "road," "highway," "lane," "avenue," "alley" or similar designations.

(a) Alley A narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

(b) Arterial (Principal) Roadways in urbanized areas which serve the major centers of activity, the highest traffic volume corridors, the longest trip desires, and a high proportion of the total urban area travel (even though it may only constitute a relatively small percentage of the total roadway network).
- Provides significant intra-area travel
- Because of the nature of the travel served by the major arterial system, almost all are fully and partially controlled access facilities.
- For major arterials, service to abutting land is subordinate to travel service to major traffic movements.

(c) Arterial (Minor) Interconnects with and augments the principal arterial system.
- Accommodates trips of moderate length at a somewhat lower level of travel mobility than major arterials.
- Distributes travel to geographic areas smaller than the higher system does and offers lower traffic mobility.
- May carry local bus routes and provide intracommunity continuity. Ideally, does not penetrate identifiable neighborhoods.

(d) Collector provides both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas.
- Differs from Arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to their ultimate destination.
- Conversely, they collect traffic from the local streets in neighborhoods and channel it into the arterial system.

(e) Cul-de-Sac (dead end Street) A local street, usually only a few hundred feet in length and closed at one end, designed to serve the interior of a subdivision or large tract of land.

(f) Half Street A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.

(g) Limited Access Street A minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.

(h) Local Street Streets that serve primarily to provide direct access to abutting land and access to the higher order systems. It offers the lowest level of mobility and usually contains no bus routes.

Structural Alteration. Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders or structural change in the roof or in the exterior walls.

Structure Use. That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. The purpose for which land or a structure is designed, arranged or intended or for which it is occupied and maintained.

Subdivision. Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

Subdivide Land. To divide land to create four or more lots within a calendar year.

Tentative Plan. A tentative plan is the plan of a subdivision or partition submitted to the City for approval under the provision of ORS 92 and Article 3 and Article 5 of the Land Division Ordinance.

Veterinary Hospital. A building, together with animal runs, in which veterinary services, clipping, bathing, boarding and other services are rendered to dogs, cats and other small animals and domestic pets.

Wetland. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions.

Yard, Back (Rear). A yard adjacent to a property line. See also LOT LINE, REAR

Yard, Front. A yard adjacent to a street and to the front entrance of a building. See also LOT LINE, FRONT.

Yard, Side. A yard adjacent to a property line. For a corner lot, the Side Yard (located at the side of a residence or structure) can also be adjacent to a street. See also LOT LINE, SIDE.

City of Veneta Ordinance No. 557
Amendments to the
VENETA LAND DIVISION ORDINANCE
No. 494

Only those sections with amendments are shown.
Deleted language in ~~strikethrough~~
New language in **bold**

ARTICLE 2 - APPLICATION ~~AND VARIANCE~~ PROCEDURES

2.03 SUBMISSION PROCEDURE

Following preliminary review and the pre-development land division conference, where applicable, the land divider shall prepare an application and a tentative plan with other supplementary data required to indicate the general program and objectives of the proposed land division. The form of application shall be as prescribed by the City and shall be submitted to the Building and Planning Official who shall coordinate the process of review and action. The submission and informational requirements and review procedures shall be as specified for each land division classification contained in this ordinance.

Applications that are accompanied by the required application fee will be reviewed and, within 30 days of its receipt, the applicant will be notified as to the completeness. If the City determines that the application is complete, the City will process the application in accordance with the review procedures for the type of application that has been submitted.

Applications shall be processed in the following manner, consistent with the procedural standards in the Land Development Ordinance (No. 493):

Action	Procedure
Lot Line Adjustment, including Lot Consolidations	Type I
Partition, Re-plat or Vacation of 2-3 lots	
Preliminary Plat	Type II
Final Plat	Type I
Minor Amendment	Type II
Subdivision, Replat or Vacation of >3 lots	
Preliminary Plat	Type III
Final Plat	Type I
Minor Amendment	Type II
Major Amendment	Type III

Any Type I or II application submitted with or that can be considered with a Type III application (such as those requiring approval of a Variance or Conditional Use) shall be noticed and considered by the Planning Commission concurrent with the other application(s) at the higher review level.

~~If the City determines that the application is incomplete, the City shall advise the applicant in writing of the necessary missing information. Within 180 days after initial application submittal, the applicant shall submit to the City a written statement indicating either an intent to submit the missing information or a refusal to submit the missing information. The City shall begin review of the application when deemed completed for purposes of ORS 227.178 upon receipt of:~~

~~A. All of the missing information;~~

~~B. Some of the missing information and written notice from the applicant that no other information will be provided; or~~

~~C. Written notice from applicant that none of the missing information will be provided.~~

~~On the 181st day after the first being submitted, the application is void if the applicant has been notified of the missing information as required above and has not submitted:~~

~~A. All of the missing information;~~

~~B. Some of the missing information and written notice that no other information will be provided; or~~

~~C. Written notice that none of the missing information will be provided.~~

2.05 VARIANCE PETITION

~~(1) Variances authorized. Variances and conditional variances to the requirements of this ordinance may be authorized by the Planning Commission.~~

~~(2) Application. Petition for a variance shall be made on a form prescribed by the City and shall be submitted to the Building and Planning Official. The variance petition shall cite the ordinance provisions from which a variance is requested and shall state fully the basis and facts relied upon and other data pertinent to the requested variance. Each ordinance provision for which a variance is requested shall be deemed a separate application and shall require a separate petition and filing fee.~~

~~(3) Review and Action Procedure.~~

~~(a) The Building and Planning Official shall review the variance petition with all affected public and private agencies and submit a findings report to the Planning Commission.~~

~~(b) The Planning Commission shall consider the variance petition. Refer to the *Notice of Public Hearing* in Article 2 of the Land Development Ordinance for notification requirements. A variance or conditional variance may be granted provided all the following circumstances exist:~~

~~1. Special or unusual circumstances or conditions apply to the property that do not apply generally to other properties in the same zone or vicinity.~~

~~2. The granting of the variance shall not constitute a grant of special privilege not enjoyed by owners of other similarly zoned properties.~~

~~3. The granting of a variance will not be materially detrimental to the public health, safety, and welfare or materially injurious to other property in the same zone or vicinity in which the property is located.~~

~~4. The granting of the variance is in accordance with the purposes and objectives of the Comprehensive Plan, an adopted Specific Development Plan and or other related Veneta ordinances and will not otherwise conflict with the objectives of any City ordinance, plan, or policy.~~

~~5. The unusual circumstance or condition described in Subsection (1) of Land Division Ordinance Section 2.05(3)(b) shall not be self-created, arise from a previous Code violation, or rely on loss of profit or financial need.~~

~~6. The Variance requested is the minimum necessary to alleviate the unusual condition.~~

~~(c) The Planning Commission may approve, conditionally approve or deny all or any part of a variance petition. A written record of the findings and action of the Planning Commission shall be attached and noted on two copies of the tentative plan as part of the conditions for approval of the proposed land division.~~

~~Authorization of a variance shall be void one (1) year after the date of approval of the variance application or such lesser time as the authorization may specify, unless a tentative plan has been approved within one (1) year from the date of the approval of the variance.~~

Variances to the requirements of this ordinance may be considered pursuant to the standards and procedures for a Variance outlined in the Land Development Ordinance (No. 493).

~~2.06 NOTICE OF LIMITED LAND USE ACTIONS~~

~~Tentative subdivision applications and tentative partition applications are limited land use decisions. Limited land use decisions do not require public hearings. Effective June 16, 2005, final plat approvals and property line adjustments are not limited land use decisions and do not require notice (HB 2356).~~

~~Limited land use decisions are subject to the following requirements:~~

~~(1) The City shall follow the applicable procedures contained within the Land Development Ordinance, Land Division Ordinance, Transportation System Plan, Veneta Municipal Code and other applicable legal requirements.~~

~~(2) Written notice shall be posted at City Hall and mailed to the property owner, applicant and all owners of property within 300 feet of the entire contiguous site for which the application is made. Notice shall also be provided to any neighborhood or community organization recognized by the City and whose boundaries include the site, and to any public notice subscribers. Notice shall also be posted on the property for which the limited land use decision has been requested. Notice shall be provided to public agencies providing transportation facilities and services, including ODOT and Lane Transit, regarding proposals that are adjacent to or will have an impact on transportation facilities or services.~~

~~(3) Failure of a person to receive the notice prescribed in this section shall not impair the validity of the decision.~~

~~(4) The public notice shall provide a 14 day period for submission of written comments prior to the decision. The notice shall explain the nature of the application and the proposed use or uses which would be authorized; list the applicable criteria from the ordinances that apply to the application; cite the street address or some other easily understood geographical reference to the subject property; state the place, date and time that comments are due; include the name and telephone number of the City representative to contact for additional information; state that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. The notice shall state that issues which may provide the basis for an appeal to the Council shall be raised in writing prior to the expiration of the comment period and issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.~~

~~(5) The City shall provide notice of the decision to the applicant and any person who submits comments within the fourteen (14) day period provided. The notice of the decision must include an explanation of appeal rights and briefly summarize the local decision making process for the decision being made.~~

ARTICLE 4 - SUBDIVISIONS

4.02 TENTATIVE PLAN REVIEW AND ACTION PROCEDURES

A. City Staff Review and Action. Upon deeming an application complete, the ~~Building and Planning Official~~ Director shall furnish one (1) copy of the tentative plan and supplementary material to the City Engineer and Public Works Superintendent. Public agencies believed to have an interest shall be provided notice of the proposal. These officials and agencies shall be given fifteen (15) days to review the plan and to suggest revisions that appear to be in the public interest.

~~B. The Building and Planning Official shall review the tentative plan proposal and the reports of agencies and submit a Findings report to the Planning Commission.~~

~~C. Within 40 days from the first regular Planning Commission meeting following submission of a complete tentative plan of a land division, the Planning Commission shall review the plan and the reports of appropriate officials and agencies.~~

B. Dedications and Conditions of Approval: The Planning Commission may require dedication of land and easements and may specify conditions or modifications to the tentative plan as necessary to ensure compliance with city regulations.

~~E. Denial of Subdivision: If the Planning Commission finds that the application does not meet all requirements of the City, and cannot through lawful conditions of approval, the Planning Commission shall mail the applicant Final Orders stating the reason(s) for denial. The applicant may request an appeal~~

~~within fifteen (15) days from the date the Final Order was signed.~~

~~F. Tentative Plan Approval: The action of the Planning Commission shall be incorporated into a Final Order with all of the conditions of approval and a copy shall be mailed to the applicant within seven (7) days of the decision. The original copy of the Final Order shall be retained in the City planning files.~~

C. Failure to Complete Subdivision Requirements: Tentative Plan approval shall remain effective for three (3) years from the date of Planning Commission action. Within three (3) years, the applicant must submit a complete Final Plat application for review along with all supplementary data required to meet the conditions of approval listed in the Final Order. If the land divider is unable to proceed with the subdivision prior to the expiration of the three (3) year period following the approval of the tentative plan, the applicant must resubmit the tentative plan and make any revision(s) necessary to meet changed conditions or modifications in laws or ordinances of the State of Oregon, Lane County, or the City of Veneta.

~~H. The applicant may submit a request in writing for up to a one (1) year extension for a land use approval. Unless the City Council or the original approval provides otherwise, a maximum of two (2) extensions may be granted.~~

~~I. Requests for extensions shall:~~

~~J. Be submitted to the City in writing prior to expiration of the approval, but no earlier than 90 days prior to the expiration of the approval; and~~

~~K. Explain any special or unusual circumstances that warrant an extension.~~

~~L. The City may deny a request for an extension if any Land Use Ordinance requirements or laws have been adopted since the original approval that would clearly make the development unlawful to approve as of the date the approval would otherwise expire.~~

~~M. Appeal: Appeals must be filed according to Section 8.03 of this land use ordinance. An appeal of a Planning Commission decision will go to the City Council.~~

D. Performance Bonds and Irrevocable Agreements: At tentative plat approval, the applicant shall post a performance bond and enter into an Irrevocable Agreement between the applicant and the City, in a form as provided by the City, to assure that the subdivision improvements are completed. The performance bond shall be equal to the cost of public improvements including city water and sewer main extension and service and streets, which includes curbs, gutters and sidewalks with the City of Veneta. The cost of public improvements shall be based on an estimate by the City Engineer. Performance bonds shall be in the form of a surety bond, irrevocable letter of credit, cash, or other financial instrument acceptable to the City Attorney.

4.03 ~~CATEGORIES FOR~~ REVIEW OF TENTATIVE PLAN APPLICATIONS

A tentative plan ~~Planning Commission may~~ **application shall be** approve**d**, approve**d** with conditions, or ~~deny~~ **denied** ~~a tentative plan~~ based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

A. The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

B. Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.

C. The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).

D. Topography, floodplain, wetlands, and vegetation have been incorporated into the subdivision design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the

zoning district (Land Development Ordinance).

E. Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.

F. Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.

G. The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district in which the property is located (Land Development Ordinance)

4.04 AMENDMENTS

A. Minor Amendments. Minor amendments to any approved tentative subdivision plan may be approved, approved with conditions, or denied administratively ~~by the Building and Planning Official the Director~~ as long as the amendment(s) substantially comply with the tentative plan, fully comply with all City ordinances and do not:

1. Involve any interpretation of submission requirements or require findings that would set a precedent for other tentative subdivision plan amendments,
2. Impact utilities, the transportation system, drainage, or natural features of the site,
3. Require a variance,
4. Raise questions of adequacy of services by the Public Works Superintendent, City Engineer, or any affected public or private agency, and
5. Create more lots than the approved tentative subdivision plan.

B. Major Amendments. Major amendments to an approved tentative subdivision plan involve changes that do not meet the criteria listed under minor amendments. Major amendments to an approved tentative plan must be reviewed and processed in the same manner as required for the original tentative subdivision plan. A new application and filing fee is required. ~~and the amendments must be approved by the Planning Commission.~~

4.06 REVIEW AND ACTION PROCEDURES

A. Upon receipt, the plat and other required data shall be reviewed by the Building and Planning Official, City Engineer and Public Works Superintendent to determine that the subdivision as shown is substantially the same as it appeared on the approved tentative plan, meets any conditions of approval, and that there has been compliance with provisions of the law and of this ordinance.

B. The City may make such checks in the field as are desirable to verify that the plat is sufficiently correct on the ground and City representatives may enter the property for this purpose.

C. If it is determined that full conformity has not been made, the Building and Planning Official shall advise the sub divider of the changes or additions that must be made and shall afford the land divider an opportunity to make the changes or additions.

D. If after approval by the City Engineer and Public Works Superintendent the Building and Planning Official determines that the plat conforms to all requirements, it shall give approval, provided supplemental documents and provisions for required improvements are satisfactory. After acceptance, a recordable copy of the map shall be submitted to the City for signature. Final approval shall be indicated by the signature of the Building and Planning Official on the recordable copy of the plat. Acceptance by the public of the dedication of any street or other easements shown on the plat shall be indicated by the signature of the Mayor on behalf of the City.

ARTICLE 5 - PARTITIONS

5.03 TENTATIVE PLAN REVIEW AND ACTION PROCEDURES

~~Upon deeming an application complete, the Building and Planning Official shall furnish one (1) copy of the tentative plan and supplementary material to the City Engineer and Public Works Superintendent. Public agencies believed to have an interest shall be provided notice of the proposal. These officials and agencies shall be given fifteen (15) days to review the plan and to suggest revisions that appear to be in the public interest.~~

~~If it is determined that the proposed partition is consistent with the Veneta Land Division and Land Development Ordinances, Veneta Transportation System Plan, Veneta Municipal Code, and other related ordinances of the City and that adequate vehicular access and utilities can be provided, and there are no questions of adequacy of services raised by the Building and Planning Official, Public Works Superintendent, City Engineer or any affected public or private agency, the Building and Planning Official, may grant administrative approval without submitting it to the Planning Commission. The Planning Commission shall be advised of all administrative approvals of partitions at the following regular Planning Commission meeting.~~

A. Planning Commission Review. ~~The Planning Commission shall have authority to set guidelines as to which partition requests come before the commission.~~ If the proposed partition ~~does not fully comply with City ordinances,~~ requires a variance, or ~~if unusual circumstances exist relative to the proposed partition,~~ **is submitted concurrently with any other land use action requiring a Type III application**, the Building and Planning Official shall submit the proposal to the Planning Commission for a consolidative higher level review. Any other proposal may be submitted to the Commission for review at the discretion of the Building and Planning Official.

B. Dedications and Conditions of Approval. The Building and Planning Official or the Planning Commission may require dedication of land and easements and may specify conditions or modifications to the tentative plan as necessary.

~~Denial of Partition. If the Building and Planning Official or the Planning Commission finds that the application does not meet all requirements of the City, and cannot through lawful conditions of approval, then the Building & Planning Official or the Planning Commission shall send the applicant with findings stating the reasons for denial. The applicant may request an appeal within fifteen (15) days from the date the final order is signed.~~

C. Tentative Plan Approval: The action of the Building and Planning Official or the Planning Commission shall be incorporated into a Final Order with all conditions of approval and a copy sent by mail to the applicant within seven (7) days of the decision. The original copy of the Final Order shall be retained in the City Planning files.

D. Failure to Complete Partition Requirements: Tentative plan approval shall remain effective for ~~only~~ three (3) years from the date the Building and Planning Official or Planning Commission took action. Within that three (3) year **period**, the applicant must submit a complete Final Plat for review along with all supplementary data required to meet the conditions of approval listed in the Final Order issued either by the Building & Planning Official or the Veneta Planning Commission. If the land divider is unable to proceed with the partition prior to the expiration of the three (3) year period following the approval of the tentative plan, the applicant must resubmit the tentative plan and make any revisions(s) necessary to meet changed conditions of modifications in laws or ordinances of the State of Oregon, Lane County, or the City of Veneta

~~E. Appeal: Appeals must be filed according to Section 8.03 of this land use ordinance. Appeal of an administrative decision will be heard before the Planning Commission. An appeal of a Planning Commission decision will go to the City Council.~~

5.04 ~~CATEGORIES FOR~~ REVIEW OF TENTATIVE PLAN APPLICATIONS

A tentative plan ~~Building and Planning Official or the Planning Commission may~~ partition **application shall be** approve**d**, approve**d** with conditions, or ~~deny~~ **denied** ~~a tentative plan~~ based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

A. The transportation system supports the new development and provides vehicular, bicycle, and pedestrian

access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

B. Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.

C. The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).

D. Topography, floodplain, wetlands, and vegetation have been incorporated into the partition design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).

E. Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.

F. Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.

G. The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).

8.05 AMENDMENTS

~~(1) An amendment to the text of this ordinance may be initiated by the City Council, the City Planning Commission or by application of a property owner. The request by a property owner for an amendment shall be accomplished by filing an application with the Building and Planning Official using forms provided by the City.~~

~~(2) The Planning Commission shall conduct a public hearing on the proposed amendment after notifying Lane County and publishing notice of the hearing once a week for two (2) successive weeks prior to the hearing in a newspaper of general circulation within the City. The notice shall specify the time, place and purpose of the hearing. The Division of State Lands shall be notified of the amendment 45 days prior to the final hearing.~~

~~(3) Within ten (10) days after such hearing, the Planning Commission shall recommend to the City Council approval, disapproval, or modified approval of the proposed amendment.~~

~~Upon receiving a recommendation of approval from the Planning Commission, the City Council shall hold a public hearing on the proposed amendment following the same procedures as prescribed for the Planning Commission.~~

~~(4) No application of a property owner for an amendment to the text of this ordinance shall be considered by the Planning Commission within the one (1) year period immediately following a previous denial of such request, except the Planning Commission may permit a new application if, in the opinion of the Planning Commission, new evidence or a change of circumstances warrants it.~~

~~(5) Any such amendments are subject to any required reviews or approvals, including notifications to DLCD.~~

Amendments to this Ordinance shall be processed pursuant to the criteria and standards for a Type IV Amendment in the Land Development Ordinance (No. 493).

8.06 DEFINITIONS

~~As used in this ordinance, the following words and phrases shall mean:~~ **Capitalized words and phrases within this ordinance are defined in the Veneta Land Development Ordinance (No. 493). Terms not defined shall utilize commonly accepted definitions.**

All definitions deleted

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CITY OF VENETA

ORDINANCE NO. 557

AN ORDINANCE ADOPTING AMENDMENTS TO LAND DEVELOPMENT ORDINANCE NO. 493 AND LAND DIVISION ORDINANCE NO. 494 SPECIFICALLY ADOPTING TYPE I-V PROCEDURES FOR PROCESSING LAND USE APPLICATIONS

WHEREAS, the City relies on two different ordinances for control of most land use actions; and

WHEREAS, the Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494 are not consistent regarding procedural requirements for land use applications; and

WHEREAS, the Veneta Land Development Ordinance No. 493 and Land Division Ordinance No. 494 share almost the same set of Definitions, even though some words only appear in one ordinance; and

WHEREAS, the City desires to be seen as development-friendly, and adopting procedural standards and definitions in its land development ordinances that are consistent and well-understood by the development community furthers that goal; and

WHEREAS, City staff engaged the Planning Commission in a discussion on the merits of adopting a unified “Type” procedure for land use applications similar to that used in other jurisdictions at their January 7, 2020 meeting, at which the Commission recommended the idea move forward to the City Council; and

WHEREAS, City staff engaged the City Council in a discussion on the merits of adopting a unified procedure for land use applications at their January 27, 2020 meeting, at which the Council recommended that staff formally initiate an amendment to Ordinances 493 and 494; and

WHEREAS, on January 31, 2020, the Department of Land Conservation and Development was notified of the proposed amendments; and

WHEREAS, on May 5, 2020, the Veneta Planning Commission conducted a properly advertised public hearing on the proposed amendments to Veneta Land Development Ordinance No. 493 and Veneta Land Division Ordinance No. 494 and recommended that the City Council adopt the proposed amendments; and

WHEREAS, on May 27, 2020, a Veneta City Council Public Hearing on the proposed amendments was properly advertised; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Veneta Planning Commission, and testimony and comments submitted at public hearings, both orally and in writing, the Veneta City Council has made the findings of fact as set forth in Exhibit A.

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

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

Section 2. Veneta Land Development Ordinance No. 493 is hereby amended as shown in attached Exhibits B.

Section 3. Veneta Land Division Ordinance No. 494 is hereby amended as shown in attached Exhibit C.

Section 4. All unamended provisions of Ordinance Nos. 493 and 494 shall remain in full force and effect.

Section 5. 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 ____ day of June, 2020 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 _____, 2020, no Council person in attendance 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 June, 2020.

XXXXXXXXXXXXXXXXXXXXX
Keith Weiss, Mayor
Executed on _____

ATTEST:

XXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder
Executed on _____

ORDINANCE NO. 557 EXHIBIT A
VENETA CITY COUNCIL
FINDINGS OF FACT
File # A-1-20

ADOPTION OF AMENDMENTS TO
VENETA LAND DEVELOPMENT ORDINANCE NO. 493
AND LAND DIVISION ORDINANCE NO. 494

A. The Veneta City Council finds the following:

1. The issue was discussed before the Planning Commission at its January 7, 2020 meeting, and then the City Council at its January 27 meeting. Both bodies recommended staff move the issue forward for consideration and adoption. The City Attorney was also supportive of the change and reviewed the proposed amendments.

2. The City provided public notice to the Oregon Department of Land Conservation and Development (DLCD) on January 31, 2020 at least 35 days prior to the first public hearing, and provided notice in the Fern Ridge Review on April 22, 2020 at least 10 days prior to the first public hearing, per Veneta Land Development Ordinance No. 493, Section 2.11. Because no properties or property uses were affected by the proposed amendments, mailed notices to property owners were not required.

3. The Planning Commission held a public hearing on May 5, 2020 on the proposed amendments to Veneta Land Development Ordinance No. 493 and Veneta Land Division Ordinance No. 494 and recommended adoption to the City Council.

4. The Veneta City Council conducted public hearings on June 8 and June 22, 2020 on the proposed amendments to Veneta Land Development Ordinance No. 493 and Veneta Land Division Ordinance No. 494.

5. Based on the findings below, the City Council concluded that the proposed amendments are in conformance with the applicable Statewide Planning Goals, the Veneta Comprehensive Plan, Veneta Land Development Ordinance No. 493, Veneta Land Division Ordinance No. 494, and amendments thereto.

B. IT IS HEREBY ORDERED that the Veneta City Council adopt the proposed amendments to Ordinance Nos. 493 and 494 based on the following findings of fact:

1. **The following Statewide Planning Goals have been considered by the City of Veneta for adoption of the proposed amendments:**

   Citizen Involvement (Goal 1)
   Objective: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

   Finding: The Planning Commission and City Council conducted public hearings on the proposal prior to adopting proposed amendments. Notice of the proposal and hearings was published in the Fern Ridge Review on April 10, 2020. The proposal was submitted to the Department of Land

Conservation and Development on January 23, 2020 at least 35 days in advance of the first public hearing scheduled for April 7, 2020, but postponed to May 5, 2020.

Because the proposal will "change the rules that apply," it is a legislative action. However, because the proposed amendment package will not change the Comprehensive Plan designation or zoning on any property, and will not change the permitted, conditional or prohibited uses or any specific development regulations, no notice to individual property owners or "Measure 56" notice was required. Staff was very mindful of the reduced opportunity for public participation offered by the current Coronavirus pandemic, and limited the amendment package to language that will have little, if any, impact on our citizens, property owners, businesses or developers.

Legislative decisions first require a Planning Commission public hearing and recommendation to the City Council, which then makes a decision based on stated findings. The Planning Commission and City Council hearings were duly noticed and open to the public. Phone numbers were publicly advertised for citizens to call into the meetings if they were unable or uncomfortable attending meetings in person. The Planning Commission public hearing was held on May 5, 2020. City Council public hearings were held on June 8, 2020 (first reading) and June 22, 2020 (second reading and adoption).

Land Use Planning (Goal 2)
Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: The proposal is to amend and consolidate the procedural language and definitions in the Veneta Land Development Ordinance and Land Division Ordinance. The impetus for the proposal is a desire to make the City's procedural standards consistent for both Ordinances, and also to bring the standards in line with those used by many other jurisdictions. The result and benefit will be that the City's procedural standards will be more easily understood and followed by City staff, elected and appointed officials, and the development community. Ultimately, the purpose of the amendment package is increased compliance with Goal 2.

Economic Development (Goal 9)
Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: As previously noted, the proposed amendments will not change permitted or prohibited uses within the City of Veneta and will have no impact on development regulations.

The impact of the amendment package on the public will be easier to understand ordinances, a slightly reduced time frame for processing some applications, and the potential to reduce development costs, all of which is consistent with Goal 9.

Statewide Planning Goals 1, 2 and 9 are the only Goals that apply to the proposed amendments. No public, agency, or other testimony has been received to indicate that the remaining Goals are applicable to this action.

Conclusion: The amendments are consistent with Statewide Planning Goals 1, 2 and 9. Remaining Statewide Goals are not applicable to this action.

2. **The following Statutes, Rules, Comprehensive Plan Provisions and Implementing Ordinances have been considered by the City of Veneta in the formation of the language contained within this request:**

Statutory Requirements

Findings: Although all Comprehensive Plans and implementing ordinances must be consistent with state law, the limited frequency of amendments results in many local codes being out of compliance. The amendment package under consideration is limited to addressing compliance with procedural requirements for land use actions.

The proposed amendments were reviewed by the City Attorney for conformance with Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). Minor changes were also made to ensure consistency with the Oregon Residential Specialty Code (ORSC).

Comprehensive Plan Economic Development Element

Per the Element:
This element addresses State Economic Development Goal 9, "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

Finding: The proposed amendments will have an indirect impact on economic development efforts by reducing redundant and conflicting language within our two development ordinances and providing a set of procedures that is generally understood by the development community. A development-friendly code is easy to understand and is not subject to different interpretations by developers, staff, and our elected and appointed officials. Consolidating all procedural language and definitions into one ordinance is one way to improve the City's development regulations.

Because the proposed amendments will have no impact on permitted or prohibited uses or other development standards within the City, there should be minimal impact, if any, relative to other Comprehensive Plan elements.

Procedural Requirements in Veneta Land Development Ordinance No 493:

SECTION 11.01 AUTHORIZATION TO INITIATE AMENDMENTS
An amendment to the text of this ordinance may be initiated by the City Council, the City Planning Commission or by application of a property owner or city resident.

SECTION 11.02 PUBLIC HEARINGS ON AMENDMENTS
All requests for amendment to the text or zoning map of this ordinance shall comply with the following public hearing procedures:

1) *Notice of public hearing shall be as specified in Section 2.11.*
2) *The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is proposed. Lane County shall be notified about proposed amendments and large area rezoning proposals before the date of the hearing.*
3) *The Planning Commission shall, within 40 days after the initial hearing date, recommend to the City Council approval, disapproval or modification of the proposed amendment.*

4) *After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing on the proposed amendment in conformity with the notice provisions of Section 2.11.*
5) *All public hearings shall be in accordance with procedures for the conduct of hearings before the Planning Commission and City Council.*
6) *Within seven (7) days after a decision has been rendered with reference to an amendment, the Building and Planning Official shall provide the applicant with written notice of the decision. This procedure shall apply to recommendations made by the Planning Commission and to final action made by the City Council.*

Finding: One public hearing was held by the Planning Commission and two public hearings were held by the City Council in accordance with VLDO Section 2.11 and 11.02. Notice was emailed to DLCD on January 31, 2020, at least 35 days prior to the first hearing. Notice was published in the Fern Ridge Review on April 22, 2020 at least 10 days prior to the first evidentiary hearing, per Section 2.11(1). A second notice was published on May 27, 2020, 12 days prior to the first City Council hearing.

Planning Commission recommendations and the City Council's decisions are based on applicable statewide planning goals and guidelines, federal and state statutes and rules, Comprehensive Plan policies, and provisions of the Veneta Land Development Ordinance, as presented in the final order.

SECTION 1.02 PURPOSE
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.

Finding: The proposed amendments to the Veneta Land Development and Land Division Ordinances will not change any permitted or prohibited uses within the City's jurisdiction. The proposed amendments will consolidate the procedural standards and definitions for the City's Land Development and Land Division Ordinances, and put them in a hierarchical Type I-V typology consistent with many other jurisdictions in the State. This typology is understood by the development community, which will make Veneta more development-friendly. As described, the proposed amendments promote the public health, safety and general welfare of Veneta.

City of Veneta Ordinance No. 557, Exhibit B

Amendments to the

VENETA LAND DEVELOPMENT ORDINANCE No. 493

ARTICLE 1 - INTRODUCTORY PROVISIONS

1.02 PURPOSE

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.

The provisions of this Ordinance shall be deemed minimum requirements for the preservation of the public safety, health, convenience, comfort, prosperity and general welfare of the people of the City of Veneta.

1.03 SEVERABILITY

The provisions of this ordinance are severable. If a section, sentence, clause or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

1.04 POLICY OF NONDISCRIMINATION

Age, gender/race or physical disability shall not be an adverse consideration in making a land use decision as defined in Oregon Law.

1.05 DUTY OF ENFORCEMENT

It shall be the duty of the City Administrator to see that this Ordinance is enforced. No permit for the construction or alteration of any building or part thereof shall be issued unless the plans, specifications and intended use of such building conform in all respects with the provisions of this Ordinance.

ARTICLE 2 - ADMINISTRATIVE PROVISIONS

2.01 COMPLIANCE WITH ORDINANCE PROVISIONS

A. Land Use Consistent with Ordinance.
   1. Land may be used and a structure or part of a structure may be constructed, altered, occupied or used only as this ordinance permits.
   2. No lot area, yard, off-street parking area, off-street loading area or other open space existing on or after the effective date of this ordinance shall be reduced below the minimum required for it by this ordinance.
   3. No lot area, yard, off-street parking area, off-street loading area or other open space shall be used as the required lot area, yard, off-street parking area, off-street loading area or other open space of another use, except as provided for in this ordinance.
   4. Development shall not commence until the applicant has received all of the appropriate land use and development permits

2.03 UNLAWFUL CONSTRUCTION OR USE

A. Nuisances.
   In case a structure is located, constructed, maintained, repaired, altered or used, or land is used in violation of this ordinance, the structure or land thus in violation shall constitute a nuisance. The City may, as an alternative or in addition to other remedies or penalties set forth herein, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate or remove the unlawful location, construction, maintenance, repair, alteration or use.
   1. Within a reasonable time after notification of a violation of this ordinance, the Building and Planning Official shall notify the property owner that such a violation exists.
   2. Where the violation does not involve a structure, action to rectify such shall be made within 30 days. Where the violation involves a structure, action to rectify such shall be made within 60 days.
   3. If no action has been taken to rectify the violation within the specified time, the Building and Planning Official shall refer it to the City Attorney.

B. Penalties for noncompliance.
   1. Violation of any provision of this ordinance or any amendment thereto is punishable, upon conviction, by a fine of not less than fifty ($50) dollars nor more than five hundred ($500) dollars.
   2. A violation of this ordinance shall be considered a separate offense for each day the violation continues.

2.06 Reserved

2.07 Reserved

2.11 Reserved

2.12 Reserved

2.13 Reserved

ARTICLE 5 - SUPPLEMENTARY PROVISIONS

5.01 GENERAL PROVISIONS REGARDING ACCESSORY USES

An accessory use shall comply with all requirements for a principal use, except where specifically modified by this section. Accessory uses shall not be used for human habitation. Accessory uses shall comply with the following standards.

(1) Fences, hedges and walls may be located within required yards but shall not exceed 48" (four (4) feet) in height in any required front yard which abuts a street other than an alley nor 2-1/2 feet in height in a vision clearance area. Elsewhere, fences, hedges and walls shall not exceed six (6) feet in height in residential and commercial zones and eight (8) feet in height in industrial zones. Swimming pools, tennis courts, and other accessory recreational structures may have fences that exceed six (6) feet, provided they are not located within the front yard, but may be allowed within the side and rear yards.

(2) No sales shall be made from a greenhouse or hothouse maintained as an accessory to a dwelling in a residential zone unless the sales have been approved as a home occupation.

(3) The highest point of the roof of an accessory or structure shall not exceed a building height of 24 feet in a residential zone.

(4) A garage shall be located a minimum of twenty (20) feet from front lot line in a residential zone except in an RC zone and as specified in Section 5.09(1). Parking requirements as specified in Section 5.20 continue to apply to lots with reduced setbacks. Garages must also meet the requirements of Article 13, Section 13.02 Dwelling, Single-Family (8).

(5) Except for garages and carports, accessory structures in the SFR, GR, and RC zones, including those not requiring a building permit, shall not be located between any front or side street and a principal building and must comply with the minimum yard setbacks for the zone in which they are located.

(6) Boats, trailers, detached campers, motorized dwellings and similar recreation equipment may be stored, but not used for human habitation, on a lot as an accessory use to a dwelling provided that storage shall not be permitted in a front yard.

(7) All buildings that are accessory structures shall have a minimum roof pitch of 2:12, except for Accessory Dwelling Units (ADUs).

5.04 GENERAL STANDARDS FOR SINGLE FAMILY DETACHED DWELLINGS

All new single family detached dwellings shall:

1. Meet current energy standards as adopted by the State of Oregon.
2. Be occupied only for residential purposes.
3. Conform to all residential use development standards for one-family dwellings.
4. Be constructed or installed in accordance with the Oregon Residential Specialty Code as adopted by the City or as defined within the statutes of the State of Oregon.
5. Be placed or constructed on foundations:
    a. Stick-built homes shall have foundation systems in accordance with the Oregon Residential Specialty Code;
    b. Manufactured dwellings shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than sixteen (16) inches of enclosing material exposed above grade. Where the building site has a sloped grade, no more than sixteen (16) inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the sixteen (16) inch limitation will not apply.
6. Have a minimum width of eighteen (18) feet as measured by the narrowest elevation.
7. Have an exterior finish and roof materials commonly found on residential structures in the area and City of Veneta.
8. Have a roof with eaves and gable overhangs of not less than six (6) inches measured form the vertical side of the structure and shall include gutters.
9. Have an enclosed garage or carport whichever is commonly found in the surrounding area and its exterior covering and roof materials shall be the same as the main structure. The maximum size of the garage shall be three stalls, with a maximum floor area of 900 square feet. Garage may be attached to house or detached.
10. Have electrical meter base attached either to the garage or dwelling unit.
11. Have a roof with a nominal pitch of 3 feet in height for each twelve feet in width.

All references to "Track 2" Site Plan Review changed to "Type III" Site Plan Review

by the Planning Commission through the **Track 2** Site Plan Review process (see Section 6.05(2)	5.13. (1)
and any street, except as approved through **Track 2** Site Plan Review. (see figure 5.13(d) below).	5.13 (2)(l)
Commission in evaluating adjustments (**Track 2** Site Plan Review) for consistency with the	5.13 (3)
be located to the side or rear of the building, except as approved through **Track 2** Site Plan Review.	5.20 (3)(b)
in excess of 50% may be permitted through a **Track 2** Site Plan Review, pursuant to Article 6, if	5.20 (11)
right-of-way is available, subject to a **Track 2** Site Plan Review. The Planning Commission may	5.20 (14)(b)
approved by the Planning Commission through a **Track 2** Site Plan Review where the applicant	5.20 (15)
by the Planning Commission through the **Track 2** Site Plan Review process (see Section 6.05(2)(	5.29 (1)
Planning Official, or Planning Commission for **Track 2** reviews) where such review is required in	5.29 (2)
or detailing when a project is subject to a **Track 2** Site Plan Review, Planned Unit Development	5.29 (3)(d)
and aesthetic interest, similar to options 1-14, as approved through **Track 2** Site Plan Review.	5.29 (3)(d)(14)

Planning Commission through a public hearing (**Track 2** Site Plan Review) where innovative techniques	5.29 (5)
open space standard may be adjusted through **Track 2** Site Plan Review, provided the development	5.29 (5)(b)3
by the Planning Commission through the **Track 2** Site Plan Review process (see Section 6.05(2)(	5.29 (6) **Will be 5.31 (1)*
Planning Official, or Planning Commission for **Track 2** reviews) where such review is required in	5.29 (7) **Will be 5.31 (2)*
or detailing when a project is subject to a **Track 2** Site Plan Review, Planned Unit Development	5.30 (9)(d) **Will be 5.31 (4)(d)*
and aesthetic interest, similar to options 1-14, as approved through **Track 2** Site Plan Review.	5.30 (9)(d)(14) **Will be 5.31 (4)(d)(14)*
Planning Commission through a public hearing (**Track 2** Site Plan Review) where innovative techniques	5.30 (10) **Will be 5.31 (5)*
open space standard may be adjusted through **Track 2** Site Plan Review, provided the development	5.30 (10)(b)(3) **Will be 5.31 (5)(b)(3)*

5.31 STANDARDS FOR NEW RESIDENTIAL DEVELOPMENT

5.32 ACCESSORY DWELLING UNIT STANDARDS

ARTICLE 6 - SITE PLAN REVIEW

6.06 PROCEDURE FOR REVIEWING SITE PLANS

1. Prior to taking action on a site plan the City must provide notice of limited land use action in compliance with Article 11. -
2. Approval of any Site Plan will be subject to compliance with the standards set forth in this ordinance and elsewhere by City ordinance or resolution. Type III Site Plan Review applications and major site plan amendments may be approved, approved with discretionary and non-discretionary conditions or denied . Type II Site Plan Review applications and Minor site plan amendments may be reviewed by the Building and Planning Official, and if approved, may include - conditions as necessary to ensure compliance with applicable requirements if not shown on submitted plans. --
3. -As a result of an approved site plan, a final map shall be prepared and filed with the Community Development Department, including all required modifications and conditions. Once approved, the site plan submitted shall become the official plan. The applicant may be required to sign and record a Development Agreement in a form approved by the City Attorney against the property to assure compliance with ongoing conditions of approval. Building permits shall be issued only for plans which substantially conform to the official plan and all construction shall substantially conform to the official plan or a Certificate of Occupancy may be withheld until compliance.

6.07 AMENDMENTS

Amendments are only permitted for developments for which the City has record of an approved Site Plan. A change to an existing development for which a previous site plan has never been approved requires a full site plan review
If the proposed use is more intensive than the existing use, additional Systems Development Charges shall be assessed at the time a building permit is issued.

Major amendments to an approved site plan shall follow the same procedure as for an approval of a site plan review. A new application and filing fee is required and the proposal must be approved by the Planning Commission. Major site plan amendments involve a change that does not meet the criteria listed under minor site plan amendments. Minor site plan amendments that may be approved - through a Type I application are those that meet the following criteria:

1. The site plan amendment does not involve any interpretation of submission requirements or required findings that would set a precedent for other site plans or site plan amendments.
2. The site plan amendment will not change the impacts (such as traffic generation, emissions or drainage) on surrounding properties.
3. The site plan amendment fully complies with City ordinances and does not require a variance.
4. There are no unusual circumstances relative to the site plan amendment.
5. There are no questions of adequacy of services raised by The Public Works Superintendent, City Engineer, or any affected public or private agency.

- Any amendment that involves commercial or industrial development adjacent to Hwy 126 and involves a change in use that is more intensive than the current or previous use as determined by the Building and Planning Official shall require a Type III application and review.

- The Planning Commission shall be advised of all administrative approvals of site plan amendments at the following regular Planning Commission meeting. -

ARTICLE 7 - TEMPORARY USE PERMIT REGULATIONS

7.05 PROCEDURE FOR REVIEWING TEMPORARY USE PERMITS

1. Prior to taking action on a temporary use permit, the City must provide notice of a Limited Land Use Decision, except for Mobile Vending Units which will be processed as follows:
   A. A mobile Vending Unit will be processed - pursuant to the Type I procedure.
   B. A mobile Vending Site will be processed -pursuant to the Type II procedure.
2. The building and Planning Official may approve, disapprove, or conditionally approve the Temporary Use Permit. If the application is for a highly visible location or potentially controversial use, the Building and Planning Official may forward the application to the Planning Commission for decision. Approval of the Temporary Use Permit will be subject to compliance with the standards as set forth in this ordinance and standards established elsewhere by City ordinance or resolution.
3. The Building and Planning Official or the Planning Commission may attach appropriate and reasonable conditions to the permit that are necessary to secure the public health, safety, and welfare and to maintain compliance with city codes and ordinances. Such clear and objective standards may include but are not limited to:
   A. Setback requirements
   B. Screening
   C. Control of points of ingress and egress
   D. Special provisions for signs
   E. Landscaping and maintenance of landscaping
   F. Maintenance of grounds
   G. Control of noise, vibration, and odors
   H. Limitation of hours for certain activities
   I. Limitation of duration of temporary use
   J. Once approved, the site plan for the temporary use as modified with conditions shall become the official plan.
   K. If written Notice of Appeal is not filed within fifteen (15) days of the date the Final Order is signed and mailed, the decision becomes final.
   L. Compliance with conditions imposed in the temporary use permit and adherence to the approved plans is required. The Building and Planning Official may revoke the temporary use permit with any departure from the approved plans or conditions or approval.
   M. All temporary uses involving a business must comply with Veneta Municipal Code Chapter 5.05, Business Registration.

7.06 RENEWING TEMPORARY USE PERMITS

1. Temporary Use Permit shall be subject to review and approval by the Building and Planning Official on an annual basis.
2. Public Notice requirements may be waived for renewal of Temporary Use Permits at the discretion of the Building and Planning Official provided that:
   A. No formal complaints have been filed regarding the temporary use.
   B. There have been no changes made to the site plan or activities from the time of initial approval as verified by the Building and Planning Official.

ARTICLE 8 - CONDITIONAL USES

8.03 PROCEDURE FOR REVIEWING A CONDITIONAL USE APPLICATION

Conditional Use applications shall be processed pursuant to the standards for a Type III application contained in Article 11.

1. -Lane County shall be notified of any conditional use permits that will have a potential impact or effect on lands, services or facilities outside the city limits.

8.05 Reserved

ARTICLE 10 – VARIANCES

10.04 PROCEDURE FOR REVIEWING A VARIANCE APPLICATION

Variance applications shall be processed pursuant to the standards for a Type III application contained in Article 11.

(1) -The Planning Commission may prescribe the terms and conditions upon which a variance may be granted and set a time limit for the duration of such variance and may require guarantees in such form as deemed proper under the circumstances to ensure that the purpose for which said variance is granted will be fulfilled and that the conditions of the variance will be met.

10.06 Reserved

ARTICLE 11 – PROCEDURAL STANDARDS

11.1 Purpose and Applicability

A. **Purpose.** This Article establishes procedures to initiate and make final decisions on planning actions under the Veneta Land Development Ordinance ("this ordinance"), pursuant to City policy and state law.

B. **Applicability of Review Procedures.** All planning actions shall be subject to processing by one of the following procedures summarized in subsections 1 - 4, below, and as designated in Table 11.1. Building permits and other approvals, including approvals from state or federal agencies, may be required. Failure of the applicant to receive notice of any such requirement does not waive that requirement or invalidate any planning action under this ordinance.

1. Type I Action (Ministerial Decision). The Director makes Type I decisions by applying clear and objective standards and criteria that do not require the use of discretion in their application. A public notice and public hearing are not required for Type I decisions. Type I decisions are not land use decisions subject to appeal to LUBA. Procedures for Type I actions are contained in section 11.5.
2. Type II Procedure (Administrative Decision). Type II decisions are usually made by the Director and require the use of a limited amount of discretion. Type II decisions require public notice and allow for submission of written comment from the public, but a public hearing is not required. Director decisions are appealed to the Planning Commission. Alternatively, the Director may refer a Type II application to the Planning Commission for its review and decision in a public hearing. Planning Commission decisions are appealed to the City Council. Procedures for Type II actions are contained in section 11.6.
3. Type III Procedure (Quasi-Judicial Decision). Type III decisions involve standards and criteria that require the use of discretion. Type III decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council. Quasi-judicial decisions involve discretion and implement policy. Procedures for Type III actions are contained in section 11.7.
4. Type IV Procedure (Legislative Decision). Type IV decisions are legislative decisions, such as the adoption and amendment of land use regulations and the Comprehensive Plan to implement public policy. Type IV matters are initially considered by the Planning Commission, which makes a recommendation to City Council. The Council makes the final decision on a legislative proposal through ordinance enactment. Public notice and hearings in front of the Planning Commission and City Council are required prior to the final decision. The City Council's decision is the final local decision. Procedures for Type IV actions are contained in section 11.8.

Table 11.1. Summary of Applications by Type of Review Procedure

Action	Procedure
Amendments	
Comprehensive Plan text	Type V
Comprehensive Plan map	Type V
Zoning Map (may be quasi-judicial or Legislative)	Type IV / V
Ordinance Text	Type V
Annexation	See ORS 222
Conditional Use Permit	Type III
Extension of Time	Type I or III
Floodplain Development	
Home Occupation (Minor or Major)	Type I or III
Interpretation of Ordinance	Type II or III
Mobile Vending	
Modification to Approval	
Minor Modification	Type I

Action	Procedure
Major Modification	Per original review
Sign Permit	Type I
Site Plan Review	Type II or III
Temporary Use	Type I
Tree Removal	Type I

11.2 Determination of Review Procedure

Where Table 11.1 designates more than one possible review procedure, the applicable review procedure shall be determined based on the specifics of the application(s) and criteria applied.

11.3 Pre-application Conference and Consolidation of Review

A. **Pre-Application Conference.** All applicants for Type II-V actions must complete a pre-application conference for the proposal within six months prior to filing the application. The Director may waive this requirement if, in the Director's opinion, the information to be gathered in a pre-application conference already exists in the complete application. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of this ordinance, provide for an exchange of information regarding applicable elements of the comprehensive plan and development requirements, and to identify policies and regulations that create opportunities or pose significant constraints for the proposed development. The Director is authorized to create procedures allowing for electronic or other alternative forms of conferences.

B. **Consolidated Review Procedures.** An applicant may apply at one time for all permits and approvals needed for a project proposal. When applicable, the consolidated procedure shall be subject to the time limitations set out in ORS 227.178. To process consolidated applications, the City shall follow the highest review procedure required for any single application type submitted. For example, a consolidated application that includes a Type II and a Type III procedure would be subject to Type III review procedures.

11.4 Burden of Proof

The burden of producing substantial evidence to support the requisite findings is on the applicant. If no supporting evidence is produced by the applicant, the City many deny the application.

A. The applicant has the burden of proof regarding all requests affecting a subject property, and the applicant recognizes that it bears the sole obligation to substantiate all requests.

B. If an applicant wishes to file a local appeal of any decision made under this ordinance, the applicant shall pay an appeal fee (subject to limitations of ORS 227.175(10) and 227.180(1)(c) for certain actions).

11.5 Type I Procedure (Ministerial Decision)

Type I decisions are made by the Director. A public notice and public hearing are not required for Type I decisions. Type I decisions involve clear and objective standards and criteria that do not require the exercise of discretion.

A. **Application Requirements and Review.**

1. Application Form and Fee. Applications subject to Type I review shall be submitted on forms provided by the Director. All property owners of the subject parcel or their authorized agents, as applicable, must sign the application. The application shall not be considered complete unless it includes all information required by this ordinance and the appropriate application fee.
2. Decision. Within 21 days after accepting a complete application for a Type I review, the Director shall approve, approve with conditions or deny the application based upon applicable criteria, unless such time limitation is extended by applicant. Conditions of approval may specify other required permits and/or approvals.
3. Notice. Within 5 days after the Director renders a decision, the applicant and property owner shall be notified in writing of the decision.

B. **Building Permits.** The City shall not issue a building permit for a project subject to review under this section until the Director has approved the Type I application.

C. **Criteria and Decision.** The Director, in approving a Type I application, may find that other City permits or approvals are required prior to issuance of construction or building permits.

D. **Effective Date.** A Type I decision is final on the date it is signed by the Director, with no right to a local appeal.

11.6 Type II Procedure (Administrative Decision)

Type II decisions are made by the Director with limited discretion, following public notice and a public written comment period. Type II decisions provide an opportunity for appeal to the Planning Commission. Notwithstanding any other provision, and at no additional cost to the applicant, the Director may choose to refer a Type II application to the Planning Commission for a public hearing utilizing the Type III procedure in order to request an interpretation, provide for greater notice and opportunity for public participation than would otherwise be required, or in order to comply with any applicable time requirements.

A. **Application Requirements.**

1. Application Form and Fee. Applications subject to Type II review shall be submitted on forms provided by the Director. All property owners of the subject parcel or their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless it includes all information required by this ordinance and the appropriate application fee.
2. Submittal Information. The application shall include all of the following information.
   a. The information requested on the application form.
   b. Plans and exhibits required for the specific approval(s) sought.
   c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
   d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
   e. The required fee.

B. **Notice of Application.**

1. Mailing of Notice of Application. The purpose of the notice of application is to give nearby property owners and other interested people the opportunity to review and submit written comments on the application before the City issues a decision. Within ten days of deeming a Type II application complete, the City shall mail a notice of a pending Type II application to the following:
   a. Applicant.
   b. Owners and occupants of the subject property.
   c. Owners and occupants for properties located within 300 feet of the perimeter of the subject site.
   d. Neighborhood groups or community organizations officially recognized by the City that include the area of the subject property.
   e. Where an application subject to Type II review is preceded by a Type III decision, to parties of record from the prior Type III decision.
   f. For applications to amend an approval, to the same mailing address provided by those who provided testimony for the original application.
2. Content of Notice of Application. The notice of application shall include all of the following:
   a. The street address or other easily understandable reference to the location of the proposed use or development.
   b. A summary of the proposal.
   c. The applicable criteria for the decision, listed by commonly used citation.
   d. Date and time that written comments are due, and the physical address where comments must be mailed or delivered.
   e. An explanation of the 14-day period for the submission of written comments, starting from the date of mailing.
   f. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards are available for review and that copies will be provided at a reasonable cost.

g. A statement that issues that may provide the basis for appeal to the Land Use Board of Appeals must be raised in writing and with sufficient specificity to enable the decision-maker to respond to the issue (See ORS 197.195(3)(c)(B)).
h. The name and telephone number of a City contact person.
i. A brief summary of the Type II review and decision-making process.

3. Posted Notice. The City shall post the notice of application on the project site in clear view from a public right-of-way using a poster format prescribed by the Director. Posting shall occur not later than the date of the mailing of the notice.
4. Certification of Notices. The City shall prepare an affidavit or other certification stating the date(s) the notices were mailed and posted, which shall be made a part of the file.

C. **Decision.**

1. At the conclusion of the comment period, the Director shall review the comments received and prepare a decision approving, approving with conditions, or denying the application based on the applicable ordinance criteria. The Director shall prepare a decision within 60 days of the City's determination that an application is complete, unless the applicant agrees to a longer time period. Alternatively, the Director may transmit written comments received, along with a copy of the application, to the Planning Commission for review and decision at its next regularly scheduled meeting.
2. Where the Director refers a Type II application to the Planning Commission, the Commission shall review the application pursuant to applicable criteria and standards and shall approve, approve with conditions, or deny the application following the Type III procedure set forth in Section 11.7.

D. **Notice of Decision.**

1. Mailing of Notice of Decision. Within five days after the Director renders a decision, the City shall mail notice of the decision to the following:
   b. Applicant.
   c. Owners and occupants of the subject property.
   d. Parties of record; this includes any group or individual who submitted written comments during the comment period.
   e. Those groups or individuals who requested notice of the decision.
   f. For applications to amend an approval, to any parties who received the Notice of Decision from the original application, as their names and addresses appeared in the previous notice.
2. Content of Notice of Decision. The notice shall include all of the following:
   a. A description of the nature of the decision.
   b. An explanation of the nature of the application and the proposed use or uses, which could be authorized.
   c. The street address or other easily understandable reference to the location of the proposed use or development.
   d. The name and telephone number of a City contact person.
   e. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and applicable criteria and standards are available for review and that copies will be provided at reasonable cost.
   f. A statement that any person who is adversely affected or aggrieved or was mailed a written notice of the decision may request appeal as provided in subsection F, below.
   g. A statement that the decision becomes final when the period for filing a local appeal has expired.
3. Certification of Notices. The City shall prepare an affidavit or other certification stating the date(s) the notices were mailed and posted, which shall be made a part of the file.

E. **Effective Date of Decision.** Unless the conditions of approval specify otherwise or the decision is appealed, a Type II decision becomes effective 12 days after the City mails the notice of decision.

F. **Appeal of Type II Decision.** A Type II decision made by the Director may be appealed to the Planning Commission and a Type II decision made by the Planning Commission after referral from the Director may be appealed to the City Council, pursuant to the following:

1. Who May Appeal. The following persons have standing to appeal a Type II decision.
   a. The applicant or owner of the subject property.
   b. Any person entitled to written notice, pursuant to subsection 11.6.D.

c. Any other person who submitted comments into the written record.
d. A person adversely affected or aggrieved by the decision.

2. Appeal Filing Procedure.
   a. Notice of Appeal. Any person with standing to appeal, as provided in subsection 11.6.F.1, above, may appeal a Type II decision by filing a notice of appeal and paying the required appeal fee. An appeal fee shall not be required of neighborhood or community organizations recognized by the City and whose boundaries include the site. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded.
   b. Time for Filing. A notice of appeal shall be filed with the Director within 12 days of the date the notice of decision is mailed.
   c. Content of Notice of Appeal. The notice of appeal shall be accompanied by the required filing fee and shall contain:
      i. An identification of the decision being appealed, including the date of the decision.
      ii. A statement demonstrating the person filing the notice of appeal has standing to appeal.
      iii. A statement explaining the specific issues being raised on appeal.
      iv. A statement demonstrating that the appeal issues were raised during the public comment period.
   d. The requirements of this section are jurisdictional and required for City acceptance.
2. Scope of Appeal. Appeal hearings on Type II decisions made by the Director shall be *de novo* hearings before the Planning Commission. Appeals shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the review leading up to the Type II decision, but may include other relevant evidence and arguments. The Planning Commission may allow additional evidence, testimony, or argument concerning any relevant ordinance provision.
3. Appeal Hearing Procedure. Hearings on appeals of Type II decisions follow the Type III public notice and hearing procedures, pursuant to Section 11.7.

11.7 Type III Procedure (Quasi-Judicial Decision)

Type III quasi-judicial decisions are made after a public hearing before the Planning Commission.

A. **Application Requirements.**
1. Application Form and Fee. Applications subject to Type III review shall be submitted on forms provided by the Director. All property owners of the subject parcel or their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless it includes all information required by this ordinance and the appropriate application fee.
2. Submittal Information. Type III applications shall include all of the following information.
   a. The information requested on the application form.
   b. Plans and exhibits required for the specific approvals sought.
   c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
   d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
   e. The required fee.

B. **Notice of Public Hearing.**
1. Mailing of Notice of Public Hearing.
   a. The City shall mail notice of public hearing not less than 20 days before the hearing if only one hearing is scheduled; when more than one hearing will be held, notice shall be mailed a minimum of ten (10) days before the hearing. Such notice shall be mailed to all individuals and organizations listed below.
      i. Applicant.
      ii. Owners and applicants of the subject property.
      iii. Owners and occupants for properties located within 300 feet of the perimeter of the subject site.
      iv. Neighborhood group or community organization officially recognized by the City that includes the area of the subject property.
      v. Any person or organization that has submitted a written request for notice.

2. Content of Notice of Public Hearing. Notices mailed and posted pursuant to this section shall contain all of the following information:
   a. The street address or other easily understandable reference to the location of the proposed use or development.
   b. The nature of the application and the proposed use or uses which could be authorized.
   c. The applicable criteria for the decision, listed by commonly used citations.
   d. The date, time and location of the scheduled hearing.
   e. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards are available for review and that copies will be provided at a reasonable cost.
   f. The name and telephone number of a City contact person.
   g. A statement that a copy of the City's staff report and recommendation to the hearings body will be available for review at no cost at least seven days before the hearing, and that a copy will be provided on request at a reasonable cost.
   h. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings.
   i. A statement that failure to raise an issue at the hearing, in person or by letter, or failure to provide statements or evidence with sufficient specificity to enable the decision-maker to respond to the issue precludes an appeal based on that issue.
3. Posted Notice. The City shall post the notice of public hearing on the project site in clear view from a public right-of-way using a poster format prescribed by the Director. Posting shall occur not later than the date of the mailing of the notice.
4. Certification of Notices. The City shall prepare an affidavit or other certification stating the date(s) the notices were mailed and posted, which shall be made a part of the file.
5. Newspaper Notice. The City shall publish a notice in a newspaper of general circulation in the City at least ten days prior the date of the public hearing.

C. **Conduct of the Public Hearing.**
1. Announcements. At the commencement of the hearing, the Chairperson, or the Chair's designee, shall state to those in attendance all of the following information and instructions.
   a. Commence the hearing by announcing the nature and purpose of the hearing and summarizing the rules for its conduct.
   b. Call for statements of conflicts of interest, ex parte contacts, and bias or challenges to impartiality on these bases.
   c. Identify the applicable approval criteria by commonly used citations. (The Chair may reference the written and oral staff report).
   d. Testimony, arguments and evidence must be directed toward the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision.
   e. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-maker and the parties an opportunity to respond to the issue precludes appeal to the state Land Use Board of Appeals on that issue.
   f. Prior to the end of the hearing, any participant may request an opportunity to present additional evidence, argument, or testimony regarding the application. If prior to the end of the initial evidentiary hearing, the hearings body shall grant such request by continuing the public hearing as provided in subsections 5 and 6, below, or leaving the record open for additional written evidence, arguments or testimony, as provided in subsection 11.7.C.7, below. If not the initial evidentiary hearing, the hearings body has discretion to grant any such request.
   g. At the conclusion of the hearing, the hearings body shall deliberate and make a decision based on the facts and arguments in the record, or may set deliberation and decision making over to a future meeting date within applicable timelines.
2. Ex Parte Contacts, Conflicts of Interest and Bias.

a. Actual Conflicts of Interest/Bias. A member of the hearings body should voluntarily recuse him- or herself from vote on a matter when:
   i. Any of the following has a direct or substantial pecuniary interest in the matter: the member or the member's spouse, brother, sister, child, parent, father-in-law, or mother-in-law; any organization or business in which the member is then serving as an officer or director or employee or has so served within the previous 2 years; or any business with which the member is negotiating for or has an arrangement or understanding concerning a prospective partnership, employment or other business affiliation.
   ii. The member owns all or a portion of the property that is the subject of the matter before the hearings body or owns abutting or adjacent property.
   iii. The member has a direct personal interest in the matter or for any other reason cannot participate in the hearing and decision impartially.

   Any member of the hearings body who has an actual conflict of interest in the matter shall disclose the nature of the actual conflict, on the record. Following disclosure of the reason for abstention, the member shall leave the table during hearing, deliberation, discussion, and voting on the matter.
b. Potential Conflicts of Interest or Bias. Any member of the hearings body who has a potential conflict of interest or perceived bias in the matter shall disclose the nature of the potential conflict or bias on the record. Following disclosure, the member may proceed in the same manner as described in 11.7.C.2.f, below.
c. Ex Parte Contacts. Ex parte contacts must be announced on the record as called for under 11.7.C.1.b. Ex parte contacts are all reports or other materials outside the record, including communications directly or indirectly with any applicant, appellant, other party to the proceedings or party representative about any issue involved in the hearing or in connection with the particular application. Ex parte contacts invalidate the hearings body's decision unless placed on the record and all parties are provided a right to rebut the substance of the communication at the first hearing following the communication. A communication between a hearings body member and City staff is not an ex parte contact for purposes of this section.
d. The applicant and interested parties have the right to challenge the qualifications of any hearings body member and to rebut the substance of any disclosed ex parte contact, conflict of interest or bias declaration on the record.
e. If an identified potential conflict, contact, or bias has not impaired the member's impartiality and ability to decide the matter on the record, the member shall so state on the record and may then participate in the hearing and decision.

3. Presenting and Receiving Evidence.
   a. The hearings body may set reasonable time limits for oral presentations and may limit or consolidate cumulative, repetitious, or irrelevant testimony, argument or evidence.
   b. No oral testimony shall be accepted after the close of the public hearing. Written testimony may be received until the record is closed.
4. The hearings body, in making its decision, shall consider the facts and arguments in the record, except that the hearings body may take notice of local, state, or federal regulations, previous City decisions, case law and similar evidence if entered into the record prior to the final decision.
5. If the hearings body grants a continuance, the hearing shall be continued to a date time and place certain, announced into the record, that is at least seven (7) days after the date of the first evidentiary hearing. When announced in this manner, no additional notice is required. An opportunity shall be provided at the continued hearing for persons to present and respond to new evidence, argument or testimony. If new written evidence is submitted at the continued hearing, any person may request, prior to conclusion of the continued hearing that the record be left open for at least seven days to submit additional written evidence, arguments or testimony in response to the new written evidence. In the interest of time, the hearing body may close the hearing and limit additional testimony to arguments and not accept additional evidence.
6. If the hearing body leaves the record open for additional written testimony, the record shall be left open for at least seven days after the hearing. Any participant may file a written request with the City for an opportunity

to respond to new evidence submitted while the record was left open. If such a request is filed, the hearing body shall reopen the record, as follows:

a. When the record is reopened to admit new evidence, arguments or testimony, any person may raise new issues that relate to that new evidence, argument, testimony or applicable criteria.
b. An extension of the hearing or record granted pursuant to this section is subject to the limitations of section 11.11.
c. Unless waived by the applicant, the hearings body shall grant the applicant at least seven days after the record is closed to all other persons to submit final written arguments, but not new evidence. Applicant's additional 7 days is excluded from and not subject to any applicable 120 day limit of ORS 227.178.

D. **Notice of Decision.**

1. Mailing of Notice of Decision. The City shall mail notice of the decision to the following:
   a. Applicant or authorized agent.
   b. Owners and occupants of the subject property.
   c. Parties of record, including any group or individual who submitted written comments during the comment period.
   d. Those groups or individuals who requested notice of the decision.
   e. The Department of Land Conservation and Development, if required.
2. Content of Notice of Decision. The notice shall include all of the following:
   a. The date notice was mailed.
   b. The decision.
   c. A statement that the decision will not become final until the period for filing a local appeal has expired.
   d. An explanation of the appeal rights, including any right of appeal to LUBA.

E. **Certification of Notices.** The City shall prepare an affidavit or other certification stating the date(s) the notices were mailed and posted, which shall be made a part of the file.

F. **Effective Date of Decision.** Unless a condition of approval specifies otherwise or the decision is appealed, a Type III decision becomes effective 12 days after the City mails the notice of decision.

G. **Appeal of Type III Decision.** A Type III decision may also be appealed to the Council as follows:

1. Who May Appeal. Appeals may only be filed by the following parties:
   a. Applicant
   b. Owner of the subject property.
   c. Neighborhood group officially recognized by the City that includes the area of the subject property.
   d. Any person who submitted written comments or provided oral testimony at the public hearing.
2. Appeal Filing Procedure.
   a. Notice of Appeal. An appeal of a Planning Commission Type III decision requires submittal in accordance with this subsection of a notice of appeal and the appeal fee.
   b. Time for Filing. The notice of appeal shall be filed with the City Administrator within 12 days of the date the notice of decision is mailed.
   c. Content of Notice of Appeal. The notice shall include the appellant's name, address, identification and date of the appealed decision, an explanation of appellant's standing, and a clear and distinct explanation of how the decision-maker failed to properly evaluate the application procedurally or make a decision consistent with applicable criteria. The basis of the appeal is limited to the issues raised during review of the original application.
   d. The requirements of this section for submittal of an appeal are jurisdictional and required for City acceptance.
3. Mailed Notice. The City shall mail the notice of appeal together with a notice of the date, time, and place of the City Council appeal hearing to all Interested Parties, as defined in 11.7.G, at least 20 days prior to the meeting. The notice shall contain all information required for the original notice, as specified in 11.7.B.2.
4. Scope of Appeal.
   a. The review of a decision of the Planning Commission by the City Council shall be confined to the record of the proceeding before the Commission. The record shall consist of the appealed decision, the original application and all materials submitted prior to the close of the record, including minutes and recorded testimony of prior hearings.

5. Appeal Hearing Procedure. The decision of the City Council is the final decision of the City on an appeal of a Type III decision, unless the decision is remanded to the Planning Commission.
   a. Oral Argument. Oral argument on the appeal shall be permitted before the Council. Oral argument shall be limited to ten minutes for the applicant, ten for the appellant, if different, and three minutes for any other party. Written arguments shall be submitted to the City Recorder prior to the commencement of oral testimony.
   b. Council Decision. The Council may affirm, reverse, modify, or remand the decision and may approve or deny the request, or grant approval with conditions. The Council shall make findings and conclusions, and make a decision based on the record before it as justification for its action. The Council shall cause copies of a final order to be sent to all parties participating in the appeal.
6. Record of the Public Hearing. For purposes of City Council review, the notice of appeal and the written arguments submitted by the parties to the appeal, and the oral arguments, if any, shall become part of the record of the appeal proceeding. The public hearing record shall include the following information:
   a. The notice of appeal and the written arguments submitted by the parties to the appeal.
   b. Copies of all notices given as required by this Article, and correspondence regarding the application that the City mailed or received.
   c. All materials considered by the hearings body including the application and all materials submitted with it.
   d. Documentary evidence, exhibits and materials submitted during the hearing or at other times when the record before the Planning Commission was open.
   e. Recorded testimony (including DVDs when available).
   f. All materials submitted by the Director to the hearings body regarding the application;
   g. The minutes of the hearing.
   h. The final written decision of the Commission including findings and conclusions.
7. Effective Date and Appeals to State Land Use Board of Appeals. City Council decisions on Type III applications are final the date the City mails the notice of decision. Appeals of Council decisions on Type III applications must be filed with the State Land Use Board of Appeals, pursuant to ORS 197.805 - 197.860.

11.8 Type IV Procedure (Quasi-Judicial Zoning Map Amendment)

Certain zoning map amendments are discretionary in nature, and require the exercise of judgment in applying the policies of the Comprehensive Plan and its implementing ordinances. These actions fall under the quasi-judicial standards established under Section 11.7, but also require review and approval by the City Council and adoption by ordinance.

A. **Determination.** A request will generally be considered a quasi-judicial process if it involves the following factors:
   1. The process is bound to result in a decision;
   2. The decision-maker is bound to apply preexisting criteria to concrete facts; and
   3. The action is customarily directed at a closely circumscribed factual situation or small number of persons.

   Although no factor is considered determinative and each must be weighed, the more definitively these factors are answered affirmatively, the more it will be considered a quasi-judicial decision.
B. **Procedure.** Type IV decisions require a recommendation made by the Planning Commission after a public hearing following the Type III quasi-judicial hearings procedures of Section 11.7, except the City Council is the sole review authority for annexations. The City Council reviews the recommendation of the Planning Commission at a public hearing and is the final decision-maker in Type IV development applications, which, if approved, shall occur through adoption of an ordinance.
C. **Notice of Public Hearing.** Notification procedure for Type IV actions shall follow the same procedures as that for Type III actions, but shall also include notification to State agencies such as DLCD, ODOT, etc. as applicable.
D. **Final Decision, Effective Date, and Notice of Decision.** A Type IV action, if approved, becomes final and takes effect as specified in the enacting ordinance. A notice of decision shall be mailed to all parties as specified for a Type III decision, and DLCD.

11.9 Type V Procedure (Legislative Decision)

Type V actions are reviewed by the Planning Commission, which makes a recommendation to the City Council. The

Council makes final decisions on legislative proposals by enacting an ordinance.

A. **Initiation of Requests.** The City Council or Planning Commission may initiate an action for a legislative decision.

B. **Procedure.** Public hearings on Type IV actions are conducted similar to City Council hearings on other legislative proposals, except the matter shall have an initial evidentiary public hearing before the Planning Commission, who shall make a recommendation to the City Council. Criteria for approval shall include, as applicable, establishing consistency with the Comprehensive Plan.

C. **Notice of Public Hearing.** Notification procedure for Type IV actions is as follows:

1. The Director shall notify in writing the Oregon Department of Land Conservation and Development (DLCD) of legislative amendments to the Comprehensive Plan, Zoning Map, Land Development Ordinance, or Land Division Ordinance at least 35 days before the first public hearing at which public testimony or new evidence will be received.
2. At least 20 days but not more than 40 days before the date of the first hearing on an application to legislatively amend the Comprehensive Plan, Zoning Map, the Land Development Ordinance, or the Land Division Ordinance, the Director shall mail notice of such hearing to:
   a. Each owner whose property is rezoned in accordance with ORS 227.186;
   b. For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175; and
   c. Neighborhood groups and community organizations that have submitted written request for notification.
3. At least ten days before the scheduled Planning Commission and City Council public hearing dates, public notice shall be published in a newspaper of general circulation in the City. The notice shall include the time and place of the public hearing, and a brief description of the proposed amendment.

D. **Final Decision, Effective Date, and Notice of Decision.** If a legislative proposal is approved pursuant to this ordinance, it becomes final and takes effect as specified in the enacting ordinance. A notice of a legislative land use decision shall be mailed to all parties of record, those groups or individuals who requested notice of the decision, and DLCD.

11.10 Application Submittal Requirements

The Director is authorized to set standards and procedures for application submittal requirements, including the number and type of applications required (e.g., hard copies, electronic copies), size and format of applications (e.g., paper size, electronic format), and dates when applications can be received. The Director shall make the requirements for application submittals readily available to the public.

11.11 Complete Application and Time Limits

A. **Complete Applications.** The Director shall determine within 30 days of receiving an application for Type I-IV review whether the application is complete, and shall advise the applicant accordingly in writing. Where an application is deemed incomplete, the Director shall inform the applicant that the applicant must respond pursuant to subsection 1, 2, or 3, below, within 180 days from the date of application submittal. The 120-day clock under subsection B below does not begin until the applicant:

1. Submits all of the missing information; or
2. Submits some of the missing information and written notice that no other information will be provided; or
3. Submits written notice that none of the missing information will be provided.

B. **Time Limit - 120-day Rule.** If required by statute, the City shall take final action on Type I-IV land use applications pursuant to this Article, including resolution of all local appeals, within 120 days from the date the Director deems the application complete for purposes of processing, unless the applicant requests an extension in writing. If the City of Veneta surpasses a population of 5,000, certain multifamily projects may be subject to a reduced time limit of 100 days pursuant to SB 1051.

C. **Time Periods.** In computing time periods prescribed or allowed by this Article, the designated period of time does not include the date of the action or event cited. For example, where this ordinance provides for an appeal period ending ten days after the City mails a decision, the ten-day period does not include the day the decision is mailed. The last day of the period shall be included, unless it is a Saturday, Sunday, or a legal holiday, in which case the period runs until the end of the next day that is not on a weekend or legal holiday.

11.12 City Council or Planning Commission May Initiate Procedures

The City Council or Planning Commission may initiate any Type I, Type II, Type III, or Type IV planning action by motion duly adopted by the respective body designating the appropriate City department to complete and file the application.

11.13 Failure to Receive Notice

The failure of a property owner to receive notice shall not invalidate such proceedings if the City can demonstrate by affidavit that such notice was mailed.

11.14 Resubmittal of Applications

A Type II-IV application that is denied by the Planning Commission or the City Council shall not be eligible for resubmittal for one year from the date of the denial, unless evidence is submitted that conditions, the application, or the project design have changed to an extent that further consideration is warranted.

11.15 Fees

Fees authorized by this Ordinance and the Land Division Ordinance shall be set by Council resolution.

11.16 Withdrawal of an Application

A. An application may be withdrawn if the City receives consent in writing to withdraw the application from the owner(s) of the property or their authorized representative(s) under the following circumstances:
   1. An applicant may withdraw an application at any time before the application is deemed complete.
   2. An applicant may withdraw an application previously deemed complete at any time prior to adoption of a final City decision.
   3. The City Administrator or designee may withdraw any City-initiated application at any time.
   4. Notwithstanding any preexisting, nonconforming use that remains consistent with the allowances of Article 9, a violation of a City ordinance has been identified on the subject property and processing of the application would not correct the identified violation.
B. If an application is withdrawn after public notice has been mailed, any noticed hearing will be cancelled.
C. Once an application has been withdrawn, the application fees shall be refunded by the following formula:
   1. Application withdrawn prior to being deemed complete: 85%.
   2. Application withdrawn prior to publication or distribution of public notice: 75%.
   3. Application withdrawn after publication or distribution of public notice: 50%.
   4. Application withdrawn after issuance of a decision or public hearing: no refund.

11.17 Expiration of Decision

A. Unless a different period of time is established within a decision issued pursuant to this ordinance or the Veneta Land Division Ordinance, decisions issued pursuant to a Type I-IV process shall expire and become void automatically after the number of years specified in Table 11.16 unless one of the following circumstances has occurred:
   1. Actual construction or alteration has begun under a required permit, or in the case of a permit not involving construction or alteration, actual commencement of the authorized activity has begun;
   2. The approved land use has begun and is continuing operation in compliance with any applicable conditions of approval; or
   3. An extension has been granted pursuant to section 11.17.
B. If a final local decision is on appeal, the effective date of the decision and corresponding valid period before expiration shall begin when the final decision is issued on the appeal.
C. Type IV actions are not subject to expiration or extension.

Table 11.17	Expiration and Extension of Decisions		
Procedure	**Valid Period**	**Extension 1**	**Additional Extensions**
Type I	1	0	0
Type II	3	1	0
Type III	3	1	1
Type IV	N/A	N/A	N/A

11.18 Extension of Decision.

A. Written Request for Extension Required. A written request to extend the expiration date of a decision made pursuant to this ordinance must be filed with the Director by the applicant before the decision expires.

B. No modifications. The previous land use decision will not be modified in any way.

C. First Extension. A first extension may be granted for the applicable period of time as specified in Table 11.17 pursuant to subsection A above. A first extension shall be approved through a Type I permit.

D. Second or Longer Extension. A request for a second extension of a Type III decision or an extension longer than specified in Table 11.16 may be considered subject to the following criteria:

1. The extension is necessary because it is not possible to begin development within the allowed time for reasons beyond the control of the applicant;
2. The previous land use decision will not be modified in design, use, or conditions of approval; and
3. There have been no changes in circumstances, applicable regulations, or statutes likely to require modification of the previous land use decision or conditions of approval since the effective date of the previous land use decision.
4. Second extensions shall be considered through the Type III Conditional Use procedure and shall not be used to extend an entitlement that would have been rendered noncompliant by a change in local code; or State, Federal or case law.

E. Extensions for Multi-phase Projects. Phasing schedules are required as part of the initial decision for multi-phase projects. Longer approval periods for multi-phase projects may be authorized if approved by the decision-maker under one of the following circumstances:

1. Completion of a phase may extend the approval period of remaining phases only if specifically granted in the original approval; or
2. Post-approval phasing extensions shall be considered through the Type III Conditional Use procedure and shall not be used to extend an entitlement that would have been rendered noncompliant by a change in local code; or State, Federal or case law.

11.19 Expedited Land Divisions

In conformance with ORS 197.360, applications for an Expedited Land Division ("ELD") may be submitted subject to the following:

1. Application Form and Fee. Applications for an ELD shall be submitted on forms provided by the Director. All property owners of the subject parcel or their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless it includes all information required by this ordinance.
2. Submittal Information. The application shall include all of the following information:
   1. The information requested on the application form.
   2. Plans and exhibits required for the ELD sought.
   3. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
   4. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
   5. The required fee.
3. Decision. The Director shall approve or deny an ELD application after conducting the review procedures required by ORS 197.365;
4. Appeal procedure. The Director's decision may only be appealed in accordance with ORS 197.375.

11.20 Amendments to the Comprehensive Plan and Implementing Ordinances

A. **Purpose.** Amendments may be necessary from time to time to reflect changing community conditions, needs and desires; to correct mistakes; or to address changes in the law.

B. **Authorization to Initiate Amendments.** An amendment to the Comprehensive Plan text or map, this Ordinance, the Land Division Ordinance, or amendments to the zoning map that do not fall under the Type IV procedure may only be initiated by the City Council, the Planning Commission or by application of the property owner by filing an application with the City Administrator using forms prescribed pursuant to this Ordinance.

C. **Compliance with Comprehensive Plan.** Any Type V amendments shall comply with the provisions of the City of Veneta Comprehensive Plan text and map, excepting amendments to the Comprehensive Plan Text or map.

D. **Compliance with Statute and Rule.** Certain Sections of this ordinance are pre-empted by Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). Any amendments to local ordinances shall comply with applicable Statute and Rule. If an amendment to the ORS or OAR is adopted at the State level, the City shall observe those standards even if not formally incorporated into this ordinance through the procedure for an amendment.

E. **Review Procedure.** Applications shall be processed using the Type V procedure set forth in Section 11.9.

F. **Adoption by Ordinance.** All decisions to amend this ordinance or the Comprehensive Plan text or maps require adoption by City Council ordinance. After a Planning Commission public hearing, the Commission shall recommend to the City Council approval, approval with modifications, or denial of the amendment, based upon applicable approval criteria. The Council shall consider the recommendation of the Planning Commission and at a duly noticed meeting act to reject or adopt the Planning Commission's recommendation. Approval shall be effected by ordinance adoption.

ARTICLE 12 - HOME OCCUPATIONS

12.03 MINOR HOME OCCUPATIONS

Home occupations in compliance with the standards for all home occupations and the standards listed below are permitted as accessory uses. – An annual business registration is required as well as a signed agreement acknowledging compliance with the relevant home occupations standards, which shall be processed as a Type I permit.

1. All aspects of the home occupation, including storage of materials and equipment, shall be contained and conducted within a completely enclosed, lawfully-built structure and be conducted in such a manner as not to give an outward appearance of a business.
2. The home occupation shall use no more than 25 percent of the floor area used for human occupancy, or no more than 500 square feet in an accessory structure or attached garage.
3. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible, or flammable) is prohibited.
4. The use shall involve no more than an average of five customers/clients per week.
5. No one from outside the resident household shall work at the home occupation site. The home occupation site shall not be used as a gathering or meeting place for people employed by or associated with the home occupation. A "home occupation site" means the property on which the home occupation is conducted.
6. There shall be no more than an average of one commercial delivery or pickup per week to or from the home occupation site.
7. No additional on-site parking will be needed. Residential off-street parking requirements as specified in 417 5.20(11) still apply.
8. No written complaints have been received regarding the home occupation. If a written complaint is submitted to city staff, the city shall not renew the business license until the Planning Commission has approved the home occupation as a conditional use.

ARTICLE 13 - DEFINITIONS

13.02 DEFINITIONS

As used in this ordinance and Ordinance No. 494 the following words and phrases shall mean:

Abut. Contiguous to or immediately join. For example, two (2) lots with a common property line are considered to be abutting.
Access. The way or means by which pedestrians and vehicles enter and leave property.
Accessory Structure or Use. A structure or use incidental, appropriate and subordinate to the main use of property and located on the same lot as the main use. Accessory structures are not permitted on vacant parcels of land. Accessory structures (including those originally designed for human habitation such as mobile homes) shall not be used for human habitation.
Activity Center. Uses or buildings that are open to the public, have a civic or community function, and/or attract visitors. Uses include public parks, public buildings (e.g., post office, library, city offices, schools), elder care facilities, and shopping centers.
Alley. A street that is more than ten (10) feet and less than sixteen (16) feet in width which affords primarily a secondary means of access to property.
Alter. Any change, addition or modification in construction or occupancy.
Applicant. The person making application to the City for any action as the owner or representative of the owner of the property that is subject of the action. The applicant shall provide proof of permission for the requested action from all owners or other persons having an interest in the property subject to the action.
Barn. A farm building for housing livestock or animals**.**
Basement. A story partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half of its height is above the average level of the adjoining ground.
Block. An area bounded on 4 sides by streets not including cul-de sacs. In residential zones, block lengths do not exceed 600 feet and block perimeters do not exceed 1800 feet except where topography, natural features, or existing development creates conditions requiring longer blocks.
Building. Any structure used or intended for supporting or sheltering any use or occupancy.
Building Height. The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. The average maximum vertical height of a building or structure measured at a minimum of three points from finished grade along each building elevation. Architectural elements that do not add floor area to a building or structure, such as chimneys, vents, antennae and towers are not considered part of the height of a building or structure.
Building Inspector. The Division Director of the Lane County Department of Environmental Management, Construction Permits Division, his authorized representative or any other authorized building inspector appointed by the Veneta City Council.
Building Line. A line on a plat or map indicating the limit beyond which buildings or structures may not be erected. Buildings shall not overhang over an easement or dedicated right-of-way.
Building & Planning Official. An employee of the City appointed by the City Council with duties and authority as designated by the Council, including the duties and authority as designated by the Council, including the enforcement of the provisions.
Chicken Run. An enclosed area in which chickens are allowed to walk and run about and that is attached to a chicken coop.
City. The City of Veneta, Oregon.
City Council. The Council of the City of Veneta, Oregon, which is the governing body of said City.
Co-Housing. Private dwelling units with shared spaces such as community dining, cooking, and recreation rooms for adults and children. Individual units may be rented or owner-occupied. Due to the shared facilities, the lot configuration may deviate from standard requirements such as street frontage and parking spaces.
Comprehensive Plan. A city plan for the guidance of growth and improvement of the City, including modifications or refinements which may be made from time to time.
Congregate Housing. A structure containing two or more dwelling units or rooming units limited in occupancy to persons 55 years or older or handicapped persons, their spouses, except for rooms or units occupied by resident staff personnel, providing indoor, conveniently located, shared food preparation service, dining areas, and common recreation, social and service facilities for the exclusive use of all residents.
Clinic. Single or multiple offices for physicians, surgeons, dentists, chiropractors, osteopaths and other members of the healing arts, including a dispensary in each such building to handle only merchandise of a nature customarily prescribed by occupants in connection with their practices.
Day Care Facility. Any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home or similar unit operating under any name serving sixteen (16) or more children.
Day Care - Family, Registered or Certified. A day care that is a certified under ORS 657A.280, serving sixteen (16) or fewer

children or registered under ORS 657A.330 serving ten (10) or fewer children.

Declarant. A person who files a declaration under ORS 92.075.

Declaration. The instrument described in ORS 92.075 by which the subdivision or partition plat was created.

Density, Gross. The number of dwelling units per acre of land, including areas devoted to dedicated streets, sidewalks, other public rights-of-way, parks, and non-residential uses allowed in residential areas.

Density, Net. The number of dwelling units per acre of land in planned or actual use -- excluding from the acreage dedicated streets, sidewalks, other public rights-of-way, parks, and non-residential uses allowed in residential areas.

Designated Arterials and Connectors. Streets identified in the Veneta Comprehensive Plan Functional Class map as Principal or Minor Arterials or Major or Minor Collectors.

Development. A building or mining operation, making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, including partitions and subdivisions as provided in ORS 92.010 to 92.285, and creating or terminating a right of access.

Dog Kennel. A place of business for the care of dogs, including but not limited to the boarding, grooming, breeding, training, or selling of dogs, but not including an animal hospital.

Driveway. An area on private property where automobiles and other vehicles are operated or allowed to stand.

Driveway Approach. An area within the Right-of-Way, between the roadway of a public street and private property line, intended to provide access for vehicles from the roadway to a definite area of the private property, such as a driveway or parking area intended and used for the ingress and egress of vehicles. The component parts of the driveway approach are termed the apron, the end slopes or curb return, and the sidewalk section.

Dwelling, Accessory. Accessory Dwelling Unit means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single family dwelling.

Dwelling, Accessory. A second subordinate dwelling unit on the same lot and under the same ownership as the primary residence, with independent cooking, living, sanitation, and sleeping facilities.

Dwelling, Multi-family. Attached housing where each dwelling unit is not located on a separate lot.

Dwelling, single family. A single-family dwelling is a building (detached or attached) used exclusively as a unit and built to the specifications of the - Oregon Residential Specialty Code as adopted by the City of Veneta or a manufactured home as defined within the statutes of the State of Oregon, on a permanent foundation.

1. Shall meet current energy standards as adopted by the State of Oregon.
2. Shall be occupied only for residential purposes.
3. Shall conform to all residential use development standards for one-family dwellings.
4. Shall be constructed or installed in accordance with the State Building Code (CABO), as adopted by the City or as defined within the statutes of the State of Oregon.
5. Foundations:
   a. Stick-built homes shall have foundation systems in accordance with the State Building Code (CABO);
   b. Manufactured dwellings shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than sixteen (16) inches of the enclosing material exposed above grade. Where the building site has a sloped grade, no more than sixteen (16) inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the sixteen (16) inch limitation will not apply.
6. Shall have a minimum width of eighteen (18) feet as measured by the narrowest elevation.
7. Shall have an exterior finish and roof materials commonly found on residential structures in the area and City of Veneta.
8. Shall have a roof with eaves and gable overhangs of not less than six (6) inches measured from the vertical side of the structure and shall include gutters.
9. Shall have an enclosed garage or carport whichever is commonly found in the surrounding area and its exterior covering and roof materials shall be the same as the main structure. The maximum size of the garage shall be three stalls, with a maximum floor area of 900 square feet. Garage may be attached to house or detached.
10. Shall have electrical meter base attached either to the garage or dwelling unit.
11. Shall have a roof with a nominal pitch of 3 feet in height for each twelve feet in width.

Dwelling, single family attached. Common-wall dwellings (townhomes and rowhouses) where each dwelling unit occupies a separate lot.

1. Shall be occupied only for residential purposes
2. Shall have an enclosed garage or carport, whichever is commonly found in the surrounding area and its exterior covering and roof materials shall be the same as the main structure.

Dwelling, single family detached. A housing unit that is free standing and separate from other housing units.

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.

Facilities. For the purposes of this Code, facilities are water, sewer, stormwater, telephone, cable, natural gas, electric, telecommunication facilities and broadband fiber conduit.

Family. An individual or two (2) or more persons related by blood, marriage, legal adoption or legal guardianship living together in one dwelling unit using one kitchen and providing meals or lodging to not more than two (2) additional persons excluding servants; or a group of not more than five (5) unrelated persons living together in one dwelling unit using one kitchen.

Fence, sight-obscuring. A continuous fence, wall, evergreen planting or combination thereof, constructed and/or planted so as to provide a specified percentage of view-obscuring screens.

Final Action / Decision / Approval. – any legislative, administrative, or quasi-judicial action that establishes the final determination of the City on any land use action by reducing said decision in writing.

Findings of fact. The conclusions of a judge, jury, or administrative tribunal regarding the underlying facts of the case under consideration.

Floor Area. The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof, not provided with surrounding exterior walls, shall be the usable area under the vertical projection of the roof or floor above.

Grade (Ground) Level. The average elevation of the finished ground level at the exterior of all walls of a building, except that if a wall is parallel to and within five (5) feet of a sidewalk, the sidewalk elevation nearest the wall shall constitute ground level.

Hardscape. Permanent improvements to a site other than a building, including but not limited to, plazas, concrete planters, decks, sitting areas and other similar architectural features that include small unit pavers or concrete.

High Impact Recreation Facilities. Facilities which have the potential for creating significant impacts through traffic generation, noise, dust, chemical use, lighting, or other nuisance characteristics. High impact recreation facilities include, but are not limited to, sport complexes, stadiums, equestrian arenas, golf course and driving ranges, and swimming pools.

Home Occupation. A lawful business carried on by a resident of a dwelling where the business is secondary to the residential use of the property. See Veneta Municipal Code 5.05 for definitions and licensing requirements for businesses.

Horticulture. The cultivation of crops, orchards, or gardens. Domestic horticulture involves plants grown for the people living on the property. Commercial horticulture involves plants that will be sold; either on-site or delivered to a buyer off-site. Farm stands and u-pick sales are temporary uses that may require a permit.

Junkyard. Any property used by a business that deals in buying, selling, trading, and storing, old motor vehicles, old motor vehicle parts, abandoned autos, or machinery or parts thereof, or appliances or parts thereof.

Kennel. Any lot or premises on which three (3) or more adult dogs are kept, whether by owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six (6) months.

Legal Lot. A lot or parcel created pursuant to ORS 92.010 to 92.190, a unit of land created in compliance with all applicable city land division regulations, or a unit of land created by deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinance or regulations in effect at the time of the deed or land sales contract.

Limited Land Use Decision. Means a final decision or determination made by the City of Veneta pertaining to a site within an urban growth boundary that concerns:

A. The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040;
B. The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.

A Limited Land Use Decision does not mean a final decision made by the City of Veneta pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

Loading Space. An off-street space or berth on the same lot with a building for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

Lot. A single unit of land that is created by a subdivision of land.

Lot Area. The total land area, commonly measured in square feet, within the boundaries of a legal lot, exclusive of any street or alley rights-of-way.

Lot, Corner. A lot at least two adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135 degrees.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets other than alleys.

Line, Property. The division line between two units of land.

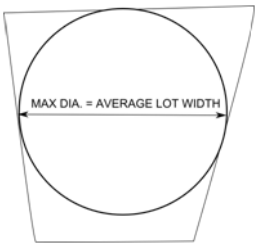
Lot Line, Front. The lot line separating the lot from a street other than an alley and, in the case of a corner lot, the shortest lot line along a street other than an alley. For flag lots, the lot line abutting the pole portion of the lot. See also YARD, Front

Lot Line, Rear. The lot line which is opposite and most distant from the front lot line.

Lot Line, Side. Any lot line not a front or rear lot line. See also YARD, Side

Lot, Flag. A lot or parcel that has the bulk of its area set back some distance from a road or street and that is connected to the road or street via a thin strip of land (i.e., the flagpole).

Lot Width. The horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. For irregular shaped lot, lot width shall be determined by measuring the maximum diameter of a circle that fits entirely within the property lines as shown below:



Manufactured Dwelling. Residential trailers constructed before January 1, 1962; mobile homes constructed between January 1, 1962 and June 15, 1976, which met Oregon construction standards then in effect; and manufactured homes constructed to federal standards. (Refer to definition of "dwelling, single- family" for siting and construction requirements.)

Manufactured Dwelling Park. Any place where two (2) or more manufactured dwellings are parked within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. A manufactured dwelling park has the same definition as a mobile home park. Manufactured dwelling parks within Veneta are required to register as a business each year.

Map. A final diagram, drawing or other writing concerning a partition.

Medical marijuana Facility. A facility registered with the Oregon Health Authority under ORS 475.314 and OAR 333-008-1050 to:

1. Accept the transfer of usable marijuana and immature marijuana plants from a registry identification cardholder, the designated primary caregiver of a registry identification cardholder, or a person responsible for a marijuana grow site to the medical marijuana facility; or
2. Transfer usable marijuana and immature marijuana plants to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder.

Mobile Vending Unit. Any vehicle that is self-propelled, or can be pulled or pushed down a sidewalk, street, highway or waterway intended for retail, food, or drink sales.

Mobile Vending Site. One (1) site with multiple (three or more) mobile vendors.

Nonconforming Structure, Lot or Use. A lawful existing structure, lot or use at the time this ordinance or any amendment thereto becomes effective which does not conform to the dimensional or similar standards of the zone in which it is located.

Open Space. Land area to be used for scenic or open recreational purposes within the development. Open space does not include street right-of-way, driveways, parking areas, required setbacks or public service easements unless these areas have some special recreational design or purpose.

Owner. An individual, association, partnership, or corporation having legal or equitable title to land, other than legal title held for purpose of security only.

Parcel. A unit of land that is created by a partitioning of land.

Parking Space. An off-street enclosed or unenclosed surfaced area with minimum dimensions of eighteen (18) feet by nine (9) feet, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile and connected with a street by a surfaced driveway which affords ingress and egress for automobiles.

Partition. Either an act of partitioning land or an area or tract of land partitioned as defined in this section.

Partition Land. To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition land" does not include divisions of land resulting from lien foreclosures; divisions of land resulting from the creation of cemetery lots; and divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or intestate succession; and "partition land" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot standards of the zoning ordinance.

Person. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

Planning Commission. The Planning Commission of the City of Veneta, Oregon.

Professional Office. An office occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers or surveyors or persons engaged in similar occupations.

Property Line Adjustment. 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. 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.

Public and Semi-Public Building or Use. A building or use owned or operated by a religious, charitable or other non-profit organization; a public utility or any social agency such as a church, school, auditorium, meeting hall, hospital, club, nursing or care

home, stadium, library, art gallery, museum, fire station, utility substation, cemetery, park, playground, sports field, bicycle or pedestrian way or community center.

Quasi-Judicial. Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code. Quasi-judicial land use decisions involve a public hearing.

Recreational Vehicle. A vacation trailer or other unit, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational or emergency purposes. It shall also include a camper placed on a pickup truck.

Reduction. A lessening in value, quantity, size, or the like.

Remodel. The addition to, removal of or from, or physical modification or repair of an exterior part or portion of a building.

Replat. The act of plating the lots, parcels and easements in a recorded subdivision or partition plat to achieve a re-configuration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

Residential Facility. Residential Facility with six (6) or more persons as defined by ORS 197.660.

Residential Home. A residential treatment or training or adult foster home that provides residential care alone or in conjunction with treatment or training or a combination thereof as defined by ORS 197.660 for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Right-of-Way (ROW). The right of passage or of way, which is a servitude imposed by law or convention, and by virtue of which one has the right to pass over or through the property of another as is set forth by its terms.

Service Station, Automobile. A place or station designed and used primarily for the supplying of motor fuel, oil, lubrication and accessories to motor vehicles but excluding major repair and overhauling.

Shadow Plat. A future subdivision or partition concept plan approved by the city in conjunction with a request for interim development (often a single-family residence or partition). The shadow plat is not binding on either the property owner of the city; that is, the property owner would have to apply for tentative plat approval for future development proposals. Shadow plats are designed to ensure that an urban level of development will be possible when urban services become available.

Sign. Any medium including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising purposes.

Sight-Obscuring. To impede the visibility of an area by more than 75 percent through the use of fences, vegetation or other means.

Site. Site means a property (or group of adjacent parcels or lots under the same ownership) that is subject to a permit application under this code.

Street. A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land and including the term, "road," "highway," "lane," "avenue," "alley" or similar designations.

(a) Alley A narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

(b) Arterial (Principal) Roadways in urbanized areas which serve the major centers of activity, the highest traffic volume corridors, the longest trip desires, and a high proportion of the total urban area travel (even though it may only constitute a relatively small percentage of the total roadway network).
- Provides significant intra-area travel
- Because of the nature of the travel served by the major arterial system, almost all are fully and partially controlled access facilities.
- For major arterials, service to abutting land is subordinate to travel service to major traffic movements.

(c) Arterial (Minor) Interconnects with and augments the principal arterial system.
- Accommodates trips of moderate length at a somewhat lower level of travel mobility than major arterials.
- Distributes travel to geographic areas smaller than the higher system does and offers lower traffic mobility.
- May carry local bus routes and provide intracommunity continuity. Ideally, does not penetrate identifiable neighborhoods.

(d) Collector provides both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas.
- Differs from Arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to their ultimate destination.
- Conversely, they collect traffic from the local streets in neighborhoods and channel it into the arterial system.

(e) Cul-de-Sac (dead end Street) A local street, usually only a few hundred feet in length and closed at one end, designed to serve the interior of a subdivision or large tract of land.

(f) Half Street A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.

(g) Limited Access Street A minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.

(h) Local Street Streets that serve primarily to provide direct access to abutting land and access to the higher order systems. It offers the lowest level of mobility and usually contains no bus routes.

Structural Alteration. Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders or structural change in the roof or in the exterior walls.

Structure Use. That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. The purpose for which land or a structure is designed, arranged or intended or for which it is occupied and maintained.

Subdivision. Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

Subdivide Land. To divide land to create four or more lots within a calendar year.

Tentative Plan. A tentative plan is the plan of a subdivision or partition submitted to the City for approval under the provision of ORS 92 and Article 3 and Article 5 of the Land Division Ordinance.

Transportation Facility, High Impact. Transportation facility with significant external impacts, such as heliports, helistops, bus terminals, and train terminals.

Transportation Facility, Minor. Transportation facility with minor external impacts, such as a multi-use pathway.

Veterinary Hospital. A building, together with animal runs, in which veterinary services, clipping, bathing, boarding and other services are rendered to dogs, cats and other small animals and domestic pets.

Wetland. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions.

Yard, Back (Rear). A yard adjacent to a property line. See also LOT LINE, REAR

Yard, Front. A yard adjacent to a street and to the front entrance of a building. See also LOT LINE, FRONT.

Yard, Side. A yard adjacent to a property line. For a corner lot, the Side Yard (located at the side of a residence or structure) can also be adjacent to a street. See also LOT LINE, SIDE.

City of Veneta Ordinance No. 557, Exhibit C

Amendments to the

VENETA LAND DEVELOPMENT ORDINANCE No. 494

ARTICLE 2 - APPLICATION PROCEDURES

2.03 SUBMISSION PROCEDURE

Following preliminary review and the pre-development land division conference, where applicable, the land divider shall prepare an application and a tentative plan with other supplementary data required to indicate the general program and objectives of the proposed land division. The form of application shall be as prescribed by the City and shall be submitted to the Building and Planning Official who shall coordinate the process of review and action. The submission and informational requirements and review procedures shall be as specified for each land division classification contained in this ordinance.

Applications that are accompanied by the required application fee will be reviewed and, within 30 days of its receipt, the applicant will be notified as to the completeness. If the City determines that the application is complete, the City will process the application in accordance with the review procedures for the type of application that has been submitted.

Applications shall be processed in the following manner, consistent with the procedural standards in the Land Development Ordinance (No.493):

Action	Procedure
Lot Line Adjustment, , including Lot Consolidations	Type I
Partition, Re-plat or Vacation of 2-3 lots	
Preliminary Plat	Type II
Final Plat	Type I
Minor Amendment	Type I
Subdivision, Replat or Vacation of >3 lots	
Preliminary Plat	Type III
Final Plat	Type I
Minor Amendment	Type I
Major Amendment	Type III

Any Type I or II application made concurrently with a Type III application (such as those requiring approval of a Variance) shall be noticed and considered by the Planning Commission concurrent with the other application(s).

2.05 VARIANCES

Variances to the requirements of this ordinance may be considered pursuant to the standards and procedures for a Variance outlined in the Land Development Ordinance (No. 493).

2.06 Reserved

ARTICLE 4 - SUBDIVISIONS

4.02 TENTATIVE PLAN REVIEW AND ACTION PROCEDURES

A. City Staff Review and Action. Upon deeming an application complete, the CDD shall furnish one (1) copy of the tentative plan and supplementary material to the City Engineer and Public Works Superintendent. Public agencies believed to have an interest shall be provided notice of the proposal. These officials and agencies shall be given fifteen (15) days to review the plan and to suggest revisions that appear to be in the public interest.
B. Tentative Plan applications shall be processed under the Type III procedure contained in the Land Development Ordinance (No. 493).
C. Dedications and Conditions of Approval: The Planning Commission may require dedication of land and easements and may specify conditions or modifications to the tentative plan as necessary to ensure compliance with city regulations.
D. Failure to Complete Subdivision Requirements: Tentative Plan approval shall remain effective for three (3) years from the date of Planning Commission action. Within three (3) years, the applicant must submit a complete Final Plat application for review along with all supplementary data required to meet the conditions of approval listed in the Final Order. If the land divider is unable to proceed with the subdivision prior to the expiration of the three (3) year period following the approval of the tentative plan, the applicant must resubmit the tentative plan and make any revision(s) necessary to meet changed conditions or modifications in laws or ordinances of the State of Oregon, Lane County, or the City of Veneta.
E. Performance Bonds and Irrevocable Agreements: At tentative plat approval, the applicant shall post a performance bond and enter into an Irrevocable Agreement between the applicant and the City, in a form as provided by the City, to assure that the subdivision improvements are completed. The performance bond shall be equal to the cost of public improvements including city water and sewer main extension and service and streets, which includes curbs, gutters and sidewalks with the City of Veneta. The cost of public improvements shall be based on an estimate by the City Engineer. Performance bonds shall be in the form of a surety bond, irrevocable letter of credit, cash, or other financial instrument acceptable to the City Attorney.

4.03 REVIEW OF TENTATIVE PLAN APPLICATIONS

The application shall be approved, approved with conditions, or denied based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

A. The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division

Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.

B. Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.
C. The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).
D. Topography, floodplain, wetlands, and vegetation have been incorporated into the subdivision design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).
E. Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.
F. Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.
G. The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district in which the property is located (Land Development Ordinance)

4.04 AMENDMENTS

A. Minor Amendments. Minor amendments to any approved tentative subdivision plan may be approved, approved with conditions, or denied administratively by staff through a Type I application as long as the amendments substantially comply with the tentative plan, fully comply with all City ordinances and do not:
   1. Involve any interpretation of submission requirements or require findings that would set a precedent for other tentative subdivision plan amendments,
   2. Impact utilities, the transportation system, drainage, or natural features of the site,
   3. Require a variance,
   4. Raise questions of adequacy of services by the Public Works Superintendent, City Engineer, or any affected public or private agency, and
   5. Create more lots than the approved tentative subdivision plan.
B. Major Amendments. Major amendments to an approved tentative subdivision plan involve changes that do not meet the criteria listed under minor amendments. Major amendments to an approved tentative plan must be reviewed and processed in the same manner as required for the original tentative subdivision plan.

4.06 REVIEW AND ACTION PROCEDURES

A. Upon receipt, the plat and other required data shall be reviewed by the Building and Planning Official, City Engineer and Public Works Superintendent to determine that the subdivision as shown is substantially the same as it appeared on the approved tentative plan, meets any conditions of approval, and that there has been compliance with provisions of the law and of this ordinance.
B. Final Plat applications shall be processed under the Type I procedure contained in the Land Development Ordinance (No. 493).
C. The City may make such checks in the field as are desirable to verify that the plat is sufficiently

correct on the ground and City representatives may enter the property for this purpose.

D. If it is determined that full conformity has not been made, the Building and Planning Official shall advise the sub divider of the changes or additions that must be made and shall afford the land divider an opportunity to make the changes or additions.

E. If after approval by the City Engineer and Public Works Superintendent the Building and Planning Official determines that the plat conforms to all requirements, it shall give approval, provided supplemental documents and provisions for required improvements are satisfactory. After acceptance, a recordable copy of the map shall be submitted to the City for signature. Final approval shall be indicated by the signature of the Building and Planning Official on the recordable copy of the plat. Acceptance by the public of the dedication of any street or other easements shown on the plat shall be indicated by the signature of the Mayor on behalf of the City.

ARTICLE 5 - PARTITIONS

5.03 TENTATIVE PLAN REVIEW AND ACTION PROCEDURES

A. City Staff Review and Action. Upon deeming an application complete, the Building and Planning Official shall furnish one (1) copy of the tentative plan and supplementary material to the City Engineer and Public Works Superintendent. Public agencies believed to have an interest shall be provided notice of the proposal. These officials and agencies shall be given fifteen (15) days to review the plan and to suggest revisions that appear to be in the public interest.

B. Tentative Plan applications shall be processed under the Type II procedure contained in the Land Development Ordinance (No. 493).

C. Planning Commission Review. If the proposed partition requires a variance, or is submitted concurrent with any other land use action requiring a Type III application, the Building and Planning Official shall submit the proposal to the Planning Commission for review.

D. Dedications and Conditions of Approval. The Building and Planning Official or the Planning Commission may require dedication of land and easements and may specify conditions or modifications to the tentative plan as necessary.

E. Tentative Plan Approval: The action of the Building and Planning Official or the Planning Commission shall be incorporated into a Final Order with all conditions of approval and a copy sent by mail to the applicant within seven (7) days of the decision. The original copy of the Final Order shall be retained in the City Planning files.

F. Failure to Complete Partition Requirements: Tentative plan approval shall remain effective for three (3) years from the date the Building and Planning Official or Planning Commission took action. Within that three (3) year period, the applicant must submit a complete Final Plat for review along with all supplementary data required to meet the conditions of approval listed in the Final Order issued either by the Building & Planning Official or the Veneta Planning Commission. If the land divider is unable to proceed with the partition prior to the expiration of the three (3) year period following the approval of the tentative plan, the applicant must resubmit the tentative plan and make any revisions(s) necessary to meet changed conditions of modifications in laws or ordinances of the State of Oregon, Lane County, or the City of Veneta

G. Appeal: Appeals must be filed according to Section 8.03 of this land use ordinance. Appeal of an administrative decision will be heard before the Planning Commission. An appeal of a Planning Commission decision will go to the City Council.

5.04 REVIEW OF TENTATIVE PLAN APPLICATIONS

The application shall be approved, approved with conditions, or denied based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

A. The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.
B. Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.
C. The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).
D. Topography, floodplain, wetlands, and vegetation have been incorporated into the partition design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).
E. Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.
F. Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.
G. The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).

8.05 AMENDMENTS

Amendments to this Ordinance shall be processed according to the Standards for a Type IV Amendment as detailed in the Land Development Ordinance (No. 493).

8.06 DEFINITIONS

All words shall be as defined in the Land Development Ordinance (No. 493). Terms not defined shall utilize commonly accepted definitions.

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Minutes of the Veneta City Council Work Session
May 11, 2020

Present: Keith Weiss, Mayor; Thomas Cotter, Council President; Calvin Kenney, Councilor (via telephone); Robbie McCoy, Councilor; Pat Coy, Councilor

Others: Matt Michel, City Administrator; Kyle Schauer, Public Works Director; Evan MacKenzie, Community Development Director; Darci Henneman, City Recorder

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1. CALL TO ORDER

Mayor called the meeting to order at 5:32 p.m.

2. TRANSPORTATION SYSTEM DEVELOPMENT CHARGES

The Council discussed the following topics in an open discussion:

a. SDC 101
b. Fees
c. Comparison
d. Project Funding
e. Project List

MacKenzie said he and Michel worked together on this information and Schauer made some projections as well. He said things were uncertain six months ago, and even more uncertain now. He said we're likely not going to get everything on the list completed. He reviewed the material and asked if the Council had any questions.

In response to a question from Thomas Cotter, Mackenzie said there's nothing wrong with grouping projects by location and we certainly could get more projects completed, possibly cheaper if we do them when the contractor is already there.

Michel said staff is looking for Council direction on how staff should pass the project list to the consultant. He said the detailed study needs to be finalized and brought back to the Council for adoption. Tonight's conversation is about the maximum cap for the SDC at $13,000 but the Council doesn't have to adopt that as the SDC amount to be charged. He said staff asked the consultant what that SDC would look like with a 20-year revenue horizon and it came out at $3800 per unit and that figure puts us back in the ballpark.

Thomas Cotter said the Council's decision is based on a level of service and the second one was a much larger level of service or it took more accountability of the types of transportation to be usec. If we're applying this method, he would rather see the City using everybody and not just using automobiles. We need to be accountable for bike paths and other services that may not be included in the figure. He said he doesn't know which outlet they were done under. He said basing it on a peak time period includes many things and the possibilities of bottle necking need to be addressed.

MacKenzie said there are a number of projects on the list that are bike/pedestrian related, the study wasn't exclusive to automobiles. He said almost always left turns reduce traffic flow and at some point people adapt and will take another route and that will maintain our capacity.

In response to a question from Robbie McCoy, MacKenzie said the Applegate Landing subdivision, will likely increase traffic on Perkins Rd. He said it's likely traffic from Grocery Outlet will take a right out of the parking lot rather than a left to Territorial Rd.

Mayor Weiss said the Transportation System Plan (TSP) update that was adopted a while ago, addressed how to improve the Jeans Rd/Territorial Rd. intersection. Also the improvements on the Highway 126 corridor, will make an effect on traffic flow.

Schauer said the project list was a product of a public process staff conducted. It was pared down a little and there are really only three or four capacity projects. The goal is to improve roads to bring them to standards and to the level that we determined in the TSP Update. The project list itself, came from public input, so you may not want to take out too many projects. There's certainly more to do in 20 years and there will be projects that we can't fund.

Calvin Kenney suggested removing low priority projects from the list.

Schauer said residents put this list together, the law allows us to collect up to the $13,000 SDC calculation. The Council can decide what is actually collected up to that figure, but if we don't have the money, we don't do the projects.

MacKenzie said some of the low priority projects are 100% SDC eligible and some aren't. He said we could trim the list but that isn't the only way to get to a lower number.

In response to a question from Pat Coy, Schauer said the high, medium, and low ranking was done during the public process.

In response to a question from Pat Coy, Thomas Cotter said the importance of Transportation SDCs when it comes to development depends on other factors. He said it could depend on all SDCs and not just Transportation SDCs. He said everyone is going to tell us it's too high.

MacKenzie said it also depends on whether or not it's a commercial project. We don't have a deferral program for residential construction to defer the SDC until the home is sold. It doesn't save the developer, they still have to pay the SDC.

Schauer said deferral of SDCs for residential construction was done on a case by case basis and in the past, was based on the economy.

In response to a question from Thomas Cotter, Schauer said we deferred the SDCs for the four low income homes St. Vincent built in Heather Glen and allowed the SDCs to be paid when the homes sold.

Mayor Weiss said $3800 better aligns us with other communities.

In response to a question from Thomas Cotter, Schauer said removing projects doesn't necessarily lower the numbers. He said Michel had a good idea to see what's foreseeable in the next 20 years and the Council can decide what rate to collect at. He said some of the projects are grant eligible as well or we could do local improvement districts and have residents help pay for it.

Schauer said trimming the low projects limits the list and closes the window for opportunities. He said if low priority projects are removed and we apply for a grant for one of them, grant funders all ask, "Is this project on your Capital Improvement list"?

In response to a question from Pat Coy, Schauer said all the projects on the list are viable to a point, but with any Capital Improvement Plan, we try to think of everything needed for the 20-year horizon.

MacKenzie suggested staff provide three scenarios, high, medium, and low ranked projects and the numbers of each option.

Pat Coy agreed with MacKenzie's suggestion.

Schauer said if you look at this project list, a lot of them were on the 1998 list and we didn't do them. He said this is much the same, a lot of these projects in 20 years may not be completed.

In response to a question from Pat Coy, Michel said we have to complete a study every time we want to increase the SDC and follow an index until another study is done. Basically something major has to happen to change the list, but if we haven't done any projects, why pay a consultant to do another study. It's really driven by how fast we knock projects off the list.

In response to a question from Pat Coy, Schauer said the current rate was based on the prior TSP and it was indexed to inflation as it went along.

Michel said based on the conversation staff will work with the consultant to fine tune some numbers and triangulate a number we feel comfortable with charging. He said we have a couple of methods to do that. One would be to not factor the low priority projects in and come up with a total SDC amount for the high and medium priority projects to figure what a per unit SDC would be. The other approach is to take the 20 year horizon, where we expect 3.8 million dollars in SDC revenue and spreading that over the 20 years, we know we come up with a $3600 per unit number. The next step would be to triangulate those two numbers, which he suspects will be relatively close to one another. Then the Council can decide which number they are comfortable with and that is the number you can adopt as the implementation. He suggested we keep the entire list and adopt the maximum SDC to keep the window of opportunity as wide as can be and then move to the next step. He said once we know our maximum, we can look at the triangulation and see what's a principled SDC amount that we can offer to the community and developers to let them know we're willing to work with them on a reasonable SDC.

After a brief discussion, there was a consensus of the Council to direct staff to follow Michel's suggestion.

Michel said staff's goal is to bring this back to the Council to review two options before moving forward.

Thomas Cotter said this was very well put together. He suggested considering offering a deferral program or get a better definition of what that would look like. MacKenzie said a deferral program can be a way to incentivize residential development. It doesn't reduce the total costs but it reduces the carrying costs to developers. He said staff can look into that.

3. ADJOURN

Mayor Weiss adjourned the Veneta City Council at 6:24 p.m.

XXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder
(Minutes prepared by DHenneman)

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Minutes of the Veneta City Council Meeting
May 11, 2020

Present: Keith Weiss, Mayor; Thomas Cotter, Council President; Calvin Kenney, Councilor (via telephone); Robbie McCoy, Councilor; Pat Coy, Councilor

Others: Matt Michel, City Administrator; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Evan MacKenzie, Community Development Director; Darci Henneman, City Recorder

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1. CALL TO ORDER

Mayor Weiss called the City Council to order at 6:31 p.m. Mayor Weiss introduced Barry Zalac. Mr. Zalac lives on Ellmaker Rd. and is attending the meeting as a concerned citizen.

2. PUBLIC COMMENT

None

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented. Pat Coy seconded the motion.

VOTE: Calvin Kenney, aye; Thomas Cotter, aye; Keith Weiss, aye; Robbie McCoy, aye; Pat Coy, aye.

The consent agenda as approved included Minutes for April 27, 2020, Accounts Payable - Unpaid Invoices Through May 6, 2020, Civic Calendar for June, 2020, Approval of New Liquor License for Grocery Outlet, Elmira High School Graduation Ceremony Parade Permit Application.

4. COUNCIL BUSINESS AND REPORTS

a. Business

(1) Lane County Sheriff's Office Activity Reports (February, March, April 2020)

Sgt. Sieczkowski thanked the Council and briefly reviewed three reports. He said February had a total of 197 calls for service, March had 220, and April had 224. He said all numbers are pretty much within the sync of what they've been in the past. He reviewed the numbers per incident type. He said after Governor Brown's order, we saw a slight uptick and through March and April we had a couple of individuals entering cars with backpacks and masks. He said Property Crimes, Individual Welfare, Offenses against the State, and Civil calls all went down in April and Person, Public Order, and Skate Park Calls all increased in April even though everyone was pretty much on lockdown. He said unemployment is taking its toll a little but there's a few people in the community that are stepping in and helping some individuals. He said he doesn't see anything highly unusual.

Pat Coy said he is amazed at the number of people that don't know the food pantry is open three days a week (Monday, Wednesday, and Friday). He said the number of food boxes they prepare went down in April from March, He asked Sgt. Sieczkowski to pass that on to the deputies to get that information out there. He said they also provide monetary assistance for utilities. He said residents can call the Service Center and leave a message and someone will get back to them.

(2) National Public Works Week Proclamation

Mayor Weiss said the Council appreciates how hard the City's Public Works crew work and we're very fortunate to have Schauer for his skills and to have a strong crew. He said this is a

National recognition. He said for the last couple of years, the City has bought the crew lunch and he will also write a thank you note to all members of the City Public Works Dept. He read the proclamation and asked Schauer to please pass on to the entire crew how much the Council cares.

Schauer said the entire City staff has really worked hard during the pandemic and on behalf of the Public Works crew, he said thank you.

(3) Letters of Support
Michel said he received two requests for Letters of Support. One is from Coos Bay Rail Line and the other is from the Cities of Eugene and Springfield. The request from the two cities is for a federal grant program asking for Letters of Support from local Mayors. He said we don't have a direct connection with the Eugene and Springfield project but we should show our support. He said he actually rewrote the Coos Bay Rail Line Letter of Support to customize it for Veneta. We have a connection and the economic health of Lane County and the Rail Line directly affects us. He said we should show our support by submitting the Letter.

After a brief discussion, it was the consensus of the Council to approve Michel sign the Coos Bay Rail Line Letter of Support and Mayor Weiss sign the Cities of Eugene and Springfield Letter of Support.

Mayor Weiss thanked Michel for making the Council aware of this matter.

b. Council/Committee Liaison Reports
Calvin Kenney said Lane ACT is meeting on Wednesday.

Pat Coy thanked the City for the Mid Lane Cares article in the Fern Ridge Review newspaper. He said thankfully the community has stepped up and Mid Lane Cares is financially stable this year. As Chairman of the Board he was a little concerned but the community has really shown its support.

Robbie McCoy said the Chamber Board will have a Zoom Board meeting tomorrow. She said so far only one business in Veneta permanently closed and most of the other businesses seem to be doing okay. She said Our Daily Bread Restaurant will reopen in the former optical shop space at Fern Ridge Shopping Center, next to her shop. She said they will be open 9:00 a.m. to 6:00 p.m. and will serve breakfast sandwiches, soup, salads, and beer and wine.

In response to a question from Mayor Weiss, Robbie McCoy said she thought the new owners of the old building will be moving in next fall.

Thomas Cotter said this week's LCOG meeting has been cancelled.

5. STAFF REPORTS

a. Community Development Director…….…..….....Evan MacKenzie

(1) Veneta Municipal Code Updates – Type I – IV Procedures (verbal)
MacKenzie said the Planning Commission met on May 5th to discuss the Type I-V Procedure text amendments and recommended it go to the Council for approval. He said there will be a Public Hearing at the June 8th Council meeting. He said instead of Type I-IV Procedures, he recommends the Council approve Type I – V Procedures. He said Type V Procedures are rare but our code needed to address it. He said the Planning Commission provided some good input and a small change was made to the definition of a dwelling in the residential code to provide consistency. He said the materials in the May 5th Planning Commission packet are

very similar to what the Council will get at the June 8th meeting and he suggested the Council review that material ahead of time. He said the amendments are significant and there is no way staff could put it all together for the Council. He said this is a subject that if a resident asks questions about, you may discuss it.

Michel said the big picture for this is we're looking at inserting structured procedures in the code. He said we're not changing the code but how staff processes applications. He said MacKenzie's guidance and vision is to make the process easier and more streamlined.

MacKenzie said the ultimate goal is that residents will be able to identify what they need to do and what they can do.

b. Public Works Director…..…..……..……..……..…..…Kyle Schauer

(1) Bids on Phase II of City Park Improvements
Schauer said last Wednesday, May 5th the bidding closed for Phase II of the City Park Improvements which include a covered stage area, installation of fitness equipment, a pathway to Jameson Way out to Hunter Ave., lighting on existing pathways, utilities, landscaping and related work, and construction of a pad for future restrooms. He said we received four bids for this project and we're pursuing a grant to pay for the restroom. There were two bid alternates, one for an expanded pool deck to the north and a shade structure. The other was for additional lighting for the walkways constructed in Phase I. This project was budgeted in this budget year and the next budget year. Dougherty Landscape Architect (DLA) was our consultant on this project and they vetted out Bingham Construction had the lowest responsive base bid of $593,000. Staff recommends we move forward with their base bid and the two alternate bids of a total not to exceed $650,000 which includes a 10% contingency.

In response to a question from Pat Coy, Schauer said if the Council approves awarding the bid tonight, DLA will issue the Notice of Intent to Award, which starts a seven day clock, once it expires, they intend to get started fairly soon. He said some value engineering is needed and a discussion is needed about how we're going to expand the pool deck without disrupting the pool season - if we have one.

In response to questions from Mayor Weiss, Schauer said the restrooms are a pre-made building and once connected to utilities, they are fully functional. He said the structure is almost bullet proof. Schauer said the restrooms will be connected to City services.

Calvin Kenney said pre-fabricated buildings are the way to go.

Schauer agreed and said after looking at all options, it was the way to go. The restroom will be installed next year and will have automatic locks set on a timer.

In response to a question from Sgt. Sieczkowski, Schauer said the automatic locks can be overridden for emergency access.

MOTION: **Thomas Cotter made a motion that the Council authorize staff to enter into contract with Bineham Construction, Inc. for the construction of the City Park Phase II Improvement Project for an amount not to exceed $650,000.00. Robbie McCoy seconded the motion which passed with a vote of 5-0.**

c. City Administrator……..……..…..…….…….……..…..…Matt Michel

(1) Modifications to Lane County Law Enforcement Intergovernmental Agreement for Police Services & Related Intergovernmental Agreement with the Fern Ridge School District
Michel said the City has already signed the Public Safety Intergovernmental Agreement (IGA) with Lane County Sheriff's Office (LCSO) but we wanted to set a little slower pace to discuss the IGA with the School District for the School Resource Deputy (SRD) rather than School Resource Office (SRO). He said instead of adopting that contract in April we wanted to wait to see what level of funding the School District received from the Oregon Dept. of Education (ODE) but the pandemic hit. The ODE has asked for budget options from the School District that may impact whether or not this type of program gets funded. Funds come from corporate sales tax and the School District needs to provide the ODE program scenarios at a 75% level, 50% level, 25% level, and 0% level. We're not quite sure if the program is going to go through but we need to sign our contract. We came up with an Agreement to use our current services including the SRD and the extra sergeant time. We'll hear from the state by mid-June what their funding level will be. We have the contract structurally built but can remove the SRD and the sergeant's time if it doesn't go through. The City's budget will include funding the SRD and additional sergeant time. He said both agreements are standalone documents but go hand in hand.

In response to a question from Mayor Weiss, Michel said our partners in the sheriff's office have been in the process of selecting a SRD.

In response to a question from Robbie McCoy, Michel said the School District felt this bucket of funds doesn't flow to West Lane Technical Learning Center (WLTLC). In the beginning they were but in subsequent discussions, the superintendent said these funds don't flow in that direction. Michel said it's not our position to pass that coverage to the SRD.

MOTION: **Thomas Cotter made a motion to authorize the City Administrator to sign the intergovernmental agreement with Lane County and the intergovernmental agreement with the Fern Ridge School District. Robbie McCoy seconded the motion which passed with a vote of 5-0.**

(2) Questions from Councilors
In response to a question from Pat Coy, Schauer said opening the pool is dependent on when Governor Brown changes her order. He said we're continuing with maintenance to be open on the open date but we'll have to scramble to get life guards and instructors trained. YMCA is helping with certifications and we may have to use our pool for re-certifications. He said there's been a lot of discussion on what a public pool is going to look like and if it's even feasible. Staff is planning on opening some time, Cornelius is working hard and she's staying on top of things. Florida opened their pools with some pretty stringent guidelines and he's not sure what that will look like here. When we know what we're allowed to do, we'll get started.

In response to a question form Pat Coy, MacKenzie said he hasn't heard from Sarto Village developers.

Robbie McCoy said something's happening because she sees the plans laid out.

In response to a question from Robbie McCoy, Michel said Lane County submitted their application for Phase I of reopening the County. He said we need to have 21 days of no new cases in order to move to Phase II. For instance, a gym could open if they limit their capacity and use social distancing measures. He said Phase I begins this Friday and the 21 day count begins, if there's no new cases after 21 days, we move to Phase II and so on. He said we're

looking at August to see what kind of public recreation is allowed.

Calvin Kenney said 21 Oregon counties have applied for Phase I of reopening and Governor Brown has until Friday to respond.

6. OTHER

(1) June 3, 2020 - First Day to File for November 3, 2020 General Election
Staff reminded the Council that the first day to file for office is June 3, 2020. Mayor Weiss and Councilors Coy and Kenney's terms expire December 31, 2020.

Hartz reminded the Council that the budget document will be delivered this Friday and the budget meeting is Thursday, May 21, 2020 at 5:30 p.m.

Schauer said Zumwalt Campground will not be happening this year because Oregon Country Fair has announced this year's Fair is cancelled.

7. ADJOURN

Mayor Weiss adjourned the Veneta City Council at 7:23 p.m.

XXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder
(Minutes prepared by DHenneman)

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Report Criteria:
Detail report type printed

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
190	Apex Systems	5706	Back up power supply repa	1	05/11/2020	180.00	.00	180.00	25425	05/26/2020
Total 190:						180.00	.00	180.00		
280	Bi-Mart Corporation	930412 4/20	Various needs	1	05/02/2020	27.61	.00	27.61	25426	05/26/2020
		930412 4/20	Various needs	2	05/02/2020	14.86	.00	14.86	25426	05/26/2020
		930412 4/20	Various needs	3	05/02/2020	7.96	.00	7.96	25426	05/26/2020
		930412 4/20	Various needs	4	05/02/2020	49.35	.00	49.35	25426	05/26/2020
		930412 4/20	Various needs	5	05/02/2020	19.36	.00	19.36	25426	05/26/2020
		930412 4/20	Various needs	6	05/02/2020	109.99	.00	109.99	25426	05/26/2020
		930412 4/20	Various needs	7	05/02/2020	23.00	.00	23.00	25426	05/26/2020
		930412 4/20	Various needs	8	05/02/2020	22.99	.00	22.99	25426	05/26/2020
		930412 4/20	Various needs	9	05/02/2020	87.76	.00	87.76	25426	05/26/2020
Total 280:						362.88	.00	362.88		
360	Carson Technologies, LLC	CP-0010905	Customer charge	1	04/30/2020	33.60	.00	33.60	25427	05/26/2020
		CP-0010905	Customer charge	2	04/30/2020	67.21	.00	67.21	25427	05/26/2020
		CP-0010905	Customer charge	3	04/30/2020	67.21	.00	67.21	25427	05/26/2020
		CP-0010905	Customer charge	4	04/30/2020	268.84	.00	268.84	25427	05/26/2020
		CP-0010905	Customer charge	5	04/30/2020	235.23	.00	235.23	25427	05/26/2020
Total 360:						672.09	.00	672.09		
395	CenturyLink Communicatio	3680 5/20	Public Works/Water plant p	1	05/02/2020	166.91	.00	166.91	25428	05/26/2020
Total 395:						166.91	.00	166.91		
430	Code Publishing	66821	VMC printing	1	05/19/2020	86.40	.00	86.40	25430	05/26/2020
Total 430:						86.40	.00	86.40		
530	DLA Inc	6512	City Park design	1	05/04/2020	3,687.99	.00	3,687.99	25431	05/26/2020
		6512	City Park design	2	05/04/2020	8,605.31	.00	8,605.31	25431	05/26/2020
Total 530:						12,293.30	.00	12,293.30		
535	DocuTRAK Imaging, Inc	20234	On site shredding services	1	05/19/2020	38.00	.00	38.00	25432	05/26/2020
Total 535:						38.00	.00	38.00		
560	EDMS Inc	17630	May 2020 Statements	1	04/30/2020	476.88	.00	476.88	25435	05/26/2020
		17630	May 2020 Statements	2	04/30/2020	155.88	.00	155.88	25435	05/26/2020
		17630	May 2020 Statements	3	04/30/2020	228.78	.00	228.78	25435	05/26/2020
		17630	May 2020 Statements	4	04/30/2020	233.82	.00	233.82	25435	05/26/2020
		17630	May 2020 Statements	5	04/30/2020	343.16	.00	343.16	25435	05/26/2020
Total 560:						1,438.52	.00	1,438.52		
580	Emerald Peoples Utility Dis	8257 4/20	P/W	1	05/06/2020	1,902.35	.00	1,902.35	25436	05/26/2020
Total 580:						1,902.35	.00	1,902.35		
620	Eugene Water & Electric B	385463-1208	Meter #76100316 April 202	1	05/06/2020	991.48	.00	991.48	25437	05/26/2020

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		385463-1208	Meter #76100315 April 202	2	05/06/2020	9,394.10	.00	9,394.10	25437	05/26/2020
Total 620:						10,385.58	.00	10,385.58		
830	Hunter Communications, In	424 6/20	Fiber Internet - Admin	1	05/07/2020	72.10	.00	72.10	25438	05/26/2020
		424 6/20	Fiber internet - Finance	2	05/07/2020	46.87	.00	46.87	25438	05/26/2020
		424 6/20	Fiber internet- Court	3	05/07/2020	7.21	.00	7.21	25438	05/26/2020
		424 6/20	Fiber internet-Code	4	05/07/2020	7.21	.00	7.21	25438	05/26/2020
		424 6/20	Fiber internet - Law enforc	5	05/07/2020	21.63	.00	21.63	25438	05/26/2020
		424 6/20	Fiber internet -Parks	6	05/07/2020	7.21	.00	7.21	25438	05/26/2020
		424 6/20	Fiber internet - Pool	7	05/07/2020	21.63	.00	21.63	25438	05/26/2020
		424 6/20	Fiber intenet - Planning	8	05/07/2020	46.87	.00	46.87	25438	05/26/2020
		424 6/20	Fiber internet - water	9	05/07/2020	46.87	.00	46.87	25438	05/26/2020
		424 6/20	Fiber internet - sewer	10	05/07/2020	68.50	.00	68.50	25438	05/26/2020
		424 6/20	Fiber internet - stormwater	11	05/07/2020	7.21	.00	7.21	25438	05/26/2020
		424 6/20	Fiber internet - streets	12	05/07/2020	7.20	.00	7.20	25438	05/26/2020
Total 830:						360.51	.00	360.51		
975	Lane Council of Govern	75403	IS Managed Services/Jan-	1	03/31/2020	1,034.12	.00	1,034.12	25439	05/26/2020
		75403	IS Managed Services/Jan-	2	03/31/2020	109.42	.00	109.42	25439	05/26/2020
		75403	IS Managed Services/Jan-	3	03/31/2020	10.49	.00	10.49	25439	05/26/2020
		75403	IS Managed Services/Jan-	4	03/31/2020	231.78	.00	231.78	25439	05/26/2020
		75403	IS Managed Services/Jan-	5	03/31/2020	91.94	.00	91.94	25439	05/26/2020
		75403	IS Managed Services/Jan-	6	03/31/2020	319.88	.00	319.88	25439	05/26/2020
		75403	IS Managed Services/Jan-	7	03/31/2020	620.54	.00	620.54	25439	05/26/2020
		75403	IS Managed Services/Jan-	8	03/31/2020	716.68	.00	716.68	25439	05/26/2020
		75403	IS Managed Services/Jan-	9	03/31/2020	278.98	.00	278.98	25439	05/26/2020
		75403	IS Managed Services/Jan-	10	03/31/2020	82.17	.00	82.17	25439	05/26/2020
		75403	Direct charges Jan-March	11	03/31/2020	89.52	.00	89.52	25439	05/26/2020
		75403	Direct charges Jan-March	12	03/31/2020	52.65	.00	52.65	25439	05/26/2020
		75403	Direct charges Jan-March	13	03/31/2020	15.18	.00	15.18	25439	05/26/2020
		75403	Direct charges Jan-March	14	03/31/2020	91.75	.00	91.75	25439	05/26/2020
		75403	Direct charges Jan-March	15	03/31/2020	71.24	.00	71.24	25439	05/26/2020
		75403	Direct charges Jan-March	16	03/31/2020	120.87	.00	120.87	25439	05/26/2020
		75403	Direct charges Jan-March	17	03/31/2020	1.20	.00	1.20	25439	05/26/2020
Total 975:						3,938.41	.00	3,938.41		
985	Lane County Deeds & Rec	IRREVOCAB	Irrevocable Petition Public I	1	05/06/2020	21.42	.00	21.42	25440	05/26/2020
		IRREVOCAB	Irrevocable Petition Public I	2	05/06/2020	72.42	.00	72.42	25440	05/26/2020
		IRREVOCAB	Irrevocable Petition Public I	3	05/06/2020	4.84	.00	4.84	25440	05/26/2020
		IRREVOCAB	Irrevocable Petition Public I	4	05/06/2020	3.32	.00	3.32	25440	05/26/2020
		IRREVOCAB	Irrevocable Tree Install	1	05/06/2020	107.00	.00	107.00	25440	05/26/2020
Total 985:						209.00	.00	209.00		
1035	Law Office of Alan J Leima	LEIMAN 5/20	Monthly contract	1	05/08/2020	371.00	.00	371.00	25441	05/26/2020
Total 1035:						371.00	.00	371.00		
1125	McKenzie Excavating Inc	202077	Street repair	1	05/08/2020	6,525.00	.00	6,525.00	25442	05/26/2020
		202077	Street repair	2	05/08/2020	2,575.00	.00	2,575.00	25442	05/26/2020
Total 1125:						9,100.00	.00	9,100.00		
1175	Mr Chain Saw Inc	281485	Chainsaw parts	1	05/01/2020	39.68	.00	39.68	25443	05/26/2020

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		281485	Chainsaw parts	2	05/01/2020	39.67	.00	39.67	25443	05/26/2020
Total 1175:						79.35	.00	79.35		
1315	Oregon Dept of Enviroment	JM 2020-202	JMitchell-Cert Renewal	1	05/08/2020	160.00	.00	160.00	25444	05/26/2020
Total 1315:						160.00	.00	160.00		
1410	Orme Kip	KORME 3/20	Cell phone stipend	1	05/11/2020	100.00	.00	100.00	25445	05/26/2020
Total 1410:						100.00	.00	100.00		
1546	Rears Manufacturing Com	392446	System needs	1	05/11/2020	79.14	.00	79.14	25447	05/26/2020
		392446	System needs	2	05/11/2020	79.14	.00	79.14	25447	05/26/2020
		392446	System needs	3	05/11/2020	79.12	.00	79.12	25447	05/26/2020
Total 1546:						237.40	.00	237.40		
1665	SiteOne	99268379-00	System needs	1	05/07/2020	202.86	.00	202.86	25448	05/26/2020
Total 1665:						202.86	.00	202.86		
1690	Speer Hoyt LLC	55919	Legal Services-Gen	1	04/30/2020	855.00	.00	855.00	25449	05/26/2020
		55920	Legal Services-Gen	1	04/30/2020	798.00	.00	798.00	25449	05/26/2020
		55921	Legal Services-Pln	1	04/30/2020	1,501.00	.00	1,501.00	25449	05/26/2020
		55922	Legal Services-P/W	1	04/30/2020	152.00	.00	152.00	25449	05/26/2020
Total 1690:						3,306.00	.00	3,306.00		
1745	Swanson's Pest Managem	638024	Community Ctr pest manag	1	05/08/2020	33.00	.00	33.00	25450	05/26/2020
		638027	CH pest management 5/20	1	05/08/2020	31.20	.00	31.20	25450	05/26/2020
		638027	CH pest management 5/20	2	05/08/2020	7.80	.00	7.80	25450	05/26/2020
Total 1745:						72.00	.00	72.00		
1760	Thermo Imaging & Analysi	5311	Council Chamber wiring	1	05/18/2020	217.93	.00	217.93	25452	05/26/2020
Total 1760:						217.93	.00	217.93		
1790	Tyree Oil Inc	0734618-IN	Degreaser	1	05/13/2020	386.65	.00	386.65	25453	05/26/2020
Total 1790:						386.65	.00	386.65		
1850	Valley United Methodist Ch	VUMC 5/20	Warming ceneter support	1	05/15/2020	150.00	.00	150.00	25454	05/26/2020
Total 1850:						150.00	.00	150.00		
1880	Veneta-Fern Ridge Chamb	3432	Staffing assistance April-Ju	1	05/19/2020	2,875.00	.00	2,875.00	25455	05/26/2020
Total 1880:						2,875.00	.00	2,875.00		
1976	UB Refunds	10264.00 JE	Customer deposit refunds	1	07/15/2019	64.03	.00	.00	24374	Multiple
		10264.00 JE	Customer deposit refunds	2	07/15/2019	64.03-				
Total 1976:						.00	.00	.00		
1977	Court Refunds (1977)	PKNOWLES	Bail refunds	2	09/09/2019	5.00	.00	5.00	Multiple	Multiple

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Total 1977:						5.00	.00	5.00		
1978	Other Refunds	TMONTGOM	Mileage reimbursement-Ve	1	06/29/2019	12.76	.00	12.76	Multiple	Multiple
Total 1978:						12.76	.00	12.76		
1995	CINTAS Corporation - 172	172005709 4	C/H mats & paper supplies	1	04/30/2020	147.95	.00	147.95	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	2	04/30/2020	2.96	.00	2.96	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	3	04/30/2020	35.51	.00	35.51	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	4	04/30/2020	26.63	.00	26.63	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	5	04/30/2020	53.26	.00	53.26	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	6	04/30/2020	20.71	.00	20.71	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	7	04/30/2020	5.92	.00	5.92	25429	05/26/2020
		172005709 4	C/H mats & paper supplies	8	04/30/2020	2.95	.00	2.95	25429	05/26/2020
Total 1995:						295.89	.00	295.89		
2019	Dog Gone It Parks	14712	Dog bags	1	04/29/2020	379.00	.00	379.00	25433	05/26/2020
Total 2019:						379.00	.00	379.00		
2099	Dustrud Architecture, P.C.	2004-01	City Park phase 2	1	05/07/2020	1,974.00	.00	1,974.00	25434	05/26/2020
		2004-01	City Park phase 2	2	05/07/2020	4,606.00	.00	4,606.00	25434	05/26/2020
Total 2099:						6,580.00	.00	6,580.00		
Grand Totals:						56,564.79	.00	56,564.79		

Report Criteria:
Detail report type printed

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
185 Analytical Laboratory Group									
126930	1	Lab services: Drinking wat	Invoi	05/05/2020	06/09/2020	727.00	727.00	210-210-53055	System Quality Tests
126930	2	Lab services: wastewater 5	Invoi	05/05/2020	06/09/2020	1,275.30	1,275.30	220-220-53055	System Quality Tests
Total 126930:						2,002.30	2,002.30		
Total 185 Analytical Laboratory Group:						2,002.30	2,002.30		
245 Banner Bank-CC									
BBCC 5/20	1	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	37.86	37.86	100-100-52045	Computer System Sup
BBCC 5/20	2	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	4.01	4.01	100-160-52045	Computer System Sup
BBCC 5/20	3	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	.38	.38	100-170-52045	Computer System Sup
BBCC 5/20	4	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	8.49	8.49	130-130-52045	Computer System Sup
BBCC 5/20	5	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	3.37	3.37	130-520-52045	Computer System Sup
BBCC 5/20	6	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	11.71	11.71	140-140-52045	Computer System Sup
BBCC 5/20	7	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	22.72	22.72	210-210-52045	Computer System Sup
BBCC 5/20	8	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	26.24	26.24	220-220-52050	Internet & Web Site Fe
BBCC 5/20	9	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	10.21	10.21	230-230-52045	Computer System Sup
BBCC 5/20	10	MSOnline 5/20	Invoi	05/18/2020	06/09/2020	3.01	3.01	240-240-52045	Computer System Sup
BBCC 5/20	11	Employee recognition	Invoi	05/18/2020	06/09/2020	59.44	59.44	100-100-51097	Recognitions
BBCC 5/20	12	RMT Equip	Invoi	05/18/2020	06/09/2020	78.37	78.37	130-130-53130	Equipment Repairs
BBCC 5/20	13	Wild Child Flwr	Invoi	05/18/2020	06/09/2020	115.00	115.00	100-100-51010	Admin Supplies & Servi
BBCC 5/20	14	Employee recognition	Invoi	05/18/2020	06/09/2020	76.00	76.00	100-100-51097	Recognitions
Total BBCC 5/20:						456.81	456.81		
Total 245 Banner Bank-CC:						456.81	456.81		
255 Hendrickson, Scottie									
620	1	Monthly newsletter-June 2	Invoi	06/01/2020	06/09/2020	175.00	175.00	100-100-51095	Public Relations
Total 620:						175.00	175.00		
Total 255 Hendrickson, Scottie:						175.00	175.00		
320 Buck's Sanitary Service									
A-138769	1	Fern Park 5/20	Invoi	05/29/2020	06/09/2020	65.00	65.00	130-130-53210	Park Maintenance
Total A-138769:						65.00	65.00		
A-138770	1	City Park 5/20	Invoi	05/29/2020	06/09/2020	65.00	65.00	130-130-53210	Park Maintenance
Total A-138770:						65.00	65.00		
A-138771	1	Skate Park 5/20	Invoi	05/29/2020	06/09/2020	98.50	98.50	130-130-53210	Park Maintenance
Total A-138771:						98.50	98.50		
A-139254	1	Farmers Mrkt 5/20	Invoi	05/29/2020	06/09/2020	315.00	315.00	100-205-51050	Building Maint & Janitor
Total A-139254:						315.00	315.00		
Total 320 Buck's Sanitary Service:						543.50	543.50		
450 Cornelius Stacy									
SCORNELIU	1	Cell Phone reimbursement	Invoi	06/01/2020	06/09/2020	50.00	50.00	130-520-51010	Admin Supplies & Servi

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total SCORNELIUS 5/20:						50.00	50.00		
Total 450 Cornelius Stacy:						50.00	50.00		
560 EDMS Inc									
017723	1	May 2020 Past Due State	Invoi	05/20/2020	06/09/2020	46.41	46.41	210-210-51010	Admin Supplies & Servi
017723	2	May 2020 Past Due State	Invoi	05/20/2020	06/09/2020	61.68	61.68	210-210-51010	Admin Supplies & Servi
017723	3	May 2020 Past Due State	Invoi	05/20/2020	06/09/2020	69.61	69.61	220-220-51010	Admin Supplies & Servi
017723	4	May 2020 Past Due State	Invoi	05/20/2020	06/09/2020	92.51	92.51	220-220-51015	Postage
Total 017723:						270.21	270.21		
Total 560 EDMS Inc:						270.21	270.21		
580 Emerald Peoples Utility District									
104799 5/20	1	Skate park	Invoi	05/27/2020	06/09/2020	31.00	31.00	130-130-53110	Electricity
Total 104799 5/20:						31.00	31.00		
107383 5/20	1	Pool	Invoi	05/27/2020	06/09/2020	1,211.24	1,211.24	130-520-54055	Pool Utilities
Total 107383 5/20:						1,211.24	1,211.24		
122635 5/20	1	Bulk Water Station	Invoi	05/27/2020	06/09/2020	34.56	34.56	210-210-51035	Electricity
Total 122635 5/20:						34.56	34.56		
136326 5/20	1	8th & Jack Kelly	Invoi	05/27/2020	06/09/2020	122.58	122.58	220-220-51035	Electricity
Total 136326 5/20:						122.58	122.58		
139282 5/20	1	Attic	Invoi	05/27/2020	06/09/2020	41.35	41.35	100-205-51050	Building Maint & Janitor
Total 139282 5/20:						41.35	41.35		
51043 5/20	1	City Hall	Invoi	05/27/2020	06/09/2020	277.35	277.35	100-100-51035	Electricity
51043 5/20	2	City Hall	Invoi	05/27/2020	06/09/2020	92.44	92.44	140-140-51035	Electricity
Total 51043 5/20:						369.79	369.79		
60675 5/20	1	Pine St lift	Invoi	05/27/2020	06/09/2020	152.63	152.63	220-220-51035	Electricity
Total 60675 5/20:						152.63	152.63		
61380 5/20	1	Terr & Hwy 126	Invoi	05/27/2020	06/09/2020	32.55	32.55	220-220-51035	Electricity
Total 61380 5/20:						32.55	32.55		
8229 5/20	1	Terr Rd pump	Invoi	05/27/2020	06/09/2020	32.82	32.82	210-210-51035	Electricity
Total 8229 5/20:						32.82	32.82		
89569 5/20	1	St lights	Invoi	05/27/2020	06/09/2020	2,820.48	2,820.48	230-230-51035	Electricity
Total 89569 5/20:						2,820.48	2,820.48		

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 580 Emerald Peoples Utility District:						4,849.00	4,849.00		
642 FCS Group									
3067-220050	1	Transportation SDC	Invoi	05/15/2020	06/09/2020	175.00	175.00	310-310-52290	Other Professional Ser
Total 3067-22005076:						175.00	175.00		
Total 642 FCS Group:						175.00	175.00		
645 FEI #3011 Waterworks									
46682 5/20	1	System needs	Invoi	05/29/2020	06/09/2020	3,597.00	3,597.00	210-210-53040	System Maintenance
Total 46682 5/20:						3,597.00	3,597.00		
875309	1	System needs	Invoi	05/29/2020	06/09/2020	217.90	217.90	210-210-53040	System Maintenance
Total 875309:						217.90	217.90		
Total 645 FEI #3011 Waterworks:						3,814.90	3,814.90		
650 Fern Ridge Review									
20515	1	Planning Commision ad	Invoi	05/23/2020	06/09/2020	104.00	104.00	140-140-51025	Advertising and Publish
Total 20515:						104.00	104.00		
20516	1	Budget Comm. ad	Invoi	05/23/2020	06/09/2020	64.00	64.00	100-100-51025	Advertising and Publish
Total 20516:						64.00	64.00		
20519	1	Budget Comm. ad	Invoi	05/23/2020	06/09/2020	24.00	24.00	100-100-51025	Advertising and Publish
Total 20519:						24.00	24.00		
Total 650 Fern Ridge Review:						192.00	192.00		
840 Industrial Source									
1761063	1	Pool C02	Invoi	05/19/2020	06/09/2020	212.00	212.00	130-520-54020	Pool Operating Supplie
Total 1761063:						212.00	212.00		
1764467	1	Pool C02	Invoi	05/31/2020	06/09/2020	83.95	83.95	130-520-54020	Pool Operating Supplie
Total 1764467:						83.95	83.95		
Total 840 Industrial Source:						295.95	295.95		
850 Info Structure									
2515117	1	Cust #C7930 - City Hall	Invoi	05/21/2020	06/09/2020	400.71	400.71	100-100-51030	Telephone Services
2515117	2	Cust #C7930 - City Hall	Invoi	05/21/2020	06/09/2020	100.17	100.17	140-140-51030	Telephone Services
Total 2515117:						500.88	500.88		
2515222	1	Cust #61227 - WWTP	Invoi	05/21/2020	06/09/2020	52.02	52.02	220-220-51030	Telephone Services
Total 2515222:						52.02	52.02		
2515282	1	Cust #62054 -Pool	Invoi	05/21/2020	06/09/2020	47.47	47.47	130-520-54055	Pool Utilities

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 2515282:						47.47	47.47		
Total 850 Info Structure:						600.37	600.37		
945 Knife River									
27247	1	Perkins Rd overlay	Invoi	06/01/2020	06/09/2020	14,462.18	14,462.18	230-230-53050	Street Rehabilitation
Total 27247:						14,462.18	14,462.18		
Total 945 Knife River:						14,462.18	14,462.18		
1015 Lane Electric Coop Inc									
42002 5/20	1	C Center	Invoi	05/28/2020	06/09/2020	177.88	177.88	130-130-51035	Electricity
Total 42002 5/20:						177.88	177.88		
42007 5/20	1	Welcome light sign	Invoi	05/28/2020	06/09/2020	145.86	145.86	100-100-51100	Welcome Sign Mainten
Total 42007 5/20:						145.86	145.86		
42008 5/20	1	Sewer Plant	Invoi	05/28/2020	06/09/2020	5,043.58	5,043.58	220-220-51035	Electricity
Total 42008 5/20:						5,043.58	5,043.58		
42009 5/20	1	Water tower pumps	Invoi	05/28/2020	06/09/2020	182.56	182.56	210-210-51035	Electricity
Total 42009 5/20:						182.56	182.56		
42012 5/20	1	St Lights	Invoi	05/28/2020	06/09/2020	1,282.48	1,282.48	230-230-51035	Electricity
Total 42012 5/20:						1,282.48	1,282.48		
42013 5/20	1	Pumphouse & Light	Invoi	05/28/2020	06/09/2020	68.17	68.17	210-210-51035	Electricity
Total 42013 5/20:						68.17	68.17		
Total 1015 Lane Electric Coop Inc:						6,900.53	6,900.53		
1120 McGuire Bearing Co.									
2503452-00	1	System needs	Invoi	05/28/2020	06/09/2020	10.41	10.41	130-130-53130	Equipment Repairs
2503452-00	2	System needs	Invoi	05/28/2020	06/09/2020	10.41	10.41	230-230-53130	Equipment Repairs
Total 2503452-00:						20.82	20.82		
Total 1120 McGuire Bearing Co.:						20.82	20.82		
1150 Mid-State Industrial Svc									
186733	1	Monthly Contract 5/20	Invoi	05/21/2020	06/09/2020	2,255.00	2,255.00	230-230-53150	Street Sweeping Contr
Total 186733:						2,255.00	2,255.00		
Total 1150 Mid-State Industrial Svc:						2,255.00	2,255.00		
1200 Net Assets									
88-202005	1	Lien search fees 5/20	Invoi	06/01/2020	06/09/2020	220.00	220.00	100-100-51010	Admin Supplies & Servi

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 88-202005:						220.00	220.00		
Total 1200 Net Assets:						220.00	220.00		
1245 One Call Concepts Inc									
50507	1	Utility Locates - Water	Invoi	05/31/2020	06/09/2020	18.60	18.60	210-210-51030	Telephone Services
50507	2	Utility Locates - Sewer	Invoi	05/31/2020	06/09/2020	18.60	18.60	220-220-51030	Telephone Services
Total 50507:						37.20	37.20		
Total 1245 One Call Concepts Inc:						37.20	37.20		
1310 Oregon Dept of Driver & Motor Vehicle									
L001255952	1	Emp driving record	Invoi	05/29/2020	06/09/2020	3.00	3.00	100-100-51010	Admin Supplies & Servi
Total L0012559528:						3.00	3.00		
Total 1310 Oregon Dept of Driver & Motor Vehicle:						3.00	3.00		
1445 Pacific Rubber & Supply									
7711	1	Hoses for sprayer	Invoi	05/28/2020	06/09/2020	82.72	82.72	130-130-53130	Equipment Repairs
7711	2	Hoses for sprayer	Invoi	05/28/2020	06/09/2020	82.71	82.71	220-220-53130	Equipment Repairs
Total 7711:						165.43	165.43		
Total 1445 Pacific Rubber & Supply:						165.43	165.43		
1560 Ricoh USA, Inc.									
5059630319	1	Service call/repair	Invoi	05/22/2020	06/09/2020	43.78	43.78	140-140-51065	Office Machine Mainten
Total 5059630319:						43.78	43.78		
Total 1560 Ricoh USA, Inc.:						43.78	43.78		
1605 Sanipac									
3545890	1	Trash haul-Act #20132002	Invoi	06/01/2020	06/09/2020	114.47	114.47	220-220-53050	WW Plant Maintenance
3545890	2	Trash Haul-Act #2013-200	Invoi	06/01/2020	06/09/2020	135.88	135.88	130-520-54045	Pool Bldg Janitorial - M
Total 3545890:						250.35	250.35		
3545916	1	Street debris-Act #2013-30	Invoi	06/01/2020	06/09/2020	336.90	336.90	230-230-53045	Street Maintenance
Total 3545916:						336.90	336.90		
Total 1605 Sanipac:						587.25	587.25		
1700 Sprint									
886952530-1	1	Cell phones	Invoi	05/27/2020	06/09/2020	36.77	36.77	100-100-51030	Telephone Services
886952530-1	2	Cell phones	Invoi	05/27/2020	06/09/2020	36.77	36.77	130-130-51030	Telephone Services
886952530-1	3	Cell phones	Invoi	05/27/2020	06/09/2020	54.08	54.08	210-210-51030	Telephone Services
886952530-1	4	Cell phones	Invoi	05/27/2020	06/09/2020	54.08	54.08	220-220-51030	Telephone Services
886952530-1	5	Cell phones	Invoi	05/27/2020	06/09/2020	34.60	34.60	230-230-51030	Telephone Services
Total 886952530-174:						216.30	216.30		

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
Total 1700 Sprint:						216.30	216.30		
1715 Staples Credit Plan									
STAPLES 5/2	1	Various office needs- Gene	Invoi	05/15/2020	06/09/2020	50.38	50.38	100-100-51010	Admin Supplies & Servi
STAPLES 5/2	2	Various office needs - Park	Invoi	05/15/2020	06/09/2020	6.15	6.15	130-130-51010	Admin Supplies & Servi
STAPLES 5/2	3	Various office needs- Plann	Invoi	05/15/2020	06/09/2020	4.38	4.38	140-140-51010	Admin Supplies & Serv
STAPLES 5/2	4	Various office needs - Wate	Invoi	05/15/2020	06/09/2020	73.01	73.01	210-210-51010	Admin Supplies & Servi
STAPLES 5/2	5	Various office needs - Sew	Invoi	05/15/2020	06/09/2020	83.92	83.92	220-220-51010	Admin Supplies & Servi
STAPLES 5/2	6	Various office needs - stree	Invoi	05/15/2020	06/09/2020	6.79	6.79	230-230-51010	Admin Supplies & Servi
STAPLES 5/2	7	Various office needs - Stor	Invoi	05/15/2020	06/09/2020	11.00	11.00	240-240-51010	Admin Supplies & Servi
Total STAPLES 5/20:						235.63	235.63		
Total 1715 Staples Credit Plan:						235.63	235.63		
1760 Thermo Imaging & Analysis, LLC									
5312	1	Well 9 exhaust fan	Invoi	06/03/2020	06/09/2020	304.00	304.00	210-210-53040	System Maintenance
Total 5312:						304.00	304.00		
Total 1760 Thermo Imaging & Analysis, LLC:						304.00	304.00		
1825 US Dept Postal Services									
ANNUAL PO	1	Annual Post Office box fee	Invoi	06/01/2020	06/09/2020	120.00	120.00	100-100-52010	Attorney & Legal Servic
Total ANNUAL POST OFFICE BOX FEE:						120.00	120.00		
Total 1825 US Dept Postal Services:						120.00	120.00		
1855 Veneta Ace Hardware									
400 5/20	1	Various needs	Invoi	05/31/2020	06/09/2020	68.96	68.96	130-130-53210	Park Maintenance
400 5/20	2	Various needs	Invoi	05/31/2020	06/09/2020	272.89	272.89	130-520-54040	Pool Maintenance
400 5/20	3	Various needs	Invoi	05/31/2020	06/09/2020	4.99	4.99	230-230-51055	Safety Programs & Sup
400 5/20	4	Various needs	Invoi	05/31/2020	06/09/2020	7.59	7.59	130-130-53130	Equipment Repairs
400 5/20	5	Various needs	Invoi	05/31/2020	06/09/2020	322.13	322.13	230-230-53045	Street Maintenance
400 5/20	6	Various needs	Invoi	05/31/2020	06/09/2020	43.95	43.95	220-220-53040	System Maintenance
400 5/20	7	Various needs	Invoi	05/31/2020	06/09/2020	22.17	22.17	210-210-53020	System Operating Sup
Total 400 5/20:						742.68	742.68		
Total 1855 Veneta Ace Hardware:						742.68	742.68		
1875 Veneta Veterinary Hospital									
PER END 5/	1	Spay/neuter feral program	Invoi	05/20/2020	06/09/2020	271.50	271.50	100-170-51122	Animal Control Feral Pr
Total PER END 5/20/20:						271.50	271.50		
Total 1875 Veneta Veterinary Hospital:						271.50	271.50		
2009 Oregon Health Authority									
2020 WTRS	1	Water system survey 2020	Invoi	05/27/2020	06/09/2020	1,500.00	1,500.00	210-210-51010	Admin Supplies & Servi
Total 2020 WTRSRVY:						1,500.00	1,500.00		
Total 2009 Oregon Health Authority:						1,500.00	1,500.00		

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Net Invoice Check Amount	GL Account Number	GL Account Description
2100 GSI Water Solutions, Inc									
0297.009-1	1	Water Mgmt & Conservatio	Invoi	05/13/2020	06/09/2020	1,031.25	1,031.25	210-210-52290	Other Professional Ser
Total 0297.009-1:						1,031.25	1,031.25		
Total 2100 GSI Water Solutions, Inc:						1,031.25	1,031.25		
2101 Executive Cleaning									
9644J	1	Janitorial contract May 202	Invoi	05/31/2020	06/09/2020	600.00	600.00	100-100-52055	Janitorial Services Cont
9644J	2	Janitorial contract May 202	Invoi	05/31/2020	06/09/2020	250.00	250.00	130-530-52055	Janitoral Contract
9644J	3	Janitorial contract May 202	Invoi	05/31/2020	06/09/2020	150.00	150.00	140-140-52055	Janitorial Services Cont
Total 9644J:						1,000.00	1,000.00		
Total 2101 Executive Cleaning:						1,000.00	1,000.00		
2102 Bineham Construction, Inc									
PRJCT #1 C	1	City Park phase 2	Invoi	06/03/2020	06/09/2020	5,427.54	5,427.54	130-130-60130	Facilities Expansion
PRJCT #1 C	2	City Park phase 2	Invoi	06/03/2020	06/09/2020	12,664.26	12,664.26	310-310-60130	System Expansion
Total PRJCT #1 CP:						18,091.80	18,091.80		
Total 2102 Bineham Construction, Inc:						18,091.80	18,091.80		
Total :						61,633.39	61,633.39		
Grand Totals:						61,633.39	61,633.39		

Summary by General Ledger Posting Period

GL Posting Period	Debit	Credit	Net
05/20	61,633.39	.00	61,633.39
Grand Totals:	61,633.39	.00	61,633.39

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VENETA oregon Inc.1962

SPECIAL PARK EVENT APPLICATION

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

Name of Organization/Applicant: FOOD For Lane County

Mailing Address: 770 Bailey Hill Rd. Eugene, OR City/Zip: 97402

Phone (s): 541 343 2822 x110 Email: maugustine@foodforlanecounty.org

Estimated attendance: 350/day (drive-thru, pickup)

Type of Event USDA Summer Food Program

Purpose for which facility is to be used Distribution of free meals to youth K-12, to-go & drive thru service → paid staff + volunteers on-site

Park Requested Territorial Park

Other Equipment Requested —

Specify Dates

Starts 06/29/20 to 8/28/20 10:30 am/pm to 12:30 am/pm

Specify Weekly, monthly, et. Monday - Friday, no service 07/03/20

Supervisor in charge of activity Mary Augustine, 541-343-2822 x110
(name and contact information)
Cell # [redacted]

I certify that I am the authorized representative of the above group(s), and that the above statements are true to the best of my knowledge.

A Certificate of Liability Insurance must be provided prior to the use of the facility naming the City of Veneta as an additional insured.

Mary Augustine — Signature of Applicant

6/3/20 — Date

City Administrator or Designee Approval _____ Date _____

For Official Use Only

Proof of Insurance Provided	YES NO	Room Arrangement Discussed	YES NO
Date is Available	YES NO	Building Staff Assigned	YES NO
Equipment Available	YES NO		

S:\FORMS\Parks & Recreation

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 6/3/2020

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 have ADDITIONAL INSURED provisions or 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).

PRODUCER
Ward Insurance Agency Inc.
PO Box 10167
Eugene OR 97440

CONTACT NAME: Angela Sangl
PHONE (A/C, No, Ext): 541-687-1117 FAX (A/C, No): 541-342-8280
E-MAIL ADDRESS: angela@wardinsurance.net

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Nationwide Mutual Insurance Company	23787
INSURER B : AMCO	19100
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED FOODFOR-01
Food For Lane County, Inc
770 Bailey Hill Rd
Eugene OR 97402

COVERAGES **CERTIFICATE NUMBER:** 727807320 **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	X COMMERCIAL GENERAL LIABILITY	Y	Y	ACP3009670691	4/2/2020	4/2/2021	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY X PRO-JECT X LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
B	AUTOMOBILE LIABILITY	Y	Y	ACP3009670691	4/2/2020	4/2/2021	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB X OCCUR			ACP3009670691	4/2/2020	4/2/2021	EACH OCCURRENCE	$ 2,000,000
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 2,000,000
	DED X RETENTION $ 10,000							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N	N / A					PER STATUTE / OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?						E.L. EACH ACCIDENT	$
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder and all entities required by written contract are included as additional insureds on a primary and non-contributory basis with waiver of subrogation with respects to the general liability and auto liability as required by written contract per attached endorsements. Umbrella follows form. Subject to policy limits, terms, conditions and exclusions.
RE: Territorial Park

CERTIFICATE HOLDER
City of Veneta
PO Box 458
Veneta OR 97487

CANCELLATION
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

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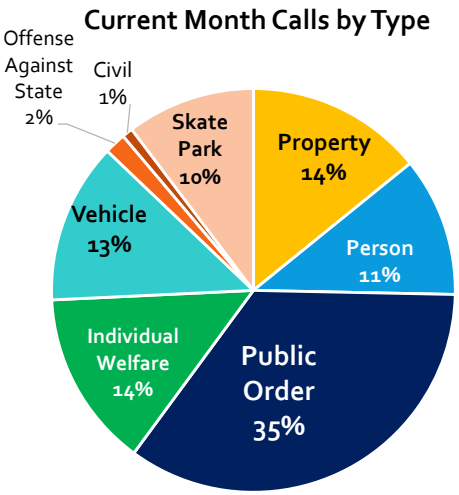
City of Veneta Monthly Police Activity- May 2020

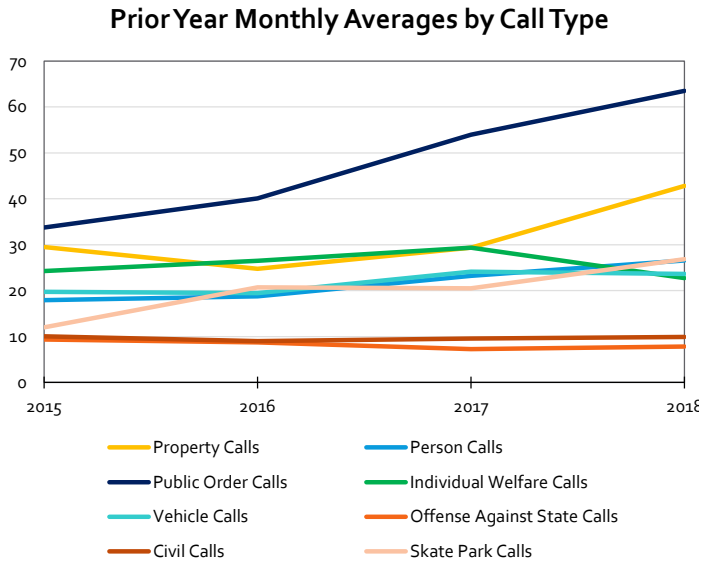
Prepared by Sgt. Steve Sieczkowski, LCSO

Calls for Service by Incident Types:

Incident Type	Calls	Same Month of Prior Year	Calls 5-Year Average	Cases	Same Month of Prior Year	Cases 5-Year Average
Property (Thefts, Criminal Mischief, Trespass, UUV, UEMV, Fraud)	33	29	29	14	15	12
Person (Assaults, Menacing, Harassment, Viol. Restraining Order)	26	26	25	4	4	5
Public Order (Disorderly Subjects, Suspicious Vehicles/Persons, Citizen Contacts, Dog/Noise)	81	92	48	0	3	2
Individual Welfare (Welfare Checks, Missing Persons, Overdose, Suicidal Subjects)	33	30	24	5	3	5
Vehicle (DUII, DWS, Illegal Parking/Vehicles, Traffic Hazard)	30	21	27	2	6	4
Offense Against State (Drug, Warrants, Local City Ord)	4	14	9	4	7	5
Civil (Civil Service, Eviction Process)	2	14	10	0	0	1
Skate Park	24	30	22	0	0	0
Total	233	256	194	29	38	32

93 uncounted calls





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VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: Adoption of Revised Veneta Community Pool Employee Manual

Meeting Date: June 8, 2020
Department: Public Works

Staff Contact: Stacy Cornelius
Email: scornelius@ci.veneta.or.us
Telephone Number: 541-935-2191, ext. 315

ISSUE STATEMENT
Shall Council adopt revisions to the Veneta Community Pool Employee Manual?

BACKGROUND
On June 11, 2018, Council adopted Resolution No. 1250, which adopted the current Veneta Community Pool Employee Manual. Pool management staff has determined that there is a need to revise and update the manual to provide clarity and to address various changes to policy.

Policies updated include but are not limited to: the proper handling of chemicals, confidentiality in the workplace, pre-employment and reasonable suspicion testing of employees in safety-sensitive positions, smoking and tobacco use, cleaning procedures, and general use pool rules. Language to clarify items in the manual has also been added where necessary.

Staff is recommending that the updated manual be adopted by Resolution No. 1296.

RELATED CITY POLICIES
Resolution No. 1250 – A resolution adopting the current Veneta Community Pool Employee Manual.

COUNCIL OPTIONS
1. Approve the resolution as presented.
2. Approve the resolution with suggested changes.
3. Deny the resolution and provide direction to staff.

CITY ADMINISTRATOR'S RECOMMENDATION
That Council approve Resolution No. 1296 as presented.

SUGGESTED MOTION
"I make a motion to approve Resolution No. 1296, a Resolution adopting the Veneta Community Pool Employee Manual and repealing Resolution No. 1250."

ATTACHMENTS
None.

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CITY OF VENETA

RESOLUTION NO. 1296

A RESOLUTION ADOPTING THE VENETA COMMUNITY POOL EMPLOYEE MANUAL AND REPEALING RESOLUTION NO. 1250

WHEREAS, the City operates a seasonal swimming facility which employs approximately 20 seasonal part-time lifeguards and instructors; and

WHEREAS, the City of Veneta Employee Handbook does not cover all policies and information applicable to seasonal pool employees; and

WHEREAS, The Veneta Community Pool Manual (Manual) was created to provide systematic and equitable procedures and regulations specific to the operation of the pool and seasonal pool employees; and

WHEREAS, the Manual was last updated in June 2018 and adopted by Resolution No. 1250; and

WHEREAS, it was determined that portions of the Manual needed updating and clarifying,

NOW, THEREFORE, BE IT RESOLVED by the Veneta City Council that:

SECTION 1 Adoption. The Veneta City Council adopts the Veneta Community Pool Employee Manual by Resolution No. 1296 hereto attached and incorporated as Exhibit A.

SECTION 2 Repealing Clause. Resolution No.1250 is hereby repealed.

SECTION 3 Effective Date. This Resolution shall take effect on June 8, 2020.

PASSED AND ADOPTED by the Veneta City Council this _____ day of June, 2020.

XXXXXXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder

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VENETA
oregon
Inc.1962

VENETA
COMMUNITY POOL
Est. 2010

EMPLOYEE MANUAL

Adopted June 8, 2020 by Resolution No. 1296

Veneta Community Pool
Employee Manual

Introduction

The City of Veneta welcomes you. We hope your employment at the Veneta Community Pool proves to be mutually satisfying and beneficial. The Pool Manager will provide you with the support and the resources you need to perform your job effectively. If, at any time, you need assistance or guidance or do not understand something, please feel free to contact the Pool Manager or Human Resources personnel for help. We are here to help you succeed. When you succeed, we all do!

This manual should be used as a resource to provide you with important information regarding your employment at the Veneta Community Pool. You are expected to read this document to help familiarize yourself with our practices and procedures for the safety and security of your program participants. You will be required to sign the attached acknowledgement form after reading and understanding all of the contents of this manual. As a trained and valued member of Team Veneta, we expect that you will adhere to all policies and procedures as it is a condition of employment.

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SECTION 1 – General Rules and Procedures

The following are general personnel rules and procedures. These are to be followed as an employee of the City of Veneta and will be enforced as they are a condition of your employment. Many of these policies are explained in detail in the City of Veneta Employee Handbook. Where a discrepancy exists between this manual and the handbook, the handbook shall take precedence. A copy of the handbook is available in the pool office.

Employee Conduct and Responsibility

Accident/Injury Report:
An Accident/Injury Report must be completely filled out by the injured staff person for all injuries that occurred, regardless of severity. It must be submitted to the Pool Manager, or designee within 24 hours.

Alcohol and Drug-Free Workplace:
The City of Veneta has a responsibility to our employees and to the public to ensure safe operating and working conditions. The City protects the public and its employees by ensuring a drug- and alcohol-free workplace.

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. The illegal or unauthorized use, manufacture, distribution, sale, possession – including by consumption – of alcohol or a controlled substance, including improper use of prescription medications is absolutely prohibited.

Employees may also exhibit adverse effects from the use of over-the-counter medications or prescription medications which could affect their ability to effectively and safely perform their job duties. It is the employee's responsibility to communicate with their Supervisor in these instances so assignments can be altered or a substitute can be found to cover any shifts.

Lifeguards are considered safety-sensitive employees and are subject to pre-employment drug testing. In addition, the City maintains the right to conduct reasonable suspicion-based drug tests on employees in all safety-sensitive positions. Failure to pass a drug screen may result in disciplinary action, up to and including termination.

Arrival Time:
As an employee, you have been hired to work specific hours set forth by your Supervisor. You are expected to report to work, dressed and properly prepared to go on duty, at the beginning of your shift. It is strongly recommended that you arrive at the pool 5-10 minutes prior to the start of your shift, giving yourself adequate time to dress and get ready to work. Failure to arrive at the start of your shift dressed and ready to work constitutes tardiness. Instances of tardiness will be documented and may result in disciplinary action.

Attendance & Absenteeism:
Your work schedule is based on the program's needs and your availability. It is your responsibility to be on-site and ready to work for all your scheduled shifts, approved substitution shifts, trainings, in-services, and meetings.

Failure to report to work for a shift is defined as being absent. If you cannot work for any reason, it is your responsibility to find an appropriate substitute.

Please note: There is no pay for days missed due to illness, family emergency or unforeseen circumstances. Absenteeism that has not been covered by an approved substitute, not communicated to a Supervisor, and/or becomes habitual will be documented and may result in disciplinary action, up to and including termination.

Benefits:
Employees of Veneta Community Pool may use the pool for recreation and lap swims, free of charge. Employees using this benefit on days they are scheduled to work may do so only before or after their scheduled shift or on their unpaid 30-minute lunch break. This benefit does not extend to family members or friends.

Breaks & Lunches:
Depending on the length of the shift, a staff person may be scheduled for one or two 15-minute paid breaks and/or an unpaid 30-minute lunch.

The breakdown for scheduled breaks and lunches is as follows, as set forth by Bureau of Labor and Industries (BOLI):

- Under 4 hours = no paid break
- 4 – 5 hours worked = 15 minute paid break
- 5.25 – 6.25 hours worked = 30 minute unpaid lunch break
- 6.5 – 8 hours worked = 30 minute unpaid lunch break and a 15 minute paid break
- 8+ hours = 30 minute unpaid lunch break and two (2) 15 minute paid breaks.

Breaks and lunches may not be combined to form a longer break period. 15-minute breaks should occur about half-way through the first four hours of the shift. The 30-minute lunch break should occur about half-way through the entire shift. If a second 15-minute break is required, it should occur about half-way through the last three to four hours of the shift.

Breaks and lunches will be scheduled and staff is expected to take their break/lunch at this time. Staff may leave the Pool for their 30-minute unpaid lunch breaks as long as they return to their job position on time. If break times need to be altered, please coordinate the request in advance with the on-duty supervisor.

In the event of an emergency, staff on break and/or lunch are required to immediately end their break and respond to the emergency. The remaining portion of their break will be granted at a later time, once the emergency is resolved and normal operations resume.

Cellular Devices:
Use of cell phones and personal electronic devices are prohibited while on duty. This includes text-messaging. Please turn off or silence your cell phone and music device while at work and store them in an appropriate place. These items may be used on a scheduled break or lunch only. Using cell phones and personal music devices during work will result in disciplinary action, up to and including termination.

Mandatory Abuse Incident Reporting Policy:
If you suspect a child or person is the victim of abuse or neglect, follow the steps outlined below:

- Do not ask questions.
- Immediately report the comment/observation to the on-duty supervisor.
- Call the police (non-emergency unless imminent danger, then call 911).
- Document what was said and/or witnessed on an Incident Report.
- Keep all information CONFIDENTIAL.

There is no investigation on the part of City of Veneta staff. Law Enforcement and the Department of Human Services will conduct the investigation into all allegations.

Computer Use: The Veneta Community Pool is equipped with several computer stations. These are to be used by authorized staff members only. All use is to be for conducting City business only. Any unauthorized use will result in disciplinary action, up to and including termination.

Confidentiality:
Personal contact information (i.e. home phone numbers, addresses, birth dates, cell phone numbers, personal email addresses, etc.) and work schedules are considered private information. For the safety and security of our staff, personal information and/or work schedules are not to be given out to the public. If a person calls requesting personal information or a work schedule, please transfer them to the Pool Manager so legitimacy (i.e. job reference, etc.) may be ascertained before giving any personal information or schedules.

All information that is medical related or pertaining to a specific incident/accident/injury or rescue is confidential. Information obtained by staff about a person, be it a patron or employee, is not to be shared. If a person is injured at the Veneta Community Pool, staff must follow the Emergency Action Plan by properly documenting the injury on the Accident/Injury Report and notifying the appropriate Supervisor.

Many times, staff and patrons will ask how someone is doing, where someone is, why they are not working, etc. The response must be respectful of the employee or injured person and NOT disclose any medical information. This is compliant with the current HIPPA laws.

Emergency Contact Form:
At the new hire orientation, employees complete the Emergency Contact Form, listing important contact information, Completed forms are kept in each employee's personnel file at Veneta's Administrative Center. Copies shall be kept at the pool for quick access in case of emergency.

Employee Availability Form:
Pool staff will be scheduled based on the availability they provided on their Employee Availability Form during orientation. Should an employee wish to change their availability, they need to request a new form from the Pool Manager. Employees will be scheduled considering their availability form, though it does not guarantee their requested schedule. Employees will also be scheduled based on seniority, past job performance and shifts available, not necessarily in that order.

Employee Discipline Policy:
The principle objective of any disciplinary action is to correct the performance and maintain the efficiency of the staff. Improper staff conduct, failure to follow any and all applicable City of Veneta and Veneta Community Pool policies, procedures, and rules, and failure to perform your job duties are grounds for disciplinary action.

All disciplinary action is dealt with on an individual basis, depending on the seriousness of the infraction; work performance history; and outcome as a result of the infraction. Disciplinary action may include one or all of the following steps: Verbal or written counseling; verbal or written warning; change in assignment; reduction in assignment; demotion; suspension without pay; or termination.

Employment Status:
Veneta Community Pool employees are hired as a part-time, temporary, on call as needed, or seasonal with the City of Veneta. As such, Veneta Community Pool employees are not eligible for any benefits except those required by law. Employment is at the mutual consent of the employee and the City. Either the employee or the City can end the employment

or the relationship at any time in accordance with City procedures.

End of Season:
We encourage all pool employees to work through the end of the season. However, returning to school, vacations, and other activities prohibit some lifeguards from working the entire summer. Keep in mind that those individuals who remain throughout the pool season may receive higher consideration for employment for the pool next season.

Equipment:
It is the employee's responsibility to use the City's equipment in the manner in which it was intended, being respectful and using it in a safe manner. If an employee has not been trained on the use of a particular piece of equipment or have not received safety or operation instructions, they will seek and then follow that instruction prior to use.

Equipment that is damaged, broken, or missing pieces must be reported to the Pool Manager, or designee immediately. If it is unsafe to use, it must be made out of order until it is fixed or replaced. Employees should not attempt to fix or repair equipment unless given specific instruction from the Pool Manager. City of Veneta equipment may not be used for personal use and must remain on the premises unless permission has been granted for a City-related event.

Facility Closures:
The Veneta Community Pool is a seasonal pool. The pool will be closed on July 4th.
In the event of a natural disaster (i.e. earthquake) or other catastrophic event, the Veneta Community Pool may be closed. The decision will be made by the City Administrator. In the event the pool is closed, staff scheduled to work will be notified via phone and email, if possible. The pool will close during thunder and lightning storms, but will reopen 30 minutes after the last boom or strike.

Friends, Relatives & Visitors:
Friends, relatives, and visitors are not permitted in staff work areas. They cause a distraction to the staff members on duty and inhibit the employee from performing their job duties effectively.

Facility Keys and Buliding Codes:
Any keys and building codes required by Veneta staff will be assigned by the Pool Manager. Staff who are issued keys and codes are responsible for their safekeeping. Staff is not permitted to give or loan out their keysor codes to any unauthorized person(s). Keys may not be copied. Report missing or stolen keys immediately so they may be deactivated and proper security of the facility can be arranged. Upon termination or resignation, keys must be returned within 24 hours.

Lost & Found:
All items which are lost or found are to be placed in the lost and found bin and held for 30-days. Do not place wet items in the bins. The Veneta Community Pool will not hold lost and found underwear, socks, hair ties, or wet items. These items should be discarded when found. Items should not be removed prior to the time limit for any reason except when claimed by the rightful owner. The bins will be emptied on a regular basis by assigned staff.

Valuable items found, such as wallets, purses, expensive jewelry, or watches should be reported to a supervisor. The item must be logged into the Lost and Found Log by the supervisor and then placed in a locked drawer until claimed.

Minors in the Workplace:
In Oregon, people under the age of 18 are considered minors for purposes of

employment. Minors must be at least 15 years of age to work at the Veneta Community Pool. The City of Veneta complies with the state Safe Employment Act, wage payment laws, and all other state and federal employment laws.

Overtime:
Employees will not be scheduled shifts that exceed 40 hours in one work week, beginning Sunday and ending on Saturday. It is the employee's responsibility to not exceed 40 hours in one work week when substituting for other staff members or signing up for open shifts unless approved by the Pool Manager or Public Works Director. Violations will be subject to disciplinary action. Overtime is defined as exceeding 40 hours in one work week, beginning Sunday and ending Saturday.

Program Changes & Cancellations:
Program changes and cancellations will be made by the Pool Manager. Programs and classes may change or be cancelled due to scheduling conflicts, instructor illness, failure to meet minimum registration numbers, or other unforeseen circumstances.

If a program is changed (i.e. time/date), the staff affected by the change will be notified and appropriate action will be taken to inform the public/participants of the class/program changes. If a program is cancelled, staff will be informed of the cancellation and changes to their schedule. If necessary, signs will be posted to inform the public of the cancellation.

Public Relations & Media Control:
Veneta Community Pool staff is instructed to direct all questions and inquiries from the media (TV, newspaper, etc.) to the City Administrator, or designee. Staff is not to leave their area of responsibility to do this or to assist the media. Photographs are not permitted without prior approval. Staff is not permitted to answer questions from the media without prior approval.

Request for Time Off (vacations, extended absences, etc.):
Requests for time off should be made in writing and submitted with the Employee Availability Form for the specific term, or with at least a TWO WEEK notice from the start of the specific schedule. Supervisors will attempt to accommodate long vacations or extended absences on the schedule, however a submitted request does not constitute approval.

Once the work schedule has been posted, the employee is responsible for finding appropriate substitutes for all scheduled shifts which will be missed due to the vacation/absence. See Substitution Policy.

Safety:
It is the mission of the City of Veneta to provide a SAFE environment for every person in our facility. It is your responsibility to report any safety hazards to the Pool Manager, or designee, as soon as possible so it may be remedied as soon as possible. If it is something you can correct, please do so and inform a Supervisor. If it is something that cannot be immediately corrected, please remove the hazard or block off the area and report it to a Supervisor. Failure to do so may be considered negligent and the staff person will be subject to disciplinary action.

Schedules (Staff):
Veneta Community Pool staff schedules are completed and posted by the Pool Manager, or designee, for their specific job areas of responsibility. When preparing the staff schedule age of the employee is taken into consideration to ensure compliance with State Law regarding under age employees. Staff schedules are derived from the Employee Availability Form. Schedules are subject to change with little notice due to program changes, facility schedule changes, staffing changes or unforeseen circumstances. Staff is advised to refer to the AS OF date located in

the bottom left corner for the most updated schedule. It is the employee's responsibility to consult their schedule and know when they are working.

When changes to the schedule are made by the Pool Manager or Supervisor, employees will be notified as soon as possible in person or by phone call or text.

Smoking and Tobacco Use:
All City properties, including the Veneta Community Pool, parks, and parking lots are smoke-free, tobacco-free areas. This includes the outdoor pool deck. Employees are not permitted to smoke, vape, or use tobacco products while on duty. Employees may smoke on a scheduled break and are required to exit the facility and comply with state law and City code.

Staff Injury/Illness:
If an employee is injured on the job or becomes ill as a result of the job, the employee must report it to the on-duty supervisor and complete the required Accident/Injury Report.

Substitution Policy:
Substitutions are discouraged. If they are necessary, the completion of the process, as described below, needs to be completed at least 48 hours in advance of the start of the shift. Exceptions will only be allowed for verifiable emergencies. It is the staff person's responsibility to find an *appropriate* substitute for all assigned shifts he/she is not able to work. If an employee is not able to work their assigned shift, they need to follow these procedures:

- Obtain verbal approval from the Pool Manager, or designee, prior to completing Substitution Form.
- Complete the Substitution Form (see example) with accurate information.
- Make sure the substitute signs the form. Without their signature, the shift is still THE ORIGINAL EMPLOYEE'S responsibility.
- Give the completed Substitution Form to the Pool Manager, or designee, for approval. Approval will depend, in part, adherence to the 48 hour requirement.

Tattoos and Body Piercings:
All facial and body piercing must be approved by the Pool Manager. Any body art (i.e. tattoo) that is deemed offensive and/or inappropriate (i.e. foul language, obscene, prejudicial) must be covered up at work. Any body piercing that impedes your ability to do your job or puts both you and our patrons at risk of injury must be removed during your shift. It is at the Pool Manager's discretion to any questions of appropriateness or offensiveness. Given the public health implications, any employee who receives a new tattoo or body piercing may be removed from the schedule dependent on their job assignment, until the tattoo or piercing has healed.

Telephones (Pool):
Telephones are for City business only. Personal phone calls are not allowed except in case of emergency.

Answering the Phone
Phone calls received at the pool should be answered as follows:
"Veneta Community Pool, this is _____, how may I help you?" The employee answering the phone should then answer the inquiry or direct the phone call to the correct staff person to respond to the inquiry.

Etiquette
It is imperative that all phone calls are answered in a prompt, courteous, and friendly manner. Phones should be answered within three rings. If necessary, ask the caller if they can be placed on hold; thank the caller for holding when returning to the call.

Messages
It is imperative for the correct person to receive their phone messages. Messages should be clearly written and include: date/time of call, caller's name, caller's phone number, and any message.

Weapons:
No weapons of any type are to be brought into the Veneta Community Pool. Weapons found will be confiscated and the police will be contacted. Employees are required to notify the Pool Manager and complete an incident form if weapons are found and/or confiscated.

Exposure Control and Personal Protective Equipment

Personal Protective Equipment (PPE):
Due to the nature of the job positions and duties at Veneta Community Pool, staff has the potential to be exposed to various hazards, including but not limited to: heat; blood borne pathogens; cleaning solutions; environmental elements; and pool chemicals. As a result, employees are provided personal protective equipment and training on the proper use of this equipment in order to provide protection against potential hazards.

Pool Employees under 16 years of age shall not handle chemicals, enter mechanical room or operate the chair lift.

SECTION 2 – Emergency Action Plan

Veneta Community Pool has a comprehensive Emergency Action Plan (EAP). All employees receive a copy of this plan either at the new-hire orientation or at a pre-season in-service and are trained on the plan and procedures during trainings and in-services. Copies of the EAP are located at the front desk.

Dial 911 for an
Dial 541-682-4150 for a NON-emergency

Address: Veneta Community Pool
25190 East Broadway
Veneta, OR 97487

Phone: 541-935-4390

"Do you want Fire, Medical, or Police?"

- Response will vary according to the problem:
  - Fire: Burning fire, smoke, gas leak
  - Medical: Any injury or illness effecting Airway, Breathing, Circulation, Mobility, or excessive Bleeding
  - Police: Fights, theft, vandalism, etc.

EMS will ask you the following questions. Know the answers!

- Your name (and job position)
- Phone number you are calling from
- Address: 25190 E Broadway, Veneta, OR 97487
- What is the problem?
- How did it occur?
- Description of the injury/illness and condition
- Number of victims
- Victim's approximate age
- Victim's gender
- First aid and help being given
- Location in the facility

Do not hang up until EMS has told you to!

Location and Use of Emergency Equipment

The Veneta Community Pool has first aid and emergency equipment located throughout the facility. The majority of the first aid supplies

are kept in the First Aid station in the front office. Listed below are the locations of specific emergency equipment:

- **Automated External Defibrillator (AED):** The AED is a lifesaving device that when used quickly on a person with no signs of life, can dramatically improve their chances of survival. The AED must be brought to the scene of all emergencies. The AED is located in a wall-mounted rack on the back wall of the Front Lobby next to the door of the Pool Manager's office.

- **Backboards:** Backboards with head immobilizers are used by trained Lifeguards for the purpose of immobilizing persons in the water with suspected head, neck, or back injuries. A backboard may be used for a person on land if they are in a standing position and cannot maintain their position or if they must be moved from their current position. The backboards are located on the deck side of the pool building and behind the diving board.

- **First Aid Kit:** The first aid kit is located in the lobby to the left of the Pool Manager's office door.

Emergency Situations & Events

Bomb Threats:
All bomb threats must be reported to the supervisor on duty as soon as possible. Should emergency mode be activated by Chain of Command personnel or Emergency Services:

- Evacuate all patrons and staff.
- Set up an emergency triage area.
- Start evacuation at areas closest to danger area and direct traffic away from area.
- Provide clear access for responding emergency equipment and personnel.
- Provide progress reports at regular intervals to person in charge.
- Assure all employees are evacuated once all patrons are safely out.
- Upon request, provide assistance to Lane County Sheriff's Office or person in charge.

Earthquake:
In the event of an earthquake, if staff and patrons are outside, move everyone towards open areas away from trees and power lines. If staff and patrons are inside the facility, direct patrons to seek shelter in interior parts of the facility (i.e. hallways, locker rooms), away from windows and falling debris.

- Drop, cover and hold!
- Crouch under a desk, bench, or table.
- Keep away from filing cabinets, bookcases and other heavy objects.
- If possible, hold onto the furniture legs.
- If the furniture moves, move with it to remain under cover.
- Stay covered until the shaking stops.
- Prepare our patrons and staff to drop, cover and hold again for any aftershocks.
- Be prepared for the fire alarm and sprinkler systems to activate.

After the earthquake:

- Check for injuries and provide first aid
- Do not let patrons resume activities until facility has been checked for structural damage, broken glass, damaged equipment, etc. If necessary, evacuate the facility.
- Beware of falling debris and electrical wires
- Be careful of broken glass
- Do not use the telephone unless reporting an emergency (i.e. structural damage, gas leak, fire, major injuries)
- Be prepared for aftershocks.

Fire Alarm: When the alarm sounds the Pool Manager or on-duty Supervisor shall immediately go to the control panel and check which zone is alarmed.

- The Pool Manager or designee will go to the zone indicated and check for smoke or flames.
- If smoke or flames are detected, evacuate the building immediately and call 911.
- If the alarm is determined to be false:
  - Push the Alarm Silence (acknowledge) button

Hazardous Material:

A hazardous material release (chemical spill, gas leak) is considered an emergency when it presents a safety or health hazard to staff, public, or the environment and/or cannot be safely controlled or cleaned-up by one person.

A Person Discovering a Hazardous Material Release shall:

- Stay clear of all spills, vapors, fumes and smoke.
- Move and keep people away from the incident scene.
- Assume all gases or vapors are hazardous even if they lack odor or color.
- Do NOT use cell phones near the scene as they are UNSAFE in this environment.
- Call 911 and report the following:
  - Your Name
  - Telephone number calling from
  - Facility – Veneta Community Pool
  - Location and source of spill
  - Hazardous material name
  - Any persons needing medical treatment
- Notify the Pool Manager or the on-duty Supervisor
- If any person is suffering from apparent ill effects, MOVE the person to fresh air.
- Evacuate the building or area, using alternate exit route if necessary to avoid contact with the hazardous material.
- If chemicals come in contact with anyone's skin or eyes, flush with running water for 15 minutes.
- Advise the Fire Department of the extent of the contamination and the location of ill/injured persons.

Lightning:

In the event of lightning and/or thunder, the pool and deck must be cleared immediately. The pool area will reopen when lightning has not been seen and/or thunder heard for a minimum of 30-minutes and the storm appears to be clearing.

Missing Persons:

Pool staff has a responsibility to immediately respond and assist with the search for missing persons. In the event a missing person is reported to staff, immediately follow these procedures for attempting to find the person:

- Notify the on-duty Supervisor.
- Obtain information from the parent/guardian about the person: description, how long they have been missing, where they were last seen.
- Organize staff to begin a search of the facility, including clearing the pools.
- Check all areas of the facility until the person is found or all areas have been secured.
- Contact the Police using 911.

Violence in the Workplace:

Violence in the work place includes the display of weapons, threats to patrons and/or staff, fights, altercations, etc. In the event of a violent situation:

- Clear patrons and non-essential staff from the area for their safety and protection.
- Contact 911 or have another staff person contact 911.
- Do not try to physically break-up a fight.
- If directed to leave with a violent offender, do not go!
- Complete the Accident/Injury Report any time:

  Staff provides first aid to a patron.
  Staff gives a patron a Band-Aid or ice pack.
  Staff witnesses a person have an accident and responds, but the person refuses first aid treatment. OR

A person reports to a staff person they were injured but refuses first aid treatment.

There is a statement at the bottom for patrons to complete if they refuse first aid treatment.

Complete the Incident/Disciplinary/Problem Report for the following issues/situations:

- Theft (i.e. from locker room; from lockers; from pool deck)
- Fights/altercations (i.e. verbal abuse, fist fight, argument between patrons or with staff)
- Vandalism (i.e. graffiti, "soap throwing")
- Illegal entry (i.e. failure to pay, not signing in after providing instruction)
- Failure to follow facility rules (i.e. failure to wear proper attire after being directed by staff)
- Anytime a person is expelled from the facility.

Complete the Lifeguard Rescue Report for the following situations:

- Anytime a lifeguard makes a rescue or reaching assist of a distressed swimmer.
- Anytime a lifeguard makes a rescue or reaching assist of an active drowning victim.
- Anytime a lifeguard makes a rescue of a passive drowning victim.
- Anytime a lifeguard responds to an in-water suspected spinal injury.

Completing Reports:

Reports are the City's documentation about the incident, injury, or rescue. It is necessary staff completes these reports accurately and obtains as much information regarding the incident/injury as possible. Reports must be COMPLETELY filled out in a timely manner, with nothing left blank.

- If the person does not know the specific information, write "Unknown"
- If the statement is not applicable, write "N/A" or "Not Applicable"

Information on the reports must be ACCURATE, OBJECTIVE and FACTUAL to the specific incident/injury/etc.

- Information about who was involved, what happened, when it happened and when it was reported, where it happened, how it happened, why it happened, and what was done by staff to help the who is necessary information.
- All reports are official documentation and may be used in the event of an investigation or claim.
- When the report is completed, put it in the appropriate Pool Manager's inbox for review and follow-up.

SECTION 3 – Facility Rules and Policies

The Veneta Community Pool has facility rules and policies posted throughout the facility. Patrons and staff are expected to follow these policies.

General Facility Rules

- Participants assume all risk of personal injury, death, and/or property damage resulting from the use of equipment and services offered by the City of Veneta and its agents.
- All rules and requests made by the pool staff must be followed. Veneta Community Pool reserves the right to refuse service to anyone who does not follow the requests made from pool employees or any City of Veneta staff.
- Persons under the influence of alcohol or drugs (or smell of alcohol or drugs) are not permitted to use the facility.
- Animals are not permitted in the facility.
- All patrons entering the facility during Family Swim times are required to pay the facility admission fee.
- Spectators are to sit in the designated areas during business hours, including:

group and private lessons, open swims, and special events.
- No smoking on City property, including facility, park, and parking lot.
- Children age 7 years and under must be accompanied by an adult at all times.

Code of Conduct

- Actions threatening the safety and wellbeing of yourself or others will not be tolerated.
- Please report any concerns immediately to a staff person.
- Veneta Community Pool is not responsible for lost or stolen items.
- Foul or abusive language will not be tolerated and may result in expulsion from the facility.

Fees/Cancellation/Refund Policy

- All fees will be collected during registration.
- Cash, check, Visa, and MasterCard are accepted.
- Resident is defined as any individual living within the City limits of Veneta.
- Full refunds and credits will be given when the City of Veneta cancels or postpones a class.
- When a class refund is requested by the participant, the refund will be prorated from the date of the request; a service charge of $5.00 will apply to refunds.
- All classes have a minimum enrollment and may cancel as early as 10 days before the class starts if the minimum enrollment is not met.
- Please allow up to 4 weeks to receive a refund.
- No cash refunds.

Spectator Rules

- Spectators are not allowed on deck. Spectators must sit in designated spectator areas.
- Spectator seating available in designated areas only.
- Food and beverages allowed in spectator area only.
- Glass containers and gum are not allowed in the facility.
- Children age 7 years and under must be accompanied by an adult at all times.
- Horseplay, running and fighting are not allowed.
- Do not leave personal belongings unattended.
- Veneta Community Pool is not responsible for lost or stolen items.

Pool Rules

- Children age 7 and under must be accompanied by an adult in the water with them at all times.
- Swimsuits must be worn in the pool. No cotton is allowed in the pool.
- No diving – except in designated diving areas.
- Jumping must be done facing the pool.
- Flips, back dives, and backward jumping are not permitted.
- Infants and toddlers who are not toilet trained must wear a swim diaper covered by a waterproof, leak-proof vinyl diaper cover. No cloth or disposable diapers are allowed.
- Profane and indecent language or behavior is prohibited.
- Horseplay, running, and fighting are not allowed.
- Swimmers must follow staff instructions.
- Only Coast Guard approved lifejackets are allowed as flotation devices in the pool.
- Spectators are not allowed on deck. Spectators must sit in designated spectator areas.

Safety Rules (in addition to those above)

- Masks (no glass lenses) and fins are allowed at all times. Snorkels are allowed during Lap Swim only.
- Kickboards are allowed during Lap Swim only and during Preschool Swim/Open Swim with parent supervision if used

properly. Kickboards are not permitted during Recreation Swim.
- Water wings, inflatable tubes, or swimsuits with integrated flotation devices (whether sewn in or not), and similar devices are not allowed in the pools unless they are marked as Coast Guard Approved.
- Spectators are not allowed on deck. Spectators must sit in designated spectator areas.
- Profane and indecent language or behavior is prohibited.
- Swimmers must follow Staff instructions.
- Only Coast Guard approved lifejackets are allowed as flotation devices.

Lap Swim Etiquette

- Circle swimming is required with 3 or more swimmers in a lane.
- Circle swim counterclockwise and stay to your right.
- Choose a lane compatible with your speed.
- To let someone pass, stop at the wall.
- Diving is prohibited from the shallow end or starting platforms.
- Check your direction frequently when swimming on your back.
- Children who show ability to swim laps may be given permission to do so by staff.

Diving Board Rules

- Swimmers must pass the Deep Water Swim Test before using the diving board if age 15 years and younger.
- One person on the diving board or ladder at a time.
- Divers must wait on deck until previous diver reaches ladder.
- Only one (1) bounce is allowed per dive.
- Dive or jump forward from the board.
- Exit water immediately using the closest ladder.
- Swimming under the board is prohibited.
- Adjustment of the fulcrum is prohibited, except by a staff member.
- Swimmers must stay out of diving area.
- Catching a person going off the board is prohibited.
- Equipment is not allowed on the diving board.
- No horse play allowed.
- Failure to use safe diving practices may result in serious injuries. Staff has the authority to revoke diving privileges for repeat offenders.

Deep Water Swim Test

- Persons aged 15 years and younger are must first pass the Deep Water Swim Test before being allowed to swim in the deep end of the main pool. .
- To pass the Deep Water Swim Test, the patron must be able to perform the front crawl **WITH FACE IN THE WATER** for 25 meters/yards (length of the pool).

Health Rules

All health rules are mandated by the State of Oregon Health Department.

- All persons must take a cleansing shower before entering the pool
- All persons must wear appropriate, clean swim attire. Cotton shorts, cutoffs, or shirts are not allowed. Undergarments are not allowed.
- Infants and toddlers who are not toilet trained must wear a swim diaper covered by a waterproof, leak-proof vinyl diaper cover.
- Persons suffering from a communicable disease transmissible via water, wearing Band-Aids, and/or having an open wound shall not use the pool.
- Spitting, spouting, or nose-blowing in the pool is strictly prohibited.
- Persons under the influence of alcohol, drugs, marijuana, or other potentially impairing substances will not be permitted in the facility.
- Smoking or tobacco use is not permitted anywhere in the facility, park, or parking lot.

- Food and beverages are allowed in the lobby and designated spectator areas only. No gum allowed in the facility.
- No spitting in drinking fountains.

Locker Room Rules

- Children age 5 years or older are not allowed in the locker rooms of the opposite gender; family changing rooms are available.
- Food and beverages allowed in spectator and lobby areas only.
- Cell phone, camera, and video camera use is prohibited.
- Actions threatening the safety and wellbeing of yourself and others will not be tolerated.
- All persons are required to take a cleansing shower before entering the pool.
- Profane and indecent language or behavior is prohibited.
- Please report any concerns to a staff member immediately.
- Veneta Community Pool is not responsible for lost or stolen items.

Family Change Room Rules

- Family Change Rooms are available on a first-come, first-served basis.
- Personal belongings are not to be stored in changing room while using the facility.
- Do not leave personal belongings unattended.
- All persons must shower before entering the pool.
- Actions threatening the safety and wellbeing of yourself and others will not be tolerated.
- Please report any concerns to a staff member immediately.
- Veneta Community Pool is not responsible for lost or stolen items.

Vending Machine & Locker Rules

- Hitting, rocking, attempting to unlock, or otherwise tampering with the vending machine may result in expulsion from the facility
- Refunds for machine malfunctions shall be granted by refunding the cash or by obtaining the requested product from the vending machine.

    - If a cash refund is given: record the person's name and refund amount on the Vending Refund Form.
    - If product is requested, the request shall be communicated to the Pool Manager, or designee. They are the only staff members allowed to access the vending machine.
- Pool staff has the right to refuse anyone a refund if they determine that the person has requested one or more refunds during the season.
- Stocking and removal of product or cash from the vending machine/lockers is solely the responsibility of the Pool Manager or designee.

SECTION 4 – Lifeguard-specific Rules and Procedures

Lifeguards are responsible for ensuring the safety and well-being of all patrons who use the swimming facility. In addition to this, Lifeguards are responsible for, but not limited to, the following duties:

- Ensuring guest protection and safety by constant vigilance and scanning while at their assigned guard station.
- Completing facility walk-throughs and patron checks of the Family Change Rooms, and the appropriate gender locker room.
- Completing maintenance tasks.
- Maintaining current certifications in Lifeguard Training, First Aid, and CPR/AED for the Professional Rescuer.
- Completing in-services and attending meetings and in-service trainings.
- Administering Deep Water Swim Tests.

- Responding to accidents, incidents, and injuries quickly and appropriately.

Examples of Essential Work (Illustrative only):

- Supervises use of facility to prevent accidents, including enforcing rules, providing assistance to at-risk swimmers, performing emergency rescues, ensuring swimmers are in a safe area during swimming lessons, and cooperating with other lifeguards to oversee all zones when a(n) rescue/assist is performed;
- Performs various maintenance and janitorial duties, including controlling water quality through chemical and mechanical testing, sweeping the pool deck, removing leaves, changing garbage bags, scrubbing diving boards, deck, and spectator area, cleaning locker room, staff area, and restrooms, disinfecting counters, sinks, and toilets in restroom, washing windows, cleaning mirrors, supplying restrooms with toilet paper, monitoring cleanliness and safety of all areas by performing walk-throughs regularly and removing hazardous matter from any area;
- Administers first aid and/or CPR to accident victims, including alerting other lifeguards to oversee all facility zones in the event of an accident, and continuing education regarding when and how to perform first aid;
- Performs various public relations duties, including acting courteously to create a friendly, caring, and welcoming atmosphere, and acting as a liaison between the public and Community Pool supervisors;
- Keeps immediate supervisor and designated others accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings and training sessions and reviews publications and audio-visual materials to become and remain current on principles, practices, and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with others as appropriate to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Additional Duties:
Employees who have finished their work (i.e. maintenance tasks, walk-throughs, projects, etc.) before their shift is over, or if business is slow, need to contact the supervisor for additional tasks to be assigned.

Maintenance & Cleaning Tasks:
All positions at the Veneta Community Pool include cleaning and maintenance tasks. These are a requirement of the job and important for creating and maintaining a safe and welcoming environment for all pool patrons. Proper cleaning practices and protective equipment, including proper footwear, shall be used when completing maintenance and janitorial tasks.

Personnel Policies – Lifeguard

Appearance and Uniform Policy:
Lifeguards must display proper hygiene and wear the appropriate uniform. Uniforms should be clean and in nice condition, free of stains, wrinkles and tears.

The following is the uniform policy for Lifeguards. This policy will be strictly adhered to at all times.

- Each Lifeguard will receive one shirt and one whistle and lanyard.

- Uniforms are to be kept in good condition (i.e. clean, wrinkle-free, and free of rips & tears).

Shirt: Guard T-shirt or tank top with City logo. Shirt must always be worn while on duty, unless providing swim instruction. Additional guard shirts are available – see Pool Manager.

Shorts: Red swim shorts with white cross and GUARD printed on leg. Shorts shall be of modest length meaning they MUST cover the buttocks. Guard shorts must always be worn while on duty.

Shoes: Footwear must be worn at all times. No lace-up shoes (i.e. athletic shoes).

Hat: Straw hat or baseball cap/visor with guard logo is recommended, but *optional*, for guarding the outdoor pool.

Swim suit: Female staff must wear the required guard shirt/tank top, or a guard suit, and shorts. Suits MUST be worn with shorts and must be one piece, red in color, and must indicate "guard" or "lifeguard". No bikinis. Male lifeguards are to wear shorts and a t-shirt.

Whistle & Lanyard: A lanyard and whistle must be worn at all times while on duty.

Rescue Tube: Must be properly worn at all times whenever guarding. When leaving the deck, store tube in its proper place.

Fanny Pack: A fanny pack with pocket mask, gloves, and first aid supplies, must be worn on the waist at all times while on duty. At the end of your shift, store fanny pack in the front office.

Sweatshirts/wind breakers: Red sweatshirts and windbreakers are *optional* and may be worn during your shift due to colder temperatures. Must be red and indicate "guard" or "lifeguard".

Sweatpants: Red or black sweatpants are optional and may be worn during your shift due to colder temperatures.

Polarized Sunglasses are recommended when working at the pool. Hats and sunscreen are strongly advised for personal sun protection while guarding the outdoor pool. .

At any time if your swimsuit or uniform is determined to be inappropriate or unprofessional looking (i.e. dirty, damaged, stained, etc.) by a supervisor, you will be required to change immediately into a "loaner" uniform until either the uniform is cleaned and/or a new one is purchased.

Break vs. Off Rotation:

A BREAK is a paid 15-minute break or unpaid 30-minute lunch break scheduled by a supervisor based on the length of the scheduled shift(s).
OFF ROTATION is when a lifeguard has rotated off the lifeguard stand. This is NOT break time, rather a time for completing a facility walk-through, doing assigned maintenance duties, using the restroom, etc. This is **not** time for making personal phone calls, eating, or chatting/hanging out with other staff.

Chemical Handling:

Under no circumstance are pool employees to handle hazardous chemicals or additives used to maintain proper pool chemistry.

General cleaning supplies are provided and, as required by OSHA, Safety Data Sheets for all cleaning agents are available for review in the pool office.

Cleaning supplies must be labeled properly and stored in a locked storage room. Do not mix chemicals together.

Do not leave any supplies on the pool deck, locker or family changing rooms, or within patron reach.

Employees are required to wear personal protective equipment appropriate for each task.

Food, Meals, and Beverages:
Lifeguards are not permitted to eat while at work. Lifeguards should arrange their mealtimes for either before their shift, after their shift, or during a scheduled 15-minute break or 30-minute lunch break. Meals/snacks are not to be eaten during the "off rotation" times unless permitted by Pool Manager, or designee.

Plastic water bottles containing water, ice tea, or other like beverages are permitted on the guard stand and at guard stations. Glass bottles or coffee mugs are not permitted on the pool deck or in the office at any time.

Meetings, Trainings and In-services:
Prior to the assignment of shifts, new Lifeguards complete a New Lifeguard Orientation, reviewing pool policies, procedures, emergency action plans, etc. and complete two or three "shadow" shifts.

All lifeguards are required to attend Mandatory In-service trainings, typically 4 hours long. There are no make-up sessions offered.

In addition to the in-services, Lifeguards are required to complete "mini" in-services. The in-services focus on various topics, including water rescue techniques, CPR skill review, physical fitness, customer service, and other items. These in-services are to be completed during the course of a shift, either right before the shift, during the shift while off rotation, or right after the shift ends. These in-services are mandatory and a condition of employment. Failure to complete the mini in-services will result in disciplinary action, up to and including termination. Lifeguards who fall excessively behind will no longer be eligible for assigned shifts, subbing, or taking open spots until they make arrangements for make-ups with the Supervisor.

Meetings, trainings, and in-services are mandatory and a condition of employment. If there is a schedule conflict, it is the employee's responsibility to communicate the conflict with their immediate supervisor and schedule a time to make-up the session if possible. Failure to attend a mandatory in-service will result in disciplinary action, up to and including a Written Warning placed in the employee's personnel file, and possible termination.

Parking Lot Safety:
Employees are to obey all traffic laws and drive safely and respectfully in and around the pool parking lot and surrounding neighborhood.

Safety:
The safety of all swimmers in the pool is a Lifeguard's number one priority. It is essential that Lifeguards remain vigilant and continuously scan to ensure guest protection at all times.

It is the responsibility of a Lifeguard to immediately report any hazard or potential hazard to the Pool Manager so it may be remedied as soon as possible. If it is possible, remove or block the hazardous equipment, etc. from use so that any potential injuries may be avoided. Failure to do so may be considered negligent and the staff person will be subject to disciplinary action.

Lifeguards must completely clear the pool area, locker rooms, and lobby of all patrons and visitors before leaving the pool deck.

Lifeguard chairs are for employee use only. Jumping off of the lifeguard chair by pool staff in a non-emergency situation is prohibited.

Pool staff are prohibited from swimming under or running across pool covers, or swimming in or under the "TOT DOCK". Failure to comply with this rule will result in disciplinary action, up to and including termination.

Under no circumstances are patrons allowed in the supply room, chemical or mechanical rooms.

Schedules (Staff):
Lifeguards have a weekly schedule. The schedule will be posted at the front desk. Staff schedules are derived from the Employee Availability Form. Schedules are subject to change with little notice due to program changes, facility schedule changes, staffing changes or unforeseen circumstances. Staff is advised to refer to the AS OF date for the most recent schedule.

Emergency Action Plan – Lifeguard Guidelines

As a first responder, Lifeguards play a vital role in activating the Emergency Action Plan and quickly and appropriately responding to any incident, accident, injury, or emergency situation that occurs at the pool. Listed below are the Lifeguard guidelines in the event of an emergency, based on the emergency level.

Whistle Codes:

Lifeguards use three different whistle codes to alert co-workers and patrons:

- One short whistle blast: Used to get a patron's attention to give corrective information.
- Two short whistle blasts: Used to alert other lifeguards when a guard is leaving their zone uncovered in the event of a reaching assist, rescue, or injury.
- One long blast: Swim session is over.
- Three long whistle blasts: Used to clear the pool in the event of an emergency/evacuation.

Level 1 Emergency – Code Blue:

In the event of a Level 1 – Code Blue emergency, the Lifeguard will be a first responder or second responder in the event of a water emergency, in this case, a simple rescue. Lifeguards may also be a first responder or second responder for land-based emergencies or provide additional support as directed:

Staff Recognition

- Activate Emergency Action Plan
- Send staff to notify Supervisor and Cashier
- Back-up guards cover the responding guards zone

General Rescue Procedures

- Survey the scene
- Enter water safely
- Make appropriate rescue
- Move victim to safety
- Remove victim from the water
- Provide emergency care as needed

At the conclusion of a Level 1 – Code Blue emergency

- Check equipment
- Complete appropriate Reports
- Take corrective action if needed

Level 2 Emergency – Code Yellow:

In the event of a Level 2 – Code Yellow emergency, the Lifeguard will be a first responder or second responder in the event of a water emergency, or may be required to assist with clearing the pools, providing back-up coverage, etc. Lifeguards may also be a first responder or second responder for land-based emergencies or provide additional support as directed:

Staff Recognition

- Activate Emergency Action Plan
- Send staff to notify Supervisor and Cashier
- Back-up guards cover the responding guards zone
- Back-up guards clear pool if needed and provide crowd control

- Back-up guards assist with rescue and treatment if necessary

General Rescue Procedures
- Survey the scene
- Enter water safely
- Make appropriate rescue
- Move victim to safety
- Remove victim from the water
- Provide emergency care as needed

At the conclusion of a Level 2 – Code Yellow emergency
- Check equipment
- Complete appropriate Reports
- Take corrective action if needed
- Staff debrief

Level 3 Emergency – Code Red:
In the event of a Level 3 – Code Red emergency, the Lifeguard will be a first responder or second responder in the event of a water emergency, or may be required to assist with clearing the pools, providing back-up coverage, getting first aid equipment (i.e. AED), etc. Lifeguards may also be a first responder or second responder for land-based emergencies or provide additional support as directed:

Staff Recognition
- Activate Emergency Action Plan
- Send staff to notify Supervisor and Cashier
- Back-up guards cover the responding guards zone
- Back-up guards clear pool if needed and provide crowd control
- Back-up guards assist with rescue and treatment if necessary

General Rescue Procedures
- Survey the scene
- Enter water safely
- Make appropriate rescue
- Move victim to safety
- Remove victim from the water
- Provide emergency care as needed

At the conclusion of a Level 3 – Code Red emergency
- Check equipment
- Complete appropriate Reports
- Take corrective action if needed
- Staff debrief

Level 4 Emergency – Evacuation:
These emergencies are an expansion of a Level 3 Emergency as determined by the Chain of Command person in charge. Level 4 Emergency is the highest level of emergency response and generally requires a determination on the evacuation of the facility. For this reason, Level 4 Emergencies require verification and direct supervision from facility chain of command personnel. Examples of incidents that could lead to a Level 4 Emergency include: fire, bomb threat, riot, power outage, structural or mechanical failure.

In the event one of these emergencies occurs and a Supervisor is not on duty, contact the Pool Manager immediately. If not available, continue through the Chain of Command until you reach a Supervisor and can brief them on the Level 4 – Emergency.

A Supervisor will provide flashlight for lifeguards, which are stored in the front office. All other staff will obtain flashlights, if needed, to assist patrons with evacuating from their respective areas.

Lifeguards will use flashlights (if needed) to assist patrons in finding their belongings in the locker rooms, getting dressed, and exiting through the front doors. Once the locker rooms and family change rooms are clear of all patrons, the lifeguards will notify the on-duty Supervisor, assist other areas as needed, then exit through the front doors.

Lifeguard Procedures

Bathroom/Locker Room/Family Changing Maintenance:

Bathrooms and Locker & Family Changing Rooms must be hosed down, or mopped, and cleaned every day and as often as necessary. Generally, all rooms are cleaned during off-rotation, between swim sessions and swim lessons, and at the close of each day.

- Inspect bathrooms for loose debris such as paper, trash, etc.
- Clean sinks, toilets, urinal, mirrors, and counters
- Hose down or mop floor
- Empty trash.

Cleaning Procedure for Fecal Matter/Vomit in Pool:

It is very important to handle the situation promptly and professionally by following these guidelines:

- Clear the pool of swimmers.
- Use skimmer net and vacuum to remove any solid material and dispose of properly.
- Close pool for 30 minutes after removal of fecal matter or vomit.
- Raise chlorine level in contaminated area.
- Complete the "Fecal & Vomit" log/form located in the pool office.
- Notify Pool Manager of start time of pool closure.

Opening Procedures:

Two lifeguards are assigned to open the pool each morning.

- Enter though the front doors.
- Check in with the Supervisor if on duty.
- Complete a facility walk-through and corrective maintenance as necessary.
- Check the pool deck to ensure proper set-up for morning programs and classes.
- Check fanny packs for proper equipment; restock as necessary.
- Upon opening the pool for use, Guard #1 goes out on the Pillar stand as the facility opens.
- Guard #2 begins assigned maintenance duties.

Closing Procedures:

Lifeguards are responsible for clearing the pools and completing closing maintenance duties at the end of their closing shift.

- At the end of Recreation Swim, clear the pools using one long whistle blast.
    - Remain at your lifeguard station until all pools and decks are clear of patrons.
- Return to Lobby.
- Put away rescue tube. Fanny packs must be worn during maintenance.
- Until end of shift, or when tasks are done, complete assigned maintenance tasks.
    - Clean and put away any maintenance equipment used.
- Upon completion of assigned maintenance tasks, initial the task as complete in the Maintenance log book.
- Check in with Supervisor for additional tasks or clearance to leave.
- Put away fanny packs. Do not leave in Changing Rooms!

Deep Water Swim Test Procedures:

Persons age 15 years and younger are required to take the Deep Water Swim Test which is performed in the pool during Recreation Swim.

To pass the Deep Water Swim Test, the patron must be able to perform the front crawl **with face in the water** for 25 meters/yards (length of the pool).

Scanning and Surveillance:

The most important duty of a lifeguard is patron surveillance or scanning. Effective surveillance or scanning allows you to recognize behaviors and/or situations that may lead to life-threatening emergencies.

<u>5-Minute Scan Strategy</u>: Research has shown that after 15-minutes on a task, a person's performance on that task gets worse. "The Five Minute Scanning Strategy helps lifeguards stay physically more awake by promoting a higher respiratory rate and helps them stay mentally more alert by changing the mental

process every five minutes"
(www.aquaticsafetygroup.com.fiveminutescan.html)

Every 5-minutes, a lifeguard needs to change each of the 4 P's to maintain visual acuity and alertness:

- Pattern – change the pattern of the scan.
- Posture – change their posture (sitting, standing, and strolling).
- Position – change position (right side of stand; left side of stand, etc.).
- People – do a patron check (count patrons; mock scenario in mind).

Maintenance Procedures:

Lifeguards have daily maintenance tasks assigned for morning/day time staff and evening/closing staff. These tasks are listed in the Maintenance Log Book. Tasks are to be completed each day by those assigned to work. When complete, they must be initialed in the book as completed. Tasks are subject to change and new duties may be added or deleted as needed.

Off Rotation Walk-Through:

When a lifeguard rotates off a guard station on deck to the "off rotation" station, the guard is required to begin a loop, providing additional supervision in the locker rooms and family change room hallway until it is their time to rotate back to a lifeguard station on deck. Please follow these steps:

1. Hang up rescue tube.
2. Grab a dust pan and broom OR a rag and bottle of cleaner.
3. Begin your loop as follows:
    a. Locker Room (appropriate gender)
    b. Pool perimeter drains and spectator areas
    c. Family Change Room hallway
    d. Well check of patrons on deck.
4. Repeat steps a., b., c., and d. until it is time for you to rotate to a lifeguard station on the pool deck.

While in the locker rooms, lifeguards can complete the following tasks: sweep floor, wipe down counter tops, wipe down mirrors, clean insides of lockers and more.
This is a good time to wipe down windows, spot clean in the shower, and complete other minor tasks. On the deck, pick up litter, clear debris and leaves from perimeter drains, empty garbage cans.

As a reminder, the "off rotation" station is NOT a break station. Lifeguards are permitted to use the restroom and get a drink to re-hydrate before beginning their facility walk-through.

Pool Set-up (Recreation Swim):

For Recreation Swims, the pool is set up within the 10-minutes prior to the start of the Recreation Swim.

- Remove all lane lines from the pool.
- Put away kickboards and other lap swim equipment.

Pool Set-up at Close: At close, the pools need to be set-up as follows so it is ready for the next mornings' programs and classes.

- Remove ropes from Recreation Swims.
- Cover Pool

Rotations:

Lifeguards follow a 30-minute rotation during non-Recreation swim times. During Recreation Swims, lifeguards follow a 15-minute rotation. Special rotations are developed for special events, rentals, and events when extra guards and/or guard stations are required.

Rotations for Recreation Swims and other times requiring a lifeguard rotation are created by the Pool Manager or Head Lifeguard. Rotations are written on the wipe board in the office. Lifeguards are not permitted to alter the rotation.

SECTION 5 - Swim Lesson Instructors Rules and Procedures

Job Description: Swim Instructor

General Statement of Duties
Conducts basic and advanced specialized swimming instruction for the patrons of the Community Pool; performs directly related work as required.

Examples of Essential Work (Illustrative only)

- Provides basic, advanced and specialized swimming instruction to Community Pool patrons according to a prescribed routine and curriculum in a manner consistent with Pool policies and procedures, including planning, organizing, scheduling, and teaching classes, and conducting adaptive aquatic programs for persons with special needs, adults and other specialized groups;
- Tests program participants for swimming, basic and advanced skill levels, including appropriate level placement, passing participants for participation in more advanced classes, and keeping parents informed of their child's progress;
- Monitors the use of the swimming pool;
- Performs positive public relations duties, including patrolling the swimming pool and aquatics facility, participating in creating a friendly and safe environment, and acting as a liaison between the general public and Pool supervisors;
- Performs record keeping and related clerical duties, including maintaining class records of student progress, and providing information and assistance in person or by telephone regarding schedules, programs, and related information;
- Performs various maintenance and janitorial duties as assigned;
- Administers First Aid and/or CPR to accident victims, including alerting lifeguards to oversee all facility zones in the event of an accident;
- Keeps immediate supervisor and designated others accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops, and training sessions and reviews publications and audio-visual materials to become and remain current on principles, practices, and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with others as appropriate to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Swim Instructor Procedures

Achievement Cards:
Achievement cards must be filled out properly and completely prior to the last day of lessons. Check names for correct spelling. Make sure the exit skills checked off on the card correspond to the skills the student is able to successfully complete and match the next level recommended for registration.

Do not skip the child a level because you think they did really well in your level. If a child performs well such that they "should" skip a level, have the child assessed by the Instructor who teaches the next level to make sure they have the skills to skip the next level and be successful in future lessons.

Class Attendance:
Swim Instructors need to take roll day 1 and day 2 of the session. If there is an extra child in the class, do not just teach with the child in class, get the Supervisor so we can find the student's proper class or get the Instructor an updated class list.

Class Levels:
Students are placed in a class level based on the skills they exhibit in an assessment or as determined by their parent/guardian. At times, a student may be placed in the wrong level, either too high or too low for their skill level. It is the Instructor's responsibility to accurately assess their skills on the first day of class. If a student is in the wrong level, discuss it with the Head Lifeguard or Pool Manager. Efforts will be made to place the student in the correct level if the class is available and there is room in the class.

Communication:
Excellent communication is vital as a successful swim instructor. As an Instructor, you are expected to communicate with your students, their parents, and each other in a positive manner. Remember that patrons (i.e. parents and children) are always watching and listening. It is imperative that Instructors have work-appropriate conversations during the time before, between and after swim lessons.

<u>Communication with Students</u>
- Ask the students "What is my name?" every class.
- Be able to tell each student their name.
- Remember your manners…use "please" and "thank-you" when appropriate.
- Use positive reinforcement.
- Continually inform your students of the rules and consistently enforce them.

<u>Communication with Parents</u>
- Speak with every parent in your class by the halfway point of lessons.
- Introduce yourself and look them in the eye when speaking and listening.
- Discuss how their child is progressing or not progressing in the class.
- Discuss where their child is at for their class level.
- Give positive feedback regarding their child.
- Ask questions if you have concerns about the child's behavior.

<u>Communication with other Instructors & Supervisors</u>
- Ask for help if you need it!
- Be courteous to each other. The public is watching and listening at all times.
- Pay attention to how you interact with each other (language, vocabulary, body language, gestures, etc.)
- Communicate concerns about another instructor to the Recreation Program Supervisor.
- Communicate program concerns to the Pool Manager.

Lesson Plans:
Lesson plans are used for all levels of swim lessons except private and semi-private swim lessons. For program consistency and proper skill progression, lesson plans are pre-made for each class day of each class level. Instructors don't have to follow the lesson plans exactly but do need to follow ALL THE SKILLS on the plans. It is the instructor's responsibility to retrieve the correct lesson plan and follow the plan for the day.

Other Swim Lesson Information:
- Do not let anyone get in the water before their lesson begins. Students need to wait at the wall under their class sign for the Instructor to come and get them.
- At the end of the lesson each day, play a game or sing a song to cue the parents that class is over. This is something you really need to enforce with parent/child and teen/adult lessons as well as all other levels.

- Just because a student is registered for a certain level does not mean they have the skills to be in this level. It is the Instructors' responsibility to recommend the appropriate level class.
- NEVER turn your back on the class. Instructors must keep their eyes on their students at all times to ensure safety!

Pass/No Pass:
At the conclusion of the swim lesson session, Swim Instructors are required to complete Pass/No Pass notations for the students in their different classes. These are done on the roster sheets and submitted to the Pool Manager. Pass/No Pass entries are entered into CLASS to enable tracking of classes passed or failed for future swim lesson registrations.

Swim Aides:
A Swim Aide is responsible for helping students to the correct class, retrieving classroom aids and toys for an instructor, assisting in a large class or with a particular child in a class.

When assisting with classes, Swim Aides shall supervise students on the wall. Swim Aides are not allowed to move the "Tot Dock" in or out of the water.

Swim Aides are expected to adhere to all pool rules. Violations can result in disciplinary action including dismissal.

Welcome Cards:
Swim Instructors must fill out welcome cards and hand them out to the parent of each child in their swim lesson classes. This enables the parent to know your name as the children will often forget.

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VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: Adoption of Revised City of Veneta Employee Handbook

Meeting Date: June 8, 2020
Department: Public Works

Staff Contact: Stacy Cornelius
Email: scornelius@ci.veneta.or.us
Telephone Number: 541-935-2191, ext. 315

ISSUE STATEMENT
Shall Council adopt revisions to the City of Veneta's Employee Handbook?

BACKGROUND
The City of Veneta Employee Handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between the City and its employees. Council adopted a personnel system for the City by resolution with the adoption of Ordinance 283 in1988. The current Employee Handbook was adopted by Resolution No. 1153 on June 9, 2014.

Since the last resolution adoption in 2014, there have been several additions and changes with State employment laws. The current revisions to the City's handbook policies address these employment laws or issues, as well as correcting grammatical or style issues from the 2014 version.

The updated version also adds a new policy, Pregnancy Accommodations, in response to HB 2341, signed into law in 2019. Also added is a significantly revised No-Harassment Policy that includes the difficult language required under 479 and SB 726, both of which were signed into law in 2019. In addition, to the No-Discrimination, No-Retaliation Policy, the City added "gender identity" and "domestic violence victim status" and language prohibiting retaliation against someone in a protected class recognized under the law.

Additional revisions to the Employee Handbook include but not limited to:

- Oregon Sick Leave
- Accrual of Paid Time Off
- Anti - Harassment and Bullying policies
- Employee Dress Code
- Pre-employment Drug Screening and Reasonable Suspicion Testing of Safety-Sensitive Positions
- Cellular Devices policy
- Rest Breaks for Expression of Breast Milk policy
- Employee Complaint Procedures
- Disciplinary Process

Staff is recommending that the updated manual be adopted by Resolution No. 1297.

RELATED CITY POLICIES
Resolution No. 1153 – A resolution adopting the Veneta Employee Handbook in 2014.

COUNCIL OPTIONS
1. Approve Resolution No. 1297 as presented.
2. Approve Resolution No. 1297 with suggested changes.
3. Deny Resolution No. 1297 and provide direction to staff.

CITY ADMINISTRATOR'S RECOMMENDATION
That Council approve Resolution No. 1297 as presented.

SUGGESTED MOTION
"I make a motion to approve Resolution No. 1297, a Resolution adopting the Veneta Employee Handbook and repealing Resolution No. 1153."

ATTACHMENTS
None.

CITY OF VENETA

RESOLUTION NO. 1297

A RESOLUTION ADOPTING THE VENETA EMPLOYEE HANDBOOK AND REPEALING RESOLUTION NO. 1153

WHEREAS, the Veneta City Council has adopted Ordinance 283 which states that the City shall adopt a personnel system by resolution to provide systematic and equitable procedures and regulations relating to the hiring, compensation, hours of work, leave, safety, training, work conditions, promotions, transfers, discipline, removal and other matters affecting the status of employees of the City of Veneta; and,

WHEREAS, adoption of Resolution No.1153 established the current Employee Handbook which is now in need of updating, including but not limited to grammatical errors, changes to current policies and the addition or removal of some policies; and

WHEREAS, policies have been added to the handbook in compliance with state laws;

NOW, THEREFORE, BE IT RESOLVED by the Veneta City Council that:

SECTION 1 Adoption. The Veneta City Council adopts the City of Veneta Employee Handbook by Resolution No. 1297 hereto attached and incorporated as Exhibit A.

SECTION 2 Repealing Clause. Resolution No.1153 is hereby repealed.

SECTION 3 Effective Date. This Resolution shall take effect on June 8, 2020.

PASSED AND ADOPTED by the Veneta City Council this _____ day of June, 2020.

XXXXXXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder

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1.00. Introduction

1.10. About This Handbook
1.20. Purpose
1.30. Application

1.10. About This Handbook

1.10.10. Communication is the most important aspect of the employment relationship. This handbook is designed in an effort to improve employee understanding of what is expected of them. It also outlines what the City offers employees in return.

1.10.20. Please read this handbook carefully. It is a synopsis of mutual expectations. As such, it cannot anticipate every situation that might arise while you are employed with the City of Veneta. However, it does address the most common issues where questions have been raised in the past.

1.20. Purpose

1.20.10. The purpose of these policies is to provide systematic and equitable procedures and regulations relating to hiring, compensation, hours of work, leave, safety, trainings, working conditions, promotions, transfers, discipline, removal and other matters affecting the status of employees of the City of Veneta. These policies are provided to maintain and improve the facilities and services which the residents of the City require, to maintain uniformity and equity in personnel matters which will make City service attractive as a career, and to encourage each employee to give the employee's best service to the City.

1.30. Application

1.30.10. These personnel rules, policies and procedures apply to all City employees provided, however, that in the event of an inconsistency or a conflict between these policies and any valid collective bargaining unit contract, individual written employment contract, ordinance, rule or law, the collective bargaining unit contract, individual employment contract, ordinance, rule or law, will apply. In all other cases, these policies and procedures will apply. Without limiting the generality of the foregoing, the disciplinary policies contained herein shall not apply to discipline of the City Administrator, who is an at-will employee subject to termination without cause. Further, the performance standards, professional expectations, and any rules against discrimination outlined in this handbook apply to Veneta's employees, as well as City volunteers, elected or appointed officials, and contractors doing business with the City.

The City specifically reserves the right to modify or amend these policies at any time. To the extent reasonably practical, employees will be given advance notice of proposed modifications or amendments to these policies which are of general applicability to employees. In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these policies will be deemed amended in conformance with those changes.

2.00. Personnel Program

2.10. Administration
2.20. Employee Acknowledgement
2.30. Personnel Records

2.10. Administration

2.10.10. The personnel program established by this handbook and any other written plans or policies relating to personnel shall be administered by the City Administrator and City Council. The City Administrator's responsibilities include, but are not limited to: Preparing classification and compensation plans, determining and revising the fringe benefits package, administering provisions of the personnel program, advising supervisors on interpretations of provisions of these policies, advising the City Council on needed amendments to these policies, and ensuring supervisors are responsible for the proper operation of their departments.

2.20. Employee Acknowledgement

2.20.10. New employees will be provided with an orientation session during which they will be given a copy of this handbook and the opportunity to ask questions they may have concerning its contents or application. Current employees will also be given an orientation to this handbook, or any subsequent modification to it required by changes in applicable laws or regulations, or by subsequent action of the City Council. Each employee will be required to sign an acknowledgment stating that the employee has been given a copy of the handbook and they were provided an opportunity to ask questions.

2.30. Personnel Records

2.30.10. Each employee will have official personnel files which will be maintained by the City, under the strict control of the City Administrator or designee.

2.30.20. The file shall contain: Employee's name, title, position or job function description, department assigned, current salary, change in employment status, training received, evaluations, disciplinary actions, and other such information as may be considered pertinent.

2.30.30. Employee personnel files shall be considered non-public information to the maximum extent permitted by the public records laws. Unless disclosure is required by law or a court of competent jurisdiction, employee personnel files will be accessible only to the employee, the employee's supervisor, the City Administrator, City staff members performing Human Resources functions as a part of their normally assigned duties, the City Attorney or any attorney employed by the City or its insurers.

2.30.40. All medical and personal information and records created as a result of employment or employment offers will be maintained in a separate, "CONFIDENTIAL" file.

2.30.50 Employee confidential files shall be considered private to the maximum extent permitted by the public records laws. Unless disclosure is required by law or a court of competent jurisdiction, employee confidential files will be accessible only to the employee, the City Administrator, City staff members performing Human Resources functions as a part of their normally assigned duties, the City Attorney or any attorney employed by the City or its insurers.

2.30.60. Except as authorized by law, no information from an employee's personnel or confidential files shall be released to outside parties except when: (1) the employee provides prior written authorization; (2) the City Attorney determines that release of the file is required by law or permitted by this policy; (3) by order of a court or other appropriate legal authority.

2.30.70. Access to files as allowed in this Chapter 2, shall be monitored by the City Administrator, or designee.

3.00. Definition of Terms

As used in these rules, unless the context requires otherwise:

Active Applications: Resumes or completed Veneta Employment Applications received in the recruitment process.

Anniversary Date: Administrative date an employee begins working in a particular position as a new hire or newly promoted or reclassified position. This date is used for determining when performance evaluations are due.

Appointing Authority: Any person or group vested with the authority to employ, discipline or terminate an employee in a position in City service.

COBRA: An acronym for "Consolidated Omnibus Budget Reconciliation Act" of 1974, which grants certain rights to continued insurance coverage, and protection concerning retirement funds for employees and dependents.

Compensatory Time Off: Paid time off provided in lieu of overtime pay.

Controlled Substances: All forms of narcotics, depressants, stimulants, hallucinogens, and cannabis, whose sale, purchase, transfer, use or possession is prohibited or restricted by law.

Cost of Living Adjustment: A periodic, optional change to the base wage of all regular positions within the City's Organizational Chart.

Disability: Any physical or mental impairment which is legally protected under either federal or state laws or regulations.

Disciplinary Probation: A probationary period imposed upon an employee for disciplinary reasons, of such duration as the supervisor who imposes such probation may specify.

Employee: A person employed by the City of Veneta to perform the duties and responsibilities of the position to which they are assigned.

Employee Status: Regular, Introductory/Probationary, Promotional Probationary, Disciplinary Probationary or Seasonal/Temporary.

Exempt Position: A position that meets the definition of a classification or skill levels that is considered exempt under FLSA. Generally, Administrative, Supervisory, or Confidential positions. Employees assigned to one of these positions are not paid overtime nor are they eligible to accrue compensatory time.

Family member: means the eligible employee's spouse, same-gender domestic partner (as described in ORS 106.300 to 106.340) biological child, adopted child, stepchild, foster child, same-gender's domestic partner's child, parent, adoptive parent, stepparent, foster parent, parent-in-law, same-gender's domestic partner's parent, grandparent, grandchild; and any individual with whom the employee has or had an *in loco parentis* relationship.

Full-Time Position: A position, in which the regularly scheduled hours of work are forty (40) hours per week. Employee(s) in full-time positions shall be compensated on a salaried basis.

Hire Date: The date that the City's employment offer letter is signed by the new employee.

Immediate Family: Shall include the employee's wife, husband, son, daughter, mother, father, brother, brother-in-law, half-brother, sister, sister-in-law, half-sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, grandparents of employee or employee's spouse, grandchild, aunt, uncle, niece, nephew, stepparent or stepchild.

Lay-off: Termination due to a shortage of funds, materials, or for involuntary reasons not reflecting discredit upon the performance of the employee.

Merit Increase: An adjustment in an employee's wage up to the next higher Step in the wage range for their position as shown on the City's Compensation Plan.

Meritorious Performance: Performance deserving of reward or merit.

Military Leave: A leave of temporary absence granted to employee(s) while serving in the US Armed Forces, Reserves, National Guard, or the United States Health Service.

Non-Exempt Position: A position that does not meet the definition of an Administrative, Supervisory, or Confidential position according to FLSA. Employees assigned to one of these positions are paid overtime and/or are eligible to accrue and use compensatory time as required by law.

OPERS: Oregon Public Employees' Retirement System.

Over-The-Counter Medicine: Medicine which is generally available without a prescription from a licensed practitioner/physician or dentist and are limited to medicine that is capable of impairing the judgment of an employee to safely perform his or her duties.

Part-Time Position: A position, in which the regularly scheduled hours of work are less than forty (40) hours per week. Employee(s) in part-time positions shall be compensated by the hour.

Position Classifications: Management, Professional/ Supervisory, Skilled I, II, III, Seasonal, or Temporary. Within each of those classifications, the positions can be further classified as exempt or non-exempt and full or part time.

Position Vacancy: A position which becomes vacant when a current employee has been promoted, is voluntarily or involuntarily demoted, separated, terminated, or has retired.

Prescription Drugs: Drugs which are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist and are limited to those drugs which are capable of impairing the judgment of an employee to safely perform his or her duties..

Probationary and Promotional Probationary Employee: An employee who has been newly hired or newly assigned to a position, to work full or part-time, who has not yet satisfactorily completed their probationary period.

Probationary Period: A period of time, a minimum of six (6) months in duration, during which new employees are in a probationary status and are required to demonstrate, to the satisfaction of City, fitness and competence for the position to which appointed or hired. Probationary employees shall be eligible to use vacation and sick leave during their probationary period of employment up to the amount of vacation or sick leave accrued.

Promotion: Movement of an employee from one position to a position with a broader scope of, or more, responsibilities, and/or higher mandatory requirements.

Promotion Probationary Period: A period of time, generally six (6) months in duration, during which newly promoted employees are required to demonstrate, to the satisfaction of City, fitness and competence for the position to which promoted.

Reasonable Suspicion: Specific articulable observations by a supervisory employee concerning the work performance, appearance, odors, behavior, or speech of the employee, or any accident or incident involving property damage, physical injury to any person where human factors contribute to the incident and a question of sobriety short of reasonable suspicion exists. Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard.

Reclassification: The recognition that the requirements of a specific position have changed enough to move it to a different classification (e.g. from exempt to non-exempt or from Skilled to Professional/Supervisory).

Refusal: Failure to appear for testing without a deferral will be considered refusal to participate in testing, and will subject an employee to the range of disciplinary actions, including termination, and an applicant to the cancellation of any offer of employment.

Regular Employees: An employee who has been assigned to a position, to work full or part-time, with indefinite duration following satisfactory completion of the probationary period or promotional probationary period.

Resignation: Voluntary termination of employment by an employee.

Searches: Employees shall have no expectation to be free from search of a locker, desk or contents of other similar City-controlled spaces. The search of any area used exclusively by an employee (when directed at or against an employee due to suspicion of a violation of this policy) shall be based on reasonable belief that the employee possesses any controlled substance. Such a search shall be approved by the department head or the department head's designee, and, if possible, notice to the employee and an opportunity to be present shall be given.

Seasonal Employees: Employees who are hired to work, full or part time, for a period of five months or less. Seasonal employees are at-will employees who can be terminated at any time, with or without cause, and without benefit of the disciplinary procedures set forth herein. No grievances may be filed over termination of a seasonal employee. Seasonal employees shall be paid on an hourly basis and are not eligible for leave time or other benefits unless mandated by law.

Service Animal: A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Start Date: The first day of work. This date will be used to determine the accrual level for vacation and years of service.

Supervisor: Any person responsible for assigning tasks to and evaluating the performance of employees, and who may hire and discipline employees, or recommend to the city administrator to suspend (with or without pay) or terminate employees.

Temporary Employees: Employees who are hired to work full or part time, for a limited time, or for a particular project or projects, regardless of duration. Temporary employees are at-will employees who can be terminated at

any time, with or without cause, and without benefit Transfer: Movement of an employee from a specifically described position of employment and pay level in one department, to a similar position and pay level in another department.

Under the Influence: any detectable level of drugs in an employee's blood or urine or any noticeable or perceptible impairment of the employee's mental or physical faculties. With respect to alcohol, a blood alcohol content of .04 percent constitutes being "under the influence" while on duty.

Veteran: A person who served on active duty with the Armed Forces of the United States and was discharged or released from active duty with other than a dishonorable discharge.

Volunteers: Persons who perform service for civic, charitable or humanitarian reasons without promise, expectation, or receipt of compensation for the services rendered, who offer their services freely and without coercion, direct or implied, from the City; and who are not otherwise employed by the City to perform the same services as those for which they volunteer. A volunteer performing such service shall receive reimbursement for authorized expenses.

4.00. Employment Ethics

4.10. Ethics
4.20. Confidentiality
4.30. Misrepresentation
4.40. Outside Employment
4.50. Off Duty Conduct
4.60. Criminal Acts
4.70. Political Activity
4.80. Drug Free Workplace
4.90. Smoke-Free Workplace
4.100. Personal Use Restrictions

4.10. Ethics

4.10.10. The City of Veneta believes in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of the City or situations that may compromise their reputation or integrity.

4.10.20. Employees who violate the Ethics Policy or who create an equally detrimental impact on the organization may be subject to disciplinary action up to and including termination.

4.10.30. The City of Veneta employees are public employees, and as such, are subject to the State of Oregon's ethics laws. In some cases, these laws are very specific, such as prohibitions on gifts and strict definitions of conflict of interest. Information on ethics laws is available at the Oregon Government Ethics Commission website, http://www.oregon.gov/OGEC/.

4.10.40. Employees should talk with their manager if they have questions about whether or not an activity meets the City of Veneta's or Oregon's ethical standards.

4.20. Confidentiality

4.20.10. Employees working at the City have access to highly confidential, legally protected, and proprietary information of customers and other employees. Confidential information includes all information acquired by an employee during the course of employment that is of economic value to the City and not generally available to the public, including legally protected information such as financial records and reports, payroll, employee confidential records and personnel file, and business plans. The unauthorized disclosure of such information would have a material adverse impact on the integrity of the City and would have an adverse impact on our relationships with our citizens and co-workers.

4.20.20. No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without permission from the City Administrator or designee.

4.20.30. The contents of records or information obtained due to one's employment or position with the City in regard to City business or City employees may not be disclosed, except where required for a business purpose or required public disclosure.

4.20.40. Employees are subject to appropriate disciplinary action up to, and including, termination for revealing information of a confidential nature.

4.30. Misrepresentation

4.30.10. City employees should consider how they represent the City in business transactions and interactions. Employees shall not misrepresent City policies, practices, procedures, or prices, or misrepresent their status and authority to enter into agreements. Employees may not use the City's name, logo likeness, facilities, assets or other resources, or the authority of their position with the City for personal gain or private interests, or create an equally detrimental impact on the organization.

4.40. Outside Employment

4.40.10. Employees may accept outside employment, whether part-time, temporary or regular, provided such employment:

a. Discussed with direct supervisor.
b. Is approved by the City Administrator.
c. In no way detracts from the efficiency of the employee's work for the City of Veneta.
d. In no way conflicts with the interest of the City or is a discredit to the City.
e. Does not take precedence over extra work required by City employment.

4.40.20. The City Administrator or City Council may, at any time, revoke permission to hold outside employment in the event the City Administrator or City Council determines that the above conditions have not been satisfied.

4.50. Off Duty Conduct

4.50.10. The City regards the off-duty activities of employees to be their own personal matter. However, there are certain types of off-duty activities that are of concern because of the potential negative impact on the City's reputation within the community we serve. For that reason, employees who either engage in, or are associated with, criminal acts or discriminatory conduct may be subject to disciplinary action including termination.

4.50.20. For purposes of this section, off-duty activities also includes participation in criminal or discriminatory conduct

in online activities, including, but not limited to, forms of online publishing and discussion such as blogs, wikis, file-sharing, user-generated video and audio, virtual worlds and social networks.

4.60. Criminal Acts

4.60.10. Employees are required to report

a. All drug- or alcohol- related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City property, in a City vehicle, while representing the City at a function or event, while in uniform, or that would reasonably negatively affect the public's trust in your position or your Department;
b. All arrests, citations, convictions, guilty pleas, no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
c. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing any of the functions of your position or prevent you from driving a City vehicle during your work.

The employee must report the matter to the City Administrator within two business days and must submit documentation concerning the incident or incidents.

4.60.20. Reporting of an arrest or conviction will not automatically result in termination of employment. The City will review the underlying facts of the matter; any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. Actions may range from no action to disciplinary action including termination.

4.60.30. Failing to report a conviction described in 4.60.10 above constitutes grounds for termination as does misrepresentation of the circumstances of the events.

4.60.40. Employees who are unavailable to report for work due to incarceration may not use sick leave to cover the absence, and may be subject to disciplinary action, including termination.

4.70. Political Activity

4.70.10. It is the policy of the City of Veneta that employees of the City shall not simultaneously hold an elective municipal office with the City of Veneta.

4.70.20. In accordance with ORS 260.432, or any amendment thereto, no person shall attempt to, or actually coerce, command, or require a public employee, and no City employee shall use City employment, to solicit any money, influence, service, including signatures or other thing of value, or otherwise aid or promote any political committee, or the nomination or election of any person to public office, while on the job during working hours. However, nothing in this section is intended to restrict the right of a public employee to express the employee's personal political views, support candidates and/or ballot issues, vote in any election or be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

4.80. Drug Free Workplace

4.80.10. Statement of Concern. The City has a responsibility to its employees and the public to insure safe working conditions for its employees and a productive City workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, City must preserve a work environment free from the effects of Controlled Substances, alcohol, or other performance-impairing substances.

4.80.20. Policy. The misuse of alcohol and other substances can impair employee performance, as well as physical and mental health, and may jeopardize employee safety as well as the safety of the public. The City is committed to maintaining a safe and healthy work place for all employees by identifying the misuse of alcohol and substances, and by assisting employees to overcome substance or alcohol related problems through appropriate treatment and, if necessary, disciplinary action. Notwithstanding the terms of this policy, each employee is responsible for meeting performance, safety and attendance standards.

The City has a responsibility pursuant to the Drug Free Workplace Act of 1988. The City is a Drug Free Workplace. Employees shall not report to work Under the Influence of any alcohol or Controlled Substance (including medical marijuana). All employees understand that the use, sale, possession, manufacture, distribution and/or dispensing by an employee of any alcohol, Controlled Substance, or any other substance which impairs job performance or poses a hazard to the safety and welfare of the employee, other employees, or the public, is strictly prohibited. Conduct in violation of this policy may result in disciplinary action and/or criminal investigation, where appropriate. Employees should expect this policy to be enforced and administered in a manner consistent with the statements of concern and policy set forth in this section.

All medical and rehabilitation records containing protected health information which are in the possession of the City will be deemed confidential "patient" records and may not be disclosed without the prior written consent of the patient, authorizing court order, or otherwise as permitted by Federal law implemented at 42 CFR Part 2.

4.80.30. Reports of Permitted Use. Each employee must report the use of Prescription Drugs, or any other substances which the employee knows or should know can impair job performance to the immediate supervisor and provide the supervisor proper written medical authorization from a

licensed practitioner/physician while using such authorized substances. An employee whose impairment may affect job performance should take sick leave or other steps consistent with the advice of a licensed practitioner/physician. It is the employee's responsibility to determine by asking his or her practitioner or physician whether the Prescribed Drug or other substance will impair job performance. If an employee reports to work under the influence of Prescribed Drugs or other substances and endangers himself/herself or others, the employee may be disciplined. Any failure to report the use of such Prescribed Drugs or other substances, or failure to provide evidence of medical authorization, can result in disciplinary action.

4.80.40. Oregon Medical Marijuana Program (OMMP). The City does not make any accommodation for holders of OMMP cards.

4.80.50. Reports of Drug Conviction. No later than five (5) days after any arrest or conviction for the violation of any criminal drug statute, the employee shall report the arrest or conviction and the facts and circumstances surrounding it in writing to the City Administrator.

4.80.60. Employee Education. The City may afford employees an opportunity to seek professional assistance regarding any Controlled Substance and/or alcohol related problems. Any City employee may seek such advice, information and assistance voluntarily. Medical confidentiality will be maintained, consistent with this policy and Oregon law.

4.80.70. Employee Assistance. Any employee who voluntarily requests assistance in dealing with a personal Controlled Substance and/or alcohol problem may do so through a private treatment program for Controlled Substance and alcohol problems.

If an employee seeks Controlled Substance/alcohol treatment voluntarily and is not subject to any adverse employment actions, documented performance concerns, or discipline, accrued sick leave benefits may be used while attending rehabilitation. After such accommodation, the discontinuation of any involvement with Controlled Substances, alcohol, mis-used Prescription Drugs, or other intoxicating substances, shall be an essential requisite for continued employment, and is consistent with City's policy of maintaining an impairment-free workplace.

4.80.80. Discipline Related to Prohibited Used of Controlled Substances, Prescription Drugs, or Alcohol. An employee may be found to use alcohol, Prescription Drugs, or Controlled Substances on the basis of any appropriate evidence including, but not limited to:

a. Direct observation;
b. Evidence obtained from an arrest or criminal conviction;
c. A verified positive test result; or
d. An employee's voluntary admission.

As a result of disciplinary action arising from the prohibited use of Controlled Substance, Prescription Drug, or alcohol, an employee may be required to participate in a treatment program as a condition of continued employment. A supervisor, based on Reasonable Suspicion that such prohibited use is a factor in employment, may require an employee to be evaluated for Controlled Substance, Prescription Drug, and alcohol misuse and treatment. An employee may be required to participate in follow-up care as part of a comprehensive treatment program based upon medical advice.

As a condition of continuing employment, an employee may be required to authorize the City to monitor the employee's treatment and satisfactory participation in such treatment programs, and to submit to random blood and urine screenings for a specified period of time not to exceed 36 months in any situation where treatment is the result of City intervention. Medical confidentiality will be preserved, subject to rights granted by the employee to City to monitor treatment and program compliance.

4.80.90. Random Drug Test. Employees in safety-sensitive positions, such as field employees, lifeguards, and employees with Commercial Drivers' Licenses are subject to random drug testing as mandated by federal law.

4.80.100. Search of Property Upon Reasonable Suspicion. When Reasonable Suspicion exists to believe an employee possesses alcohol or a Controlled Substance on City property, or has otherwise violated provisions of this rule regarding possession or use of Controlled Substances, Prescription Drugs, or alcohol, the City maintains the right to conduct unannounced inspections of city owned property, including work stations, equipment, desks, cabinets, etc. for the purpose of checking for alcohol and Controlled Substances. The City may search the employee's possessions located on City property, including but not limited to clothes, locker, lunchbox, toolbox, and City vehicle. Employees should have no expectation of privacy in any items they bring on to City property, or in property, equipment or supplies provided by the City to the employee.

4.80.110. Testing Upon Reasonable Suspicion. Where a supervisory employee of the City has a Reasonable Suspicion that an employee is under the influence of alcohol, unreported Prescription Drugs, or Controlled Substances, the employee in question will be asked to submit to discovery testing including urinalysis or a blood screen, or both. If alcohol or Controlled Substance use is confirmed, sick leave benefits will not apply if the employee seeks treatment, even if treatment is imposed as a condition of return to work or continued employment. Positive test results may only be disclosed to the employee, Department Head, City Administrator, City Attorney, insurance company, or a court

of law or administrative tribunal in any adverse personnel action.

4.80.120. Consequence of a Positive Test. An employee who is found to be under the influence of or impaired by alcohol, unreported Prescription Drugs, or a Controlled Substance as a result of a test requested by the City based upon Reasonable Suspicion may be subject to disciplinary action, up to and including termination.

4.80.130. Consequence of Refusal to Submit to Testing. An employee who refuses to submit to testing for alcohol or Controlled Substances will be subject to disciplinary action, up to and including termination. Alleged lack of Reasonable Suspicion is not grounds to refuse to submit to a test; however, it is reason to challenge discipline if discipline is imposed based on the test result alone.

4.80.140. Testing Procedure. When the employee is notified that he or she is required to consent and submit to such tests, he or she may request the presence of a representative to witness the test. The test shall not be delayed unreasonably, however, in order to wait for a representative. The absence of a representative shall not be grounds for the employee to refuse to consent and submit to such tests or searches. The presence of a representative shall not disrupt or interfere with the tests or searches.

The employee shall give consent to a blood, urine or breathalyzer test, or any combination, upon request, by signing a consent form. The form shall contain the following:

a. A signature line for the employee to sign evidencing the employee's consent to the release of the test results to City;
b. An explanation of the procedure for confirming an initial positive test result for a Controlled Substance, including marijuana;
c. A statement of the consequences of a confirmed positive test result for a Controlled Substance, including marijuana;
d. A statement of the consequences of a confirmed positive test for alcohol;
e. A statement of the consequences of refusing to consent to the blood, urine, breathalyzer or other test.

The employee shall be furnished an opportunity to include on the consent form a list of Prescribed Drugs and Over-the-Counter Medications which may be in the employee's body. The employee shall also be afforded the right to explain a confirmed positive test result.

4.80.150. In the event that the blood or urine test results are positive for Controlled Substance(s), including marijuana, City shall require that a second confirming test from the same sample be conducted, using gas chromatography/mass spectrometry techniques or a qualitative equivalent, which also must be positive before concluding the employee has such substances(s) present in the body.

4.80.160. If a blood or confirmed urine test is positive, the City will instruct the laboratory to retain the blood or urine sample for a period of not less than thirty (30) calendar days from the date the tests are complete for the purposes of allowing the employee to conduct an independent test at his or her own expense at a laboratory approved by the City.

4.80.170. The procedures to obtain, handle and store blood and urine samples and to conduct laboratory tests shall be documented to establish procedural integrity and an uncompromised chain of evidence. Such procedures shall be administered with due regard for the employee's privacy and the need to maintain the confidentiality of test results consistent with this Policy. The employee shall be notified of the results of all tests conducted pursuant to this Policy.

4.90. Smoke-Free Workplace

4.90.10. The City provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, vaping devices, cigars and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to City property, vehicles or facilities/buildings.

4.90.20. If an employee wishes to use tobacco, the employee must do so outside of the City's facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows.

4.100. Personal Use Restrictions

4.100.10. On-site personal use of City owned office equipment, including computers, copier, facsimile, and Internet access is allowed on off-duty hours or during break or lunch periods so long as it:

a. Involves only minimal additional expense to the City;
b. Does not interfere with official City business;
c. Does not support a personal private business; and
d. Does not involve or support activities that are illegal, are offensive or inappropriate for the workplace, or otherwise violate this Handbook.

4.100.20. Off-site personal use of City owned equipment is prohibited.

4.100.30. Employees using City owned equipment should have no expectation of privacy regarding anything that is on

the computer in their work area. The City, at any time, may review such material and work area.

5.00. Equal Employment Opportunities Policies

5.10. Equal Employment Opportunity
5.20. Americans with Disabilities Act (ADA)
5.30. Pregnancy Accommodation Policy
5.40. Harassment
5.50. Bullying in the Workplace
5.60. Sexual Harassment
5.70. Employment Eligibility Verification
5.80. Veterans' Preference in Hiring
5.90. Whistleblower
5.100. Meeting Participation
5.110. Religious Accommodation
5.120. Service Animals
5.130. Domestic Violence
5.140. No Retaliation
5.150. Bulletin Board Postings

5.10. Equal Employment Opportunity

5.10.10. It is the City's policy to employ, retain, promote, discipline, terminate, and otherwise treat all employees and job applicants on the basis of merit, qualifications and competence. It is the policy of the City to comply with all federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual employee or job applicant's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, genetic information, veteran status or any other legally protected status per state and federal law.

5.10.20. Statement Regarding Pay Equity. The City supports Oregon's Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined by Oregon law) in the payment of wages or other compensation for work of comparable character. Employees who believe they are receiving wages or other compensation at a rate less than that at which the City pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with the City Administrator.

5.10.30. Offers of employment, including promotions, may, depending on the physical requirements of the essential functions of the particular job, require the applicant(s) take an appropriate medical examination, and pre-employment drug screen. Information obtained as a result of medical examinations will be limited to job related inquiries and specific physical job functional requirements consistent with business necessity. Results are maintained in the employee's confidential file.

5.10.40. The City Council is the coordinator for the City's procedures and for the implementation of this policy. It is the intent of the City of Veneta to apply these policies to all employment related practices, including, but not limited to: job application and testing; hiring; promotion; demotion; termination; tenure; compensation; training; recruitment; advertising of job openings; lay-off and recall; leaves of absence; fringe benefits; and all other employment related activities.

5.10.50. Any violation of this policy should immediately be brought to the attention of the City Administrator or if the City Administrator is alleged to have violated the policy, to the Mayor, who will contact the District's attorney and will institute an appropriate investigation as deemed necessary to substantiate the facts surrounding the alleged violation. Based on this information, disciplinary action to correct the violation may be taken if indicated by the facts of the case, and a written record will be maintained containing the results of the investigation.

5.20. Americans with Disabilities Act (ADA)

5.20.10. The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities. The City is committed to fully complying with the ADA and Oregon's disability accommodation and anti-discrimination laws. The City is also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

5.20.20. Reasonable accommodation may be available to employees and applicants, as long as the accommodation doesn't cause undue hardship for the City. Individuals protected by the ADA should discuss their need for possible accommodation with Human Resources staff or the City Administrator.

5.20.30. Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of the position. All requests for an accommodation should be made with the employee's supervisor, and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his or her need for a reasonable accommodation. Both the City and the employee must monitor the employee's accommodation situation and make adjustments as needed.

5.20.40. The City prohibits retaliation or discrimination against any employee who, under this policy:

a. Asks for information about or requested accommodations;
b. Uses accommodations provided by the City; or
c. Needs an accommodation.

5.20.50. Employees who ask about, request or use accommodations under this policy and applicable Oregon

law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation. Under Oregon law, an employer can't require an employee to use OFLA leave if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of the City. Also, no employee will be denied employment opportunities if the denial is based on the need of the City to make reasonable accommodations under this policy.

5.30. Pregnancy Accommodation Policy

5.30.10. Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact their supervisor to discuss their options for continuing to work and, if necessary, leave of absence options. The City will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the City's operations.

5.30.20. Although this policy refers to "employees," the City will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

5.40. Harassment Prohibited

5.40.10. The City prohibits harassment of any kind in the workplace, or harassment outside of the workplace that violates its employees' right to work in a harassment-free workplace. Specifically, the City prohibits harassment or conduct related to an individual's disability, race, color, national origin, religion, gender, age, genetic information, sexual orientation, veteran status, military status, retaliation for opposing unlawful employment practices, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class, regardless of whether that harassment is targeted specifically at the employee. Such harassment is prohibited whether committed by a City employee or by non-employees, such as elected or appointed officials, volunteers, interns, or contractors or vendors working with the City.

Employees who believe that they have been subjected to harassment, discrimination or retaliation may voluntarily disclose information regarding an incident of workplace harassment that involves them as a victim. The City encourages all employees to document and report any incidents of workplace harassment.

5.40.20. Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's speech, accent or disability, are examples of prohibited conduct and will not be tolerated. All employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether other participate in the conduct or did not appear to be offended.

5.50. Bullying in the Workplace

5.50.10. The City strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying" or discriminatory conduct of any kind. The City, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individual (or group of) employees directed towards an individual or group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee.

5.50.20 Examples of workplace bullying behavior include:

a. Verbal Bullying: Slander, ridiculing or maligning a person or their family, persistent name calling which is hurtful, insulting or humiliating, abusive or offensive remarks, using a person as the brunt of jokes or mockery.
b. Physical Bullying: Pushing, shoving, kicking, poking, tripping, assault, or threat to a person's work area or property.
c. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
d. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with others may be viewed as bullying.
e. Cyber Bullying: Bullying that takes place using workplace electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, test messages, chat, and websites.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

5.60. Sexual Harassment

5.60.10. Sexual harassment can include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or non-verbal communication or physical conduct of a sexual nature (regardless of whether such conduct is welcome) where:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

5.60.20. The conduct prohibited may be verbal, visual or physical in nature. It may be directed by a manager to a subordinate, manager-to-manager or co-worker-to-co-worker. It includes, but not limited to unwelcome sexual advances, requests for sexual favors, physical touching, or the granting or withholding of benefits (e.g. pay, promotions, time off) in response to the sexual conduct, flirtations, sexual prowess, comments about an individual's body, talking about sex life or asking others about their sex life. Sexual harassment also includes making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex. More subtle forms of prohibited behavior, such as offensive posters, cartoons, caricatures, comments and jokes, language or innuendoes, hugging, or kissing may also constitute sexual harassment when they create or contribute to a hostile or offensive work environment.

5.60.30. Employees, volunteers or interns who have experienced a sexual assault, any harassment, discrimination in violation of this policy, who have witnessed such behavior, or who have credible information about such behavior occurring, are expected to and should bring the matter to the attention of Human Resources or City Administrator, or a supervisor or member of management as soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that he/she wants it to stop.

5.60.40 All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with Oregon law and the City's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, the City will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other available law, whether criminal or civil. Although the City cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

5.60.50. The City prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing or discriminatory conduct, or has participated in an investigation of such conduct.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to Human Resources or City Administrator or any supervisor or member of management. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

5.70. Employment Eligibility Verification

5.70.10. In conformity with the Immigration Reform and Control Act of 1986 (IRCA), we hire only those who are eligible to work in the United States. Verification documentation is required of all new hires, and employees are expected to inform the City immediately if their eligibility changes.

5.70.20. After an individual is employed by the City (as allowed by law) the City may choose to use the federal E-Verify program to validate social security numbers, or the City may use other methods for verifying social security numbers.

5.70.30. Expired documents are not valid documents for I-9 purposes, unless expressly allowed by federal law.

5.70.40. Existing employees are expected to provide current valid documents, as applicable, for re-verification purposes when such requests are made by the City Administrator or designee.

5.80. Veterans' Preference in Hiring

5.80.10. The City may give preference to veterans, when making hiring decisions. The City does not discriminate against individuals based on current or prior military service.

5.90. Whistleblower

5.90.10. The City does not discriminate against employees who report in good faith alleged violations of state or federal laws, rules, or regulations.

5.100. Meeting Participation

5.100.10. The City does not take adverse employment action against employees who choose not to attend the City-sponsored meetings where the City's "position" regarding religious or political matters, will be presented.

5.110. Religious Observances Leave and Accommodations

5.110.10. The City respects the religious beliefs and practices of all employees. The City will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business, this may also include accommodating the wearing of religious clothing.

5.110.20. With management approval, an employee may use vacation or other available leave for religious activities; if accrued leave is not available, then an employee may request to take unpaid leave.

5.120. Service Animals

5.120.10. The City may consider a service animal a reasonable accommodation.

5.130. Domestic Violence

5.130.10. The City does not discriminate against employees who are victims of domestic violence, sexual assault, or stalking.

5.140. No Retaliation

5.140.10. If you believe you have been discriminated against or harassed, or if you witness or suspect any violation of our policies, you should report the matter immediately to any member of management or to the City Administrator,

5.140.20. If the complaint is in regard to an alleged violation of these policies by the City Administrator the complaint may be directed to the Mayor.

5.140.30. The City will not retaliate against you for filing a complaint or cooperating in an investigation, and will not tolerate or permit retaliation by management, employees or co-workers.

5.140.40. The City will not tolerate unlawful retaliation against employees for engaging in protected activity. Federal Laws such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the American with Disabilities Act, all prohibit an employer from retaliating against an employee engaged in a protected activity.
5.140.50. A protected activity is defined as:
The engaging in or exercising of a right that is protected by law. Some examples of "protected activity" under the Labor Code include:

a. Filing or threatening to file a claim or complaint with the Labor Commissioner.
b. Taking time off from work to serve on a jury or appear as a witness in court.
c. Disclosing or discussing your wages.
d. Using or attempting to use sick leave to attend to the illness of a child, parent, spouse, domestic partner, or child of the domestic partner of the employee.
e. Engaging in political activity of your choice.
f. For complaining about safety or health conditions or practices.

5.140.60. Any act of retaliation by a manager and/or coworker may result in serious adverse disciplinary action up to and including termination.

5.140.70. Any staff member may file a complaint with the City Administrator or the Mayor if he/she feels that they have experienced retaliation in any form.

5.150. Bulletin Board Postings

5.150.10. Various agencies in the State of Oregon and the federal government require certain posters to be displayed in a conspicuous place, where employees may regularly view them. Employers with more than one work location are generally required to display posters at each location. The City posts at the following locations: City Administrative Center, Veneta Community Pool, Public Works Yard/Building, and the Wastewater Treatment Plant.

5.150.20. These posters have been combined and placed on one single poster to as Commonly Required Postings in Oregon poster includes the:

1. Oregon State Minimum Wage poster
2. Oregon Family Leave Act poster
3. Oregon OSHA poster
4. Federal Minimum Wage poster
5. Federal Family and Medical Leave Act poster
6. EEOC "It's The Law" poster
7. Federal Polygraph Protection Notice
8. Federal USERRA (military rights) poster
9. Oregon Equal Pay Law
10. Notice of Domestic Violence Harassment, Sexual Assault or Stalking Protections

11. No Smoking
12. Worker's Compensation Insurance Compliance
13. Employment Insurance Notice (form 11)
14. Oregon ORS (260.432) Political Activity
15. Workplace Fairness Act
16. Pregnancy Disability Law

5.150.30. Certain posters must also be readily available for job applicants to view. These include the federal Polygraph Protection Act Notice; the federal Family and Medical Leave Act poster; the OR-OSHA Job Safety and Health poster ("It's the Law"); and the "Equal Employment Opportunity is THE LAW" poster. These posters are also posted at the City Administrative Center.

6.00. Hiring Procedures

6.10. Vacancies/New Positions
6.20. Nepotism
6.30. Application for Employment
6.40. Qualification Standards: New Hires/Promotions
6.50. Interview Board
6.60. Medical Examinations & Physical Demonstrations
6.70. Pre-Employment Drug Screening
6.80. Appointment / Hiring
6.90. Hiring and Working Hours for Minors
6.100. Residency Requirements

6.10. Vacancies/New Positions

6.10.10. Vacant or new City positions may be filled by a transfer or promotion of a current City Employee, or by recruitment of a new employee. Recruitment may, at the discretion of the City Administrator, be limited to current and laid-off City employees; or may be open to persons who are not current or laid-off City employees. If open recruitment is used, it shall be accomplished by means of advertising, which shall include, but not be limited to, posting the announcement on the City's website, placing the notice in the local newspaper, and listing the position on other associations' websites as applicable.

6.10.20. Applications, announcements, and all publicly circulated information shall contain the following statement: "THE CITY OF VENETA IS AN EQUAL OPPORTUNITY EMPLOYER"

6.10.30. We are an Equal Opportunity Employer. We do not discriminate on the basis of race, religion, color, sex, age, national origin, legally protected disability, marital status, or any other protected classes.

6.20. Nepotism

6.20.10. No person shall be employed by the City in a position when such employment would result in such person supervising or being supervised by a family member of the employee's immediate family. In the event that two (2) employees become immediate family members and a supervisory relationship exists, the employees and the City will jointly attempt to find an alternative work assignment for one (1) of the two (2) employees.

6.20.20. If no suitable alternative assignment or restructuring of line of command is available, it will be necessary for one of the two employees to resign. Should neither of the affected employees volunteer to resign, the City Administrator working with the Department Head shall terminate one of the employees, retaining the employee with the skills, abilities, or certifications that are, in the judgment of the City Administrator more beneficial to the City.

6.20.30. The provisions of this section shall apply to promotion, demotion, transfer, reinstatement, and new appointment or hire. The provisions of this section shall not conflict with Oregon Revised Statutes, 659A.309, or any amendments thereto.

6.30. Application for Employment

6.30.10. Application forms will be furnished by the City Administrator, or designee, to all applicants. An application form must be on file for each person being considered for a position. Resumes alone will not be accepted. The City may require that additional information be included with the application, such as letters of reference, educational transcripts, certificates or awards.

6.30.20. Applications submitted for specific vacancies will not be retained as an active application for future vacancies; however, a new application can be submitted for each new vacancy for which the applicant wishes to apply. Application materials received from unsuccessful applicants in response to specific vacancies will be retained by the City according to the record retention laws in effect at the time.

6.40. Qualification Standards: New Hires & Promotions

6.40.10. The City Administrator, or designee, shall review each application to ascertain the individual applicant's education, experience and other qualifications for the position offered, concentrating on the applicant's ability to perform the essential responsibilities and to ascertain if the applicant meets the minimum qualifications of the position. The ascertain shall be based on one or more of the following:

a. Information contained on the application form or other written documents submitted.
b. Written, performance, or physical tests, or any combination thereof.
c. Qualifications required for certification under state law.
d. Information obtained by appropriate references as identified on application materials,
e. Information gained from completing a criminal background check if applicant is at least 18 years old.

6.50. Interview Board

6.50.10. An oral interview board shall be appointed for the purpose of interviewing qualified applicants. The interview board at a minimum shall consist of the following:

a. The relevant Department Head or designee
b. The City Administrator or designee
c. Human Resources personnel
d. Other members as is appropriate and approved by the City Administrator, or designee, for the position being filled.

6.50.20. In lieu of the above process, the City Council or City Administrator may modify and adopt an alternative process for specific vacancies. The alternative process shall be in writing and developed prior to advertising of the vacant position.

6.50.30. Candidates selected for hire will be given a conditional offer of employment, with final offer of employment determined after reference checks, criminal background checks, and pre-employment drug screening (safety-sensitive positions only).

6.60. Medical Examinations & Physical Demonstrations

6.60.10. Due to the nature of the essential functions required to successfully perform public works jobs, the City will give a conditional offer of employment, with a final offer subject to the results of a medical examination.

6.60.20. Medical examinations shall be conducted by a licensed physician, as directed by the City, to determine specifically whether the applicant can safely perform the essential functions of the position offered, prior to final appointment or hire. The City will pay for the cost of any examination it requires.

6.60.30. Applicants for any position may be required to demonstrate how they would, with reasonable accommodation for any disability, perform the essential functions of the position.

6.70. Pre-Employment Controlled Substances Screening

6.70.10. For positions that are safety-sensitive, the City, will require applicants who are receiving conditional offer letters for employment to consent to a pre-employment Controlled Substances screen. The applicant will be advised that the presence of one or more Controlled Substances may be cause for retraction of the pre-employment offer and that appointment to a position is contingent upon a negative Controlled Substances test result.

6.70.20. Applicants shall be directed to an appropriate collection facility. The applicant will be required to authorize the facility to conduct the laboratory testing and release the results of the testing to the City. The drug test must be undertaken as soon after notification as possible, but not later than 48 hours after notice to the applicant. Where appropriate, applicants may be reimbursed for reasonable travel expenses.

6.70.30. Applicants shall be advised of the opportunity to submit medical documentation that may support a legitimate use for a specific Controlled Substance and that such information will be reviewed only by medical consultants to determine whether the individual is lawfully using a Controlled Substance.

6.70.40. If the applicant is found to be under the influence of or impaired by Controlled Substance(s) as a result of this test, or if the applicant refuses to submit to testing, the City reserves the right to decline a final offer of employment, and the applicant may be ineligible to reapply for a position with the City for a period of twelve months. The City shall, if applicable, inform the applicant that a confirmed presence of a Controlled Substance in the applicant's urine precludes the City from hiring the applicant.

6.80. Appointment / Hiring

6.80.10. The City Council shall hire the City Administrator. The City Administrator shall hire and assign Department Heads and all other employees, subject to review, if requested by the City Council.

6.80.20. The City Administrator, or designee, will give new or re-hired employees a full orientation on or about their first day of employment. The orientation will include, but not be limited to, an overview of this handbook and other written personnel policies, a review of the new hire packet including instructions and deadlines for required forms, introductions to all other employees, tour of City and/or City facilities, and to the lay-out of the City Administration Center building.

6.90. Hiring & Working Hours for Minors

6.90.10. The City of Veneta complies with all child labor laws. Specifically:

a. Verification of age
b. Maintenance a list of all minors hired
c. Posting of a validated Employment Certificate
d. Rest Periods/breaks
e. Meal Periods
f. Adequate Work
g. Weight Lifting
h. Minimum Wage
i. Overtime
j. Paydays
k. Deductions
l. Uniforms
m. Final Paychecks

6.90.20. No minor under the age of 15 shall be employed by the City.

6.90.30. Once hired, 15, 16 and 17 year old employees will be given an employee manual which addresses laws specific to minors noted in 6.90.10. Sections of this manual pertinent to employees aged 15, 16 and 17 are made available at the worksite.

6.100. Residency Requirements

6.100.10. The employee assigned to the City Administrator position is encouraged to live within the City limits. The

employee assigned to the Public Works Director position is encouraged to live within the City limits.

6.100.20. Residency will not be a condition of employment; however, it could be a condition of continued employment.

6.100.30. Employees assigned to positions subject to call out must reside within a maximum 30 minute response time.

6.100.40. These residency requirements must be met within a set time after completion of the probationary period. The amount of time given will be determined by the employee, Department Head, and City Administrator upon completion of the probationary period.

7.00. Employment Conditions/Employee Conduct

7.10. New Appointments/Hires
7.20. Probationary Period
7.30. Promotion Probation
7.40. Transfers
7.50. Attendance
7.60. Hours of Operations & Work Schedules
7.70. Inclement Weather/Emergency Closing
7.80. Stand-by Duty
7.90. Flex Time
7.100. Lunch & Rest Periods
7.110. Safety Rules & Accident Reports
7.120. Mandatory Child Abuse Reporting
7.130. Purchasing/Procurement Procedures and Spending Authority
7.140. Layoffs
7.150. References
7.160. Resignation
7.170. Dress Code

7.10. New Appointments/Hires

7.10.10. New employees are started at a wage amount equal to Step One (1) of the range for their position as shown on the City's Compensation Plan. However, in instances where a new employee has experience or skills which are above the mandatory requirements for the position, or unusual difficulty is experienced in filling the position, the City reserves the right to hire at a higher Step.

7.20. Probationary Period

7.20.10. New and re-employed former employees will be placed in a probationary status for a minimum of six (6) months, from the first day of work. This period may be extended by the City Administrator, or designee.

7.20.20. Employees are not guaranteed any length of employment upon hire or transfer/promotion; the employee or the City may terminate the employment relationship during the probationary period for any lawful reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by the City for any definite period of time. Both you and the City are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

7.20.30. Regardless of the intended duration of the probationary period, such period shall continue until the employee is notified, in writing, of successful completion of the probationary period, by the City Administrator, or designee. If the employee is not so notified, the probationary period shall be deemed to be extended. Successful completion of the probationary period does not warrant, on its own, an increase in salary.

7.20.40. Employees shall be evaluated during the probationary period. These evaluations will be used by the City Administrator and Department Head in determining the employee's, fitness and competence for the position.

7.30. Promotion Probation

7.30.10. Following a promotion, a regular employee will be in a probationary period for a minimum of six (6) months from the date of promotion. This period may be extended by the City Administrator, or designee.

7.30.20. During the promotion probationary period, the employee's paid leave and fringe benefits will continue as if the employee were not in a probationary status.

7.30.30. Regardless of the intended duration of the promotion probationary period, such period shall continue until the employee is notified, in writing, of successful completion of the promotion probationary period by the City Administrator or designee. If the employee is not so notified, the promotion probationary period shall be deemed to be extended. Successful completion of the probationary period does not warrant, on its own, an increase in salary.

7.30.40. Promoted employees will be evaluated on fitness and competence for the position, in a like manner to a new appointment.

7.30.50. At any time during the promotion probationary period, the promoted employee may, at the sole discretion of the City, be removed from the position to which the employee was promoted. In the event of such removal, if the employee is an employee in good standing with no disciplinary or misconduct issues, the employee may be reinstated to the employee's former position, if the position continues to exist and if the employee remains qualified for the position and capable of performing the essential responsibilities of the position, with reasonable accommodation for any disabilities. Removal from a probationary promotional position is not subject to appeal or grievance, except as otherwise provided in these policies. Any new employee who has filled a promoted employee's former position may be reassigned or terminated in the event that a probationary promotional employee is to be reinstated in the former position.

7.40. Transfers

7.40.10. Employees may be transferred from one position to another, with approval of the City Administrator and the affected supervisors and/or Department Heads. The salary level for transfers of any type will be determined on a case-by-case basis by the employee, their new (if applicable) supervisor, and the City Administrator.

a. Voluntary Transfer: Transfer, by employee request, can be accomplished, provided mandatory requirements for the new position are met.
b. Temporary Assignment: The City may temporarily assign an employee to any position, or department, when it is deemed to be in the best interest of the City.

7.50. Attendance

7.50.10. Employees are expected to work a complete designated workday. If an employee cannot report for work, the employee is expected to notify their direct supervisor at least one (1) hour prior to the beginning of the employee's shift. Employees unable to notify their supervisor prior to the beginning of their regular shift because of emergency situations are expected to contact their supervisor as soon as possible after the situation is under control. Notification to the City by a family member will fulfill the reporting requirements in most situations.
Generally speaking, phone calls, texting and leaving a voice mail are acceptable methods of notification; however, employees should know and use the specific method preferred by their direct supervisor (i.e. City phone or by text).

7.50.20. Unauthorized absence may result in disciplinary action. An employee who is absent from work for three (3) consecutive working days, without authorization or notification, will be considered to have abandoned the employee's job as of the last day of active employment and will be declared to have voluntarily quit, unless the City determines the absence was due to an unavoidable situation and the employee and/or a family member was unable to contact the City due to circumstances beyond the employee's control.

7.50.30. Employees shall maintain an accurate time sheet reflecting all hours worked which shall be signed and submitted to the employee's supervisor at the end of each pay period. Supervisors shall check the time sheets for accuracy and completeness, sign them and deliver them to the Finance Officer or designee, who shall maintain employee attendance records showing daily, weekly and monthly hours worked, type(s) of leave taken and compensatory hours accrued, when applicable.

7.50.40. Non-exempt employees shall not begin work early, leave late or work hours in addition to the employee's regularly scheduled hours, without prior approval of the employee's supervisor, except in situations involving the threat of imminent loss of life or property connected to the employee's normal job duties.

7.50.50. Non-exempt employees authorized to attend to City-related business outside of their normal work hours will be compensated at a rate equal to one-quarter hour of pay for phone and email communications initiated by management. If an employee is required to return to the workplace for additional work, the employee will be compensated at a minimum of one hour of their current rate of pay.

7.60. Hours of Operation & Work Schedules

7.60.10. The hours during which City offices and departments shall be open to serve the public will be determined by the City Administrator, after consultation with the City Council.

7.60.20. The work schedule, for employees in full-time positions, will normally provide for a work week of forty (40) hours within a specific seven (7) day period. Other work schedules may be established to meet the needs of specific City services. On occasion it may be necessary to alter the regularly scheduled hours and days of work. Regular hours may differ in each City department.

7.60.30. The hours of work for individual positions and/or employees shall be determined by the supervisor, with the approval of the Department Head, and the City Administrator, to meet the needs of the City. When the work schedule is altered, employees will be given as much advance notice as possible. Employees are required to attend work in accordance with the most recent schedule.

7.70. Inclement Weather / Emergency Closing

7.70.10. The City recognizes that there may be circumstances beyond its control, such as inclement weather, national crisis, or other emergencies, that may result in closing City Hall. On such occasions, the City may close for all or part of a regularly scheduled workday. In such an event, the City Administrator or designee will endeavor to notify all Department Heads for the purpose of contacting employees. Employees should also contact their Department Heads to determine whether they should report to work in such circumstances.

7.70.20. In the event of inclement weather that prevents safe travel, or another emergency, the City Administrator or designee will determine whether any City office should be closed or its opening delayed. If there is not any indication of office closure, the employee should assume that the office is open on a normal schedule. The conditions between the employee's home and the office may be better or worse. If the office is closed, the employee should stay home. If the office is open, on a delayed schedule or other alternative schedule, the employee should come in when they can do so safely. That may be before or after the "formal" opening time. Employees who are delayed in such circumstances should make efforts to contact their supervisors to inform them of the delay.

7.70.30. Employees eligible for paid time off benefits and scheduled to work will not be charged leave time for full or partial closures if the City chooses to close the office;

however, employees who do not report for work or who leave early when the office is open, must charge their missed time to accrued leave.

7.70.40. Employees who previously requested and received approval to be off work must charge their missed time to accrued leave as planned even if the office is closed during that time. Employees who have rescinded their leave request prior to the start of the work day shall not be held to using their accrued leave time.

7.70.50. In the event of a city-wide disaster all City employees who are on duty shall remain on duty until an appropriate Department Head approves their release from duty. If an employee is faced with a decision to deal with a family emergency in addition to any city-wide or regional emergency, the employee shall be relieved from duty to give attention to their family emergency issue. Such decisions shall be made as soon as possible by the City Administrator or designee.

7.80. Stand-by Duty

7.80.10. Employees in specific positions within the Public Works Department will be responsible for rotating stand-by duty. While on stand-by duty, consumption of alcoholic beverages or other Controlled Substances that have the potential of impairing a person's mental capacity by employees is forbidden and the employee shall maintain the capability to respond to an after-hours or holiday emergency within thirty (30) minutes of receiving the call.

7.90. Flex Time

7.90.10. With approval of the employee's supervisor, Department Head and/or City Administrator, work schedules may vary with the stipulation that the time worked within each day, will total for each day an amount equal to that employee's regular schedule, with a work schedule consisting of a maximum of ten (10) hours per day Work hours may be staggered on a flex time arrangement to provide longer hours of service to the public.

7.90.20. Employees for whom necessity requires a different schedule or a temporary change in a regular schedule from that generally applied, will work according to schedules prepared by the respective Supervisor and/or Department Head and approved by the City Administrator. Employees working on a flex-time schedule will not be paid overtime because of the flex hour scheduling without prior approval.

7.100. Lunch & Rest Periods

7.100.10. Non-exempt employees are to be provided with at least one (1) unpaid lunch period of at least one-half (1/2) hour in length for every work period of six (6) hours or more. Non-exempt employees required to perform tasks during the normal meal period, must be allowed an equal time for meals thereafter. Any non-exempt employee not provided an alternate lunch period must report such time as time worked.

7.100.20. Non-exempt employees must take a lunch period in every six (6) hour work period, even if the employee arrives late or leaves early from his or her normal shift. If arriving late or leaving early results in the employee working less than six (6) hours, the employee is not required to take a lunch period.

7.100.30. Non-exempt employees are to be provided with a ten (10) minute paid, uninterrupted rest period for each four (4) hour segment or major portion thereof in the work period. Breaks shall be arranged so as not to interfere with City business

7.100.40. If, because of the nature or circumstances of the work, an employee is required to remain on duty or to perform tasks during the break or meal period, the employee must inform his or her supervisor before the end if the shift so that the City may pay the employee for that work. Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to start work late or leave early. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

7.110. Safety Rules and Accident Reports

7.110.10. Safety Policy Statement: The City's first priority is to maintain a safe working environment for its employees and the public. For the employee's protection, job-related injuries, incidents, accidents, or illnesses must be reported immediately using the appropriate forms.

7.110.20. The Public Works Superintendent will conduct monthly safety meetings. Attendance for such meetings will be considered mandatory for employees working in the field.

The City also has a Safety Committee comprised of administrative and public works employees. The Public Works Director, working in conjunction with staff assigned to risk management and under the guidelines of the City's Safety Manual, will conduct monthly Safety Committee meetings. Attendance for such meetings will be strongly encouraged for committee members.

7.110.30. Management Responsibility.
Management shall:

a. Develop and maintain a Safety Manual for the City which encompasses safety measures to be taken by all employees. .
b. A copy of the Safety Manual will be presented to all employees. Employees shall be given an overview of the manual and they shall be given the opportunity to ask questions. Depending on the

employee's position specific sections in the manual may be reviewed and explained in detail. Each employee shall then sign a acknowledgement form, which will be placed in the employee's personnel file, stating that the employee received a copy of the Safety Manual and have been given an opportunity to ask questions.

c. Supervisors shall explain to their employees that a violation of the safety rules could lead to disciplinary action up to and including termination of employment.

7.110.40. Employee Responsibility. Every employee must be safety conscious and responsible for helping the City achieve the goal of providing a safe work place. Employees shall report any unsafe or hazardous condition to their supervisor immediately, if it cannot be corrected independently.

7.110.50. Safe Work Practices. Employees are expected to use common sense and good judgment in their work habits, and to follow safe work practices.

7.110.60. Safety Training. Periodic training will be arranged, when requested or otherwise appropriate by a supervisor or designee. Employees will participate in all required safety training programs offered by the City.

7.110.70. Reporting Accidents. The City Administrator, Department Head, and the direct supervisor shall be notified of all accidents involving City employees and/or City equipment as soon as possible, but in no event later than the next workday. Accidents involving City owned vehicles or personal vehicles being operated on City business shall be reported to the Sheriff's Department for investigation.

For additional information on Worker's Compensation, see Chapter 11.60

7.120. Mandatory Child Abuse Reporting

7.120.10. All City employees are subject to mandatory child abuse reporting laws as prescribed in House Bill 4016 even if their jobs do not require interaction with children. Employees are required to report suspected child abuse and neglect to law enforcement or the Oregon Department of Human Services (DHS).

7.120.20. Notifying a supervisor does not fulfill an employee's responsibility under the law, the employee must report the suspect child abuse or neglect to law enforcement or DHS directly.

7.120.30. A mandatory reporter is required to report abuse wherever and whenever they encounter it, even if they are not at work.

7.120.40. Failing to report child abuse is a Class A violation (similar to a serious traffic offense) and a person making a good faith report of child abuse is immune from civil and criminal liability for making the report.

7.130. Purchasing/Procurement Procedures and Spending Authority

7.130.10. Employees shall have the authority to procure and/or purchase goods and/or services or otherwise create a financial obligation in the City's name only after receiving the appropriate levels of approval and preparing the required documents. The appropriate approval levels and required documents vary depending on the type and amount of the purchase.

Employees involved in purchasing are also expected to act responsibly prior to, during, and after the purchase including, but not limited to, conducting adequate comparisons for value and quality when selecting vendors and products, using the proper method of solicitation, obtaining all necessary approvals, preparing adequate documentation, inspecting goods, monitoring the quality of service and ensuring compliance with this section if a third party is used to conduct procurements on the City's behalf.

The City's purchasing/procurement policies and procedures can be found in the most recent resolution entitled "Joint Resolution of the City Council and Local Public Contracting Review Board opting out of the Attorney General's Model Public Contracting Rules and Adopting Public Contracting Rules for the City of Veneta. These are also known as the "City Public Contracting Rules". The City Public Contracting Rules are very comprehensive and include, but are not limited to, the requirements for and form of solicitation documents, advertisements, contracts and agreements, opening and evaluating bids and proposals, and awarding of contract.

7.130.20. The spending level authority for all purchases, procurements, contract, agreements and any other act that commits the City to a financial obligation is as follows:

a. Purchases/procurements with a cost of $50 or less can be made by any regular employee without prior approval.
b. Purchases/procurements in the amount of $51 - $2,500 require approval, in writing, by a Department Head, prior to the purchase.
c. Purchases/procurements in the amount of $2,501 to $30,000 require approval, in writing, by a Department Head and by the City Administrator, or designee, prior to the purchase.
d. Purchases/procurements with a cost of more than $30,000 require approval, in writing, by a Department Head and the City Administrator, or designee and approval, by motion, of the City Council, prior to the purchase.

7.130.30. The procurement of goods and services not subject to competition, selection procedures or solicitation processes described in the City's Public Contracting Rules shall be conducted as follows:

a. Goods and services with a cost of $50 or less can be made at any local business at which the City has an open credit account. The department and/or purpose of the purchase should be written on the sales receipt. The receipt should also be signed by the employee making the purchase and then be submitted to a Finance Department staff member.
b. Goods and services with a cost of between $51-$4,999 require a completed purchase order or other document providing similar information prior to the financial commitment being made.
c. Goods and services with a cost of $5,000 to $10,000, or obtaining architectural, engineering, photogrammetrist, transportation planning and land surveying services estimated to be less than $100.000 require the obtainment and evaluation of three (3) written quotes or proposals prior to seeking the appropriate approval and/or making a financial commitment.

7.130.40. Employees conducting purchases, procurements, or other activities that obligates the City financially under the "City Public Contracting Rules" or the policies outlined in this handbook, should only use the forms created or approved by the Finance Director, or designee.

7.130.50. Purchases made in urgent or emergency situations. Employees are expected to attempt to contact their direct supervisor, a Department Head or the City Administrator beforehand; however, there may be situations when this is not possible. In either case the appropriate documentation and approvals should be obtained as soon as the situation has stabilized.

7.130.60. Employees may not purchase or procure any goods or services or otherwise create a financial obligation in the City's name for the employee's personal use (i.e. personal long-distance phone calls or buying extra quantities with the intent of reimbursing the City).

7.130.70. The processes, policies, and procedures outlined in this Section (7.130) and the "City Public Contracting Rules" apply regardless of the method of payment to vendors, contractors, etc. The only approved methods of payment are by check or by the City's credit cards.

7.130.80. The City's credit cards shall remain in locked storage. Employees authorized to check out the credit card shall only do so upon request and only if the required documentation with prior approval is presented. Employees checking out the credit card to use shall make their purchase in a timely manner and return the card to a Finance Department staff person as soon as possible. Employees in possession of the credit card shall be held responsible for its safeguarding and for purchase activity from the time it is checked out until it is returned.

7.130.90 Employees violating the City Public Contracting Rules or any policy within this Section 7.130 are subject to disciplinary action including, but not limited to, removal of his or her purchasing privileges.

7.140. Layoffs

7.140.10. The City Administrator, with the concurrence of the City Council, may lay off employees due to lack of funds or curtailment of work, as deemed necessary. Layoffs shall be based on the City's needs, resources, and the skills, aptitudes, and competence of available personnel. The City will endeavor to give employees reasonable notice of intent to layoff. An employee in good standing may be eligible for reinstatement.

7.150. References

7.150.10. All requests for employment references must be directed to Human Resources. No manager, supervisor, or employee is authorized to release references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment. The City may disclose the dates of employment and position(s) held of former employees, and whether the employee is eligible for rehire. Former employees who authorize additional disclosures must make a request to do so in writing. This does not preclude any employee from writing a letter of recommendation for a current or previous employee.

7.160. Resignation

7.160.10. To resign in good standing, an employee shall give not less than ten (10) working days prior notice, unless the City Administrator agrees to permit a shorter period because of extenuating circumstances. The notice of resignation shall be in writing and contain the resigning employee's reasons for leaving City service.

7.160.20 Employees resigning shall return all City property prior to their last day of work and can expect to complete a written or oral exit interview. Such interview shall be conducted by Human Resources staff or the appropriate Department Head.

7.160.30 Final paychecks shall be issued in paper form and shall reflect only federal and state mandated deductions unless deductions are needed for insurance coverage. As a rule insurance coverage ends the last day of the month in which the employee worked at least twenty-four (24) hours. In some cases, the final check could include a refund of premium previously deducted.

7.170. Dress Code

7.170.10. As a City employee, you represent the City when you are on duty or in City uniform. Dress and personal grooming communicates a professional image to our citizens and helps to instill confidence in our ability to provide a high standard of quality services. References to drugs, drug paraphernalia, or alcohol are prohibited.

7.170.20. This policy is intended to provide a guideline and is not meant to address all situations. The guidelines will vary by department depending on the nature of the work performed and specific for the task, safety, involvement with the public, or other circumstances as determined by the City Administrator or designee.

7.170.30. A business casual work attire is expected for employees who primarily work at the City Administrative Center. Attire must be properly fitting in size, clean, and in conformance with safety standards. All footwear is expected to be clean, in good repair, and be closed toed or contain at least one over-the-foot strap.

7.170.40. The City participates in Casual Fridays allowing employees a more relaxed, casual attire. Relaxed, casual attire includes denim jeans, t-shirts, and open toed shoes as long as they are properly sized, clean, and in compliance with safety standards.

7.170.50. Uniform shirts and pants is expected attire for employees who primarily work in the field. Public Works employees will be provided with uniform attire with the City logo, which shall be kept clean and in good repair. Footwear is expected to be in good repair and closed-toed, and may be further regulated as needed, including the requirement to wear boots to prevent employee injury. Pants should not be faded or contain holes. Shorts may be worn by employees who are in the heat the majority of the day. Public Works employees should not wear shorts on days in which they will be exposed to some risk of injury from equipment, facilities, or contamination.

7.17.60. Please see Human Resources to discuss appropriate options for accommodations due to religious beliefs, medical conditions, or any other legally protected class.

8.00. Communications & Software Systems

8.10. Systems Policy
8.20. Communication Courtesies
8.30. Copyrights
8.40. Electronic Mail System
8.50. City Computers: Software Installation
8.60. Landline Telephone Usage
8.70. Cellular Devices Policy
8.80. Voice Mail System
8.90. Archiving Electronic Communications
8.100. Social Media

8.10. Systems Policy

8.10.10. The City's systems, equipment, hardware, software and other information (hereinafter referred to as "systems") in any form are considered an asset of the City and thus must be properly used and adequately protected. This includes the transmission of information over computer communication networks.

8.10.20. Systems include but are not limited to, computers, software, electronic mail (e-mail), copiers, fax machines, telephones, cellular devices, voice mail, surface messengers, communication tools, various on-line services, and protected health information. All of these systems are operated and managed based upon this policy.

8.10.30. The City-provided systems are intended to be used primarily for business purposes. Without manager's approval, you are not allowed personal use of the City's systems. Any approved personal use must not interfere with normal business activities, involve solicitation, be associated with any for-profit outside business activity, or potentially bring harm or embarrassment to the City.

8.10.40. The City reserves the right to monitor employee use of its systems at any time. Employees should not consider their usage of the City systems to be private. Within the bounds of current and future laws, the City reserves and intends to exercise the right to review, audit, intercept, access, and search any of these systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the City. All data and messages maintained on the City systems may be subject to public records law and disclosed to the public upon lawful request.

8.10.50. Any improper use or violation of this policy may result in disciplinary action up to and including termination. Any violation of this policy should be brought to the attention of the City Administrator, or designee.

8.20. Communication Courtesies

8.20.10. Employees are to be courteous to other users of systems and always conduct themselves in a professional manner. Some examples of inappropriate systems use includes, but is not limited to:

a. Installing non-business software
b. Sending chain letters or other material that can be construed as spam
c. Playing games
d. Displaying sites with inappropriate sounds or visuals
e. Transmitting obscene, harassing, offensive or unprofessional messages
f. Accessing any site that is sexually or racially offensive or discriminatory
g. Displaying, downloading, or distributing sexually explicit material.

8.20.20. Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City management. No employee can examine, change or use another person's files, output or username unless he/she has explicit authorization from the Department Head to do so.

8.20.30. Only authorized employees may communicate on the Internet on behalf of the City. Employees may not express opinions or personal views that could be misconstrued as being those of the City.

8.20.40. Any information posted to the City's internet or intranet sites must first be approved by the respective department head.

8.30. Copyrights

8.30.10. Any software or other materials downloaded into the City's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors or owners of the material. The City honors all licenses, copyrights, patents, restrictions and terms and conditions associated with commercial proprietary computer software.

8.30.20. Systems users are not authorized to use, copy, modify, or transfer purchased computer software in whole or in part except as expressly provided in the applicable software license, contract or purchase agreement. "Pirating" (making unauthorized copies of software or music) is a violation of federal copyright law. All approved material that is posted should obtain all proper copyright and trademark notices if applicable.

8.30.30. System applications developed while employed by or under contract with the City are the property of the City, not the employee who did the developing

8.40. Electronic Mail System

8.40.10. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Employees should write e-mail communications with no less care, judgment, and responsibility than they would use for letters or internal memoranda written on City letterhead.

8.40.20. Please be aware that even when a message is erased through e-mail it is still possible to retrieve and read that message. Even though the City reserves the right to retrieve and read any e-mail messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. The City expects that employees will respect others' privacy, and unless authorized to do so, will not retrieve or read electronic messages not intended for them.

8.40.30. All outgoing e-mail should contain a footer with the following disclosure and notice:
"Public Records Law Disclosure: This e-mail may be a public record subject to public disclosure.
Confidentiality Notice: This e-mail may contain confidential or privileged information. It is intended only for the use of the recipient named above. If you believe you have received this message in error, please notify me immediately by reply e-mail, delete the message from your computer and destroy any paper copies."

8.40.40. The use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the City or contracted staff person tasked with this password tracking. It is the responsibility of each employee to notify the appropriate staff person of system password changes.

8.40.50. Incidental use of City e-mail for personal purposes is permitted, but such use must be kept to a minimum and only take place during non-work hours. Employees are reminded that they have no expectation of privacy in the e-mails sent using City systems and that those e-mails may be public records subject to disclosure.

8.50. City Computers: Software Installation

8.50.10. In an effort to protect the integrity of City systems, personal or downloaded software may only be installed after authorization from the employee's direct supervisor or contracted information technology staff has been received.

8.50.20. A complete virus check of all such software shall be made, if recommended, immediately before it is installed on any City computer.

8.50.30. A virus check must be made on any disk or files originating from outside the City prior to its use in City computers.

8.50.40. Copying or transferring of the City-owned software may be done only with the written authorization of the City Administrator.

8.60. Telephone Usage - Landline

8.60.10. The City recognizes that employees must occasionally make and/or receive personal telephone calls. Such calls must be held to a minimum and should impact work as little as possible. Unauthorized use of the telephone, including charging long distance calls to the City, may result in corrective action, up to and including termination.

8.70. Cellular Devices Policy

This policy applies to employee use of cell phones, smart phones and similar devices, tablets and similar devices, all of which are referred to as "cellular devices' in the Cellular Devices policy.

8.70.10. Employees provided with a City-owned cellular device, must restrict the use of the device to City business. City-owned cellular devices will be purchased and replaced by the City as needed, but employees are required to maintain their assigned City-device.

8.70.20. Employees are allowed to bring personal cell devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

8.70.30. Nonexempt employees may not use their personal or City-provided cellular device for work purposes outside of their normal work schedules without written authorization in advance from the Department Head. This includes, but is not limited to, reviewing, sending, and responding to emails or text messages, and responding to calls or making calls. All employees using personal cellular devices for work purposes must have an acknowledgement form on file indicating that they understand that the device may be subject to public disclosure.

8.70.40. Cellular devices are made available to City employees on a limited basis to conduct City business. In some cases, the City may provide a monthly cell phone stipend to employees who regularly make calls on behalf of the City away from the office.

8.70.50. Employees who receive a cellular device from the City must agree to not use the cellular device for personal use except in emergency situations and must abide by the Cellular Device Policy. Further, employees who receive a cellular device from the City must acknowledge and understand that because the device is paid for and provided by the City, or subsidized by the City, any communications (including text messages) received by or sent from the cellular device may be subject to inspection or review if the City has reasonable grounds to believe that the employee's use of the cell phone

violates any aspect of the Cellular Device Policy. An employee who refuses to provide the City access to his/her cellular device in connection to an investigation and after reasonable notice may be subject to discipline, up to and including termination.

8.70.60. Cameras of any type, including cell phones or cellular devices with built-in cameras and video photography options, may not be used during working hours, or at any City-sponsored function unless authorized to do so by the employee's Department Head.

8.70.70 City-related business conducted on a City provided or personal cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against the City.

8.70.80. Oregon law prohibits the use of handheld cellular devices while driving for making or receiving calls, or sending texts or instant messages. Employees needing to make a call or send an text/instant message should locate a lawfully designated area to park to continue to make the call or send a text/instant message, even if the employee is using a "hands-free accessory." Please note, the use of speaker phones or push to talk features are not considered "hands-free" accessories. Violation of this policy will subject the employee to discipline, up to and including termination.

8.70.90. Unapproved cellular expenses such as personal calls, unauthorized long distance calls, or any other inappropriate use will not be paid for by the City and will be considered the employee's responsibility.

8.80. Voice Mail System

8.80.10. The voice mail system is the property of the City and has been provided for use in conducting City business. All communication and information transmitted by, received from, or stored in this system are the City's records and the property of the City.

8.80.20. The voice mail system is to be used for City business only, and use of the system for personal purposes is discouraged. Employees should not expect personal privacy rights pertaining to any information stored in, created, received, or sent over the voice mail system.

8.80.30. The City, in its discretion as owner of the voice mail system, reserves and may exercise the right at any time to monitor, access, retrieve, and delete any message stored in, created, received or sent over the system for any reason, and without the permission of any employee. You are not authorized to retrieve or listen to any voice mail messages that are not sent to your personal attention. Any exception to this policy must receive prior approval from the City Administrator.

8.90. Archiving Electronic Communications

8.90.10. Employees must follow federal and state law with regards to archiving electronic communications. Generally, you should follow the same archiving timeframes for electronic records, as you would for paper records.

8.90.20. Examples of records that are most commonly considered public record include:

a. Policies and directives,
b. Correspondence or memoranda related to official business,
c. Work schedules and assignments,
d. Agendas and minutes of meetings,
e. Drafts of documents that are circulated for comment or approval,
f. Any document that initiates, authorizes, or completes a business transaction,
g. Final reports or recommendations

8.90.30. Examples of records that are most commonly not considered public record include:

a. Personal messages or announcements,
b. Copies of extracts of documents distributed for convenience or reference,
c. Announcements of social events,
d. Messages received via listserv,
e. Spam

Employees should refer to the City's Records Retention Schedule for City-specific information.

8.100. Social Media

8.100.10 Social Media Content. The City has an overriding interest and expectation in deciding what is "announced" or "spoken" on behalf of the City on social media sites.

8.100.20. The City Administrator may elect to have an official presence on specified social media outlets, i.e. Facebook and Twitter, for the City. Such accounts will be maintained by the City Administrator or an appointee and all posts shall be made by the City Administrator or said appointee.

8.100.30. Social Media may be used for the purpose of announcing public meetings, city-sponsored events, holiday and other closures of City facilities or parks, city-related news, city job openings and other information approved by the City Administrator.

8.100.40. The City's website (https://www.venetaoregon.gov/) will remain the City's primary and predominant internet presence.

8.100.50. Wherever possible, content posted to the City's social media sites will also be made available on the City's website. Additionally, content posted to the City's social media sites must contain hyperlinks directing viewers back to

the City's official website for in-depth information, forms, documents or online services necessary to conduct business with the City.

8.100.60. The City's use of social media will not be the primary tool used for disseminating emergency information, communicating between City employees, gathering information for building and other permits, citizen complaints or promoting private businesses and non-city related events.

8.100.70. Employee Own Use of Social Media
Be aware of your City association in online social networks. If you choose to identify yourself as a City employee or if you have a public facing position and your City association is known to the general public, you must ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a City professional, is appropriate given the public trust associated with your position, and conforms to existing community public service standards.

8.100.80. Do not use or reference your formal position when writing in a non-official capacity.

8.100.90. If you publish content related to the City to a social media site, preface your comments with the following disclaimer: "The postings are my own and do not necessarily represent the City of Veneta's positions, strategies or opinions."

8.100.100. City employees shall refrain from engaging in the following while holding themselves out as a City employee or representative or while discussing City issues:

a. vulgar or abusive language
b. personal attacks of any kind
c. offensive terms targeting individuals or groups
d. endorsement of commercial products, services, or entities
e. endorsement of political parties, candidates, or groups
f. political lobbying or petitioning using the City or any other appropriated resource.

Employees shall:

a. respect copyright, fair use and financial disclosure laws, and
b. protect sensitive information, such as protected acquisition and personally identifiable information.

8.100.110. Employees maybe subject to discipline, up to and including termination, if they create and post any text, images or other media that violate any City policies, including the City's no-harassment and no-discrimination and workplace violence policies. This is especially true if the employee's postings negatively affect the public's trust in the employee or in the City or if the employee holds a public-facing position with the City. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline, up to and including termination.

Employees are prohibited from creating a link from their personal blog, website or other social networking site to a City owned or maintained website without identifying yourself as a City employee.

Employees should never represent themselves as a spokesperson for City, unless authorized by their manager or supervisor to do so. If the City is a subject of the content the employee is creating, the employee should be clear and open about the fact that they are a City employee, and make it clear that their views do not represent those of the City or its employees or elected officials.

8.100.120. Always be fair and courteous to co-workers, the citizens we serve, City employees and elected officials, and suppliers or other third parties who do business with City.

Employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with co-workers than by posting complaints to a social media outlet. If an employee posts complaints or criticism, they must avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, City employees or elected officials, that might constitute harassment or bullying, and/or that violate City policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally harm an individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

8.100.130. Maintain the confidentiality of City's confidential information. Do not post internal reports, policies, procedures or other internal, City-related confidential communications or information. (See "Confidential City Information" policy, below.)

8.100.140. Nothing in this policy is meant to prevent an employee from exercising his/her right to make a complaint of discrimination or other workplace misconduct, engage in lawful collective bargaining activity, or to express an opinion on a matter of public concern that does not unduly disrupt City operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against the City's interest in the effective and efficient fulfillment of its responsibilities to the public.

9.00. Compensation

9.10. Compensation Plan
9.20. Classification Plan
9.30. Change of Classification
9.40. Wage Adjustments
9.50. Employee Evaluations
9.60. Non-disciplinary Demotion
9.70. Pay Periods & Days
9.80. Overtime
9.90. Compensatory Time Off
9.100. Fair Labor Standards Act
9.110. Stand-by Duty Compensation

9.10. Compensation Plan

9.10.10. The City Council shall adopt a Compensation Plan that includes all of the current paid positions within the City's Organizational Chart. The City Administrator, or designee, is responsible for analyzing, maintaining and administering the adopted plan.

9.10.20. The City Administrator, or designee, shall, from time to time, analyze compensation policies, fluctuations in personnel requirements of the City, and the salary or hourly rate range for each position, to determine if adjustments should be made in compensation, either generally or in specific positions, and shall report such findings to the City Council.

9.10.30. The Compensation Plan shall include each position on the City's organization chart, with a minimum (Step 1) and maximum (Step 10) monthly salary or hourly rate range. Each range shall have incremental steps with a differential between each step. The Finance Officer shall maintain a copy of the Compensation Plan on file and provide it to employees upon request. The Compensation Plan is a public record.

9.20. Classification Plan

9.20.10. The City Administrator, or designee, shall develop a Position Classification Plan. The plan will include an organizational chart showing each position by department, a listing of the classifications including a definition and positions within each classification, and a description of each position or job function, including: the department, the classification, work schedule, a general statement of responsibilities, essential responsibilities, auxiliary expectations, position qualifications (minimum qualifications, special and desirable), physical demands of the position, working conditions, supervision exercised, and supervision received.

9.20.20. Position and job function descriptions are descriptive and not restrictive, and are intended to indicate the kinds of duties that may be generally assigned to any specific classification, while providing supervisors the flexibility of making daily work assignments. The use of a particular expression or illustration of such duties shall not be held to exclude others not mentioned, nor will any specific omission necessarily mean that such assignment may not be included.

9.20.30. A copy of the approved Classification Plan will be maintained at City Hall as a matter of public record.

9.20.40. All employees are defined by federal and Oregon law as either '"exempt" or "non-exempt" which determines whether the employee is eligible for overtime.

9.30. Change of Classification

9.30.10. The City may reclassify positions within the financial limitations of the current City budget and changing needs.

9.30.20. Supervisors are responsible for notifying the City Administrator of any changes in the responsibilities/ expectations of a position that could warrant a reclassification.

9.30.30. Any employee may also request of the Supervisor that the employee's position be reviewed to determine whether it is properly classified.

9.30.40. The City Administrator will make the necessary investigation of any such request and any changes in positions classifications will be documented in written form.

9.40. Wage Adjustments

9.40.10. Cost of Living Adjustments.

a. Each year, during the budget process, determination will be made whether or not economic conditions warrant a cost-of-living adjustment. The amount of such an adjustment will be determined primarily by using the All Urban Consumers CPI-U West from the previous calendar year.
b. The City Administrator, or designee, shall assist the budget committee in their decision by gathering information and assisting with the analysis.
c. If granted, cost of living adjustments shall be for all regular positions and steps within the City's Compensation Plan for Regular Positions and generally, will be effective the first day of the pay period that includes the first day of a new fiscal year.
d. The City Council has final decision regarding cost of living adjustments.

9.40.20. Minimum Wage Adjustments.

a. Each year, during the budget process, determination will be made whether or not the State's minimum wage is being adjusted.
b. If the State's minimum wage changes, the City shall adjust the Step 1 amount for the positions directly

tied to minimum wage on the City's Compensation Plan for Seasonal and Temporary Positions.

c. Positions indirectly tied to the minimum wage shall be adjusted based on the existing wage to minimum wage ratios.
d. The wage adjustments will generally be effective the first day of the pay period that includes the first day of the new fiscal year or as directed by State Law.

9.40.30. Merit Increases.

a. Every employee is eligible for a merit increase based on the results of their annual performance evaluation and/or significant attainment or progress toward established goal(s)).
b. Recommendation of a merit increase are at the discretion of the employee's supervisor. Recommendations need to be submitted using the appropriate personnel form.
c. All merit increases are subject to budgetary considerations and approval by the City Administrator. When a recommended merit increase is approved, such increase shall be retroactive to the beginning of the pay period immediately following the employee's anniversary date. Should extraordinary circumstances occur, causing an evaluation to be delayed and overlap one or more anniversary dates, the employee may be eligible for a retroactive merit increase prior to the last anniversary date.
d. Merit increases, in most situations, would take the form of moving the employee's wage to the next higher Step for their position on the City's Compensation Plan. Employees already at the last Step (#10) can be considered for promotion, another form of compensation or a merit increase of an amount to be determined by the supervisor and City Administrator.

9.50. Employee Evaluations

9.50.10. Every regular employee shall receive an annual evaluation from their immediate supervisor. Evaluation dates shall correspond with the employee's hire date, and subsequently, the date of promotion into a new position.9.50.20. After the employee's probationary evaluation, the supervisor will strive to provide a formal performance review on an annual basis. Evaluations should be completed and delivered to the employee within 15 days of the applicable anniversary date. If circumstances preclude the completion of the evaluation within the stated time, the responsible supervisor will strive to notify the employee in writing. The notice will include an explanation of the cause for the delay and will set a date and time, preferably not more than 30 days from the anniversary date, for the evaluation to be completed and reviewed with the employee.

9.50.30. Employees who disagree with a performance evaluation may submit a written response with reasons for the disagreement. The employee's response shall be filed with the employee's evaluation in the employee's personnel file. Such response must be filed no later than 30 days following the date the performance evaluation was received. Supervisors and Managers are encouraged to provide employees with informal evaluations of their employee's work on a periodic basis.

9.50.40. All employees shall have the opportunity to communicate about their supervisor's performance as a supervisor using the Supervisor Review Form. Participation is not mandatory and can be done anonymously, but all employees are highly encouraged to participate in this process by using the form or by writing a letter or email, or by discussion with the supervisor's supervisor.

9.60. Non-Disciplinary Demotion

9.60.10. An employee may be demoted to a position and classification with a lower salary range than that previously assigned, resulting from reorganization, change in job duties, inadequate qualifications or job performance. Any such demotion shall be subject to the appeal process for serious disciplinary actions, as set forth in this handbook.

9.70. Pay Periods & Days

9.70.10. The pay periods shall be semi-monthly (26th of one month through the 11th day of the next month and the 12th through the 25th of the same month).

9.70.20. Paydays will be on the 1st and the 16th of each month, provided that, should any payday fall on a weekend or holiday, payday shall be the last working day prior to the holiday or weekend. In most cases pay checks will be available to employees by 10:00 a.m. on payday. Variances to this time will be announced as soon as possible, once the need for a delay is known.

9.70.30. Approved time sheets must be submitted to the Finance Director or designee by 10:00 a.m. the morning after the last working day of each pay period, unless prior arrangements have been made.

9.70.40. The employee's signature on the time sheet constitutes the employee's verification that the time sheet is true and accurate in all respects, and that the employee has not worked any time not recorded on the time sheet.

9.80. Overtime

9.80.10. Overtime shall be paid for all non-exempt employees for all hours paid or worked in excess of forty (40) hours per week. Overtime must be approved, in advance, by the responsible supervisor. Overtime shall be kept to a minimum.

9.80.20. The work week for purposes of calculating hours worked per week and overtime hours starts on Sunday 12:00 a.m. and ends Saturday 11:59 p.m.

9.80.30. Overtime will be paid at the rate of one and one-half (1-1/2) times the regular hourly rate, or employees who work overtime will be given the equivalent (1.5 hours for each hour worked) in compensatory time off, at a mutually acceptable time.

9.80.40. Determination of whether overtime worked is compensated by payment or time off work is, in part, determined by the availability of budgeted funds. When budgeted funds are not available, the City and the employees agree, effective with the adoption of these policies, that compensation will be converted to time off work at the rate of 1.5 hours for each overtime hour worked.

9.90. Compensatory Time Off

9.90.10. Maximum accrual of compensatory time shall be sixty (60) hours.

9.90.20. All overtime accumulated over the maximum allowed for compensatory time shall be paid as overtime in their normal paycheck for the pay period in which the accumulation exceeds the maximum allowed.

9.90.30. Compensatory time must be used in a minimum of one quarter (1/4) hour blocks.

9.90.40. Subject to available funding and supervisor approval, employees may opt for payment of compensatory time in lieu of time off. Payment may be requested for no more than forty (40) hours per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and approved by the employee's supervisor. Compensatory time will be paid as "Overtime" at the rate of one and one-half (1-1/2) times the regular hourly rate multiplied by the unconverted hours equivalent to the hours requested.

9.100. Fair Labor Standards Act

9.100.10. Executive, supervisory, administrative, professional, elected, or contractual employees of the City who meet the criteria outlined in Oregon Administrative Rules, Chapter 839, Division 24, are excluded from the overtime pay and compensatory time requirements.

9.110. Stand-by Duty Compensation

9.110.10. Employees holding certain positions within the public works department shall be assigned to rotating stand-by duty.

9.110.20. If during stand-by duty a non-exempt employee is called to perform services for the City, such employee shall be compensated for such services at straight time, unless the employee has recorded more than forty (40) hours in any one (1) week, in which case the employee shall be paid at the rate of one and one-half (11/2) times the hourly rate of pay or shall accrue compensatory time at the rate of one and one-half (1½) times the hours worked.

9.110.30. Public Works employees assigned to standby duty will be compensated for maintaining their availability as follows: up to $75.00 per week-end day and up to $75.00 per holiday above and beyond their regular pay.

9.110.40. For each time the employee is called in to work while on stand-by, the employee shall be paid for a minimum of one (1) hours work unless the employee was already on duty when called, provided, however that in the event an employee is called in from stand-by to perform duties more than three (3) times in a twenty-four (24) hour period, the employee shall be considered to be on payroll at the applicable hourly rate and shall be paid only for actual time worked on the fourth (4th) and subsequent calls during such twenty-four (24) hour period.

9.110.50. All call-back hours shall be recorded on the employee's time sheet. After three (3) calls in a twenty-four (24) hour period, the employee shall notify the employee's supervisor.

9.110.60. Employees shall not consume alcoholic beverages or use Controlled Substances that could affect safety and judgement when on stand-by status, and shall remain within thirty (30) minutes response time.

10.00 Accrued / Paid Time Off

10.10. Recognized Holidays
10.20. Vacation
10.30. Sick Leave
10.40. Personal Leave
10.50. Maternity/Parental Leave
10.60. Expression of Breast Milk
10.70. Statement of No FMLA/OFLA Coverage
10.80. Military Leave
10.90. Administrative Leave
10.100. Crime Victim and Domestic Violence Leave and Accommodation Policy
10.110. Other Leave with Pay
10.120. Leave without Pay

10.10. Recognized Holidays

10.10.10. All employees with a regular or probationary status shall be entitled to the following holidays with regular pay equal to the hours they are normally scheduled to work in a day.

New Year's Day.....1st day of January
Martin Luther King Jr. Day.....3rd Monday of January
President's Day.....3rd Monday of February
Memorial Day.....Last Monday in May
Independence Day.....July 4
Labor Day.....1st Monday in September
Veterans Day.....November 11
Thanksgiving Day.....4th Thursday in November
Day after Thanksgiving.....4th Friday in November
Christmas Day.....December 25

10.10.20 Additional holidays may be scheduled from time to time by the City Council.

10.10.30. Holidays which occur during vacation or sick leave shall not be charged against such leave.

10.10.40. Floating Holidays. Employees in regular or probationary status working forty (40) hours per week shall accrue eight (8) hours of floating holiday on July 1 and shall accrue another eight (8) hours on January 1 of each year for a total of two (2) floating holidays per fiscal year. Employees in regular or probationary status working less than forty (40) hours per week shall accrue floating holidays pro-rated based on the number of hours they are normally scheduled to work per week.

10.10.50. All floating holidays must be taken during the fiscal year in which they are earned or they will be lost; they may not be carried over to the next fiscal year. Unused floating holidays shall not be compensated for in any way at the time of resignation, retirement or termination of an employee. Employees are strongly encouraged to use floating holidays early to avoid being denied time off at the end of the fiscal year.

10.10.60. Whenever a holiday falls on a Sunday, the following Monday shall be observed as the holiday. Whenever a holiday falls on a Saturday, the previous Friday shall be observed as a holiday.

10.10.70. When an authorized holiday falls on an employee's regularly scheduled day off, the holiday Sunday or Saturday rule applies.

10.10.80. Employees in seasonal/temporary status shall not be eligible to accrue or receive holiday benefits.

10.20. Vacation

10.20.10. All employees in regular or probationary status will accrue vacation, based on their original start date as follows

a. From the beginning of Year 1 through the end of Year 3 – 6.67 hours per month (80 hours annually).
b. From the beginning of Year 4 through the end of Year 5 – 8.00 hours per month (96 hours annually).
c. From the beginning of Year 6 through the end of Year 10 – 10.00 hours per month (120 hours annually).
d. From the beginning of Year 11 through the end of Year 15 – 13.33 hours per month (160 hours annually).
e. From the beginning of Year 16 through the end of year 20 – 16.32 hours per month (196 hours annually).
f. From the beginning of Year 21 and thereafter – 20.67 hours per month (248 hours annually).

10.20.20. Employees in regular or probationary status working less than forty (40) hours per week shall accrue vacation leave using the accrual rates above, but pro-rated based on the number of hours they are normally scheduled to work per week.

10.20.30. Employees in a temporary or seasonal status shall not be eligible to accrue or receive vacation benefits.

10.20.40. Probationary employees shall be eligible to use vacation leave during their probationary period of employment up to the amount of vacation accrued at the time of use.

10.20.50. Accrual of vacation leave shall stop on the last day worked. Vacation leave accrued through the last day worked shall be paid to the employee on the date the employee receives his or her final paycheck.

10.20.60. Vacations will be scheduled in advance so as to meet the operating requirements of the City and, insofar as possible, the preference of the employees.

10.20.70. Vacations shall be scheduled so as to have minimum adverse effects on the operation of the City. If

disputes arise over the scheduling of vacation time off, the supervisor shall resolve the dispute based on:

1. Date written request for leave was received.
2. Previously granted leave requests, including previous years' requests.

10.20.80. Vacation leave may accumulate from year to year up to a maximum accumulation of one hundred sixty (160) hours.

10.20.90. Employees, who have fifteen (15) years of service or less, may opt to have 40 hours of vacation paid, in lieu of time off, per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and be approved by the immediate supervisor.

10.20.100. Employees, who have sixteen (16) years of service or more, may opt to have up to 80 hours of vacation paid, in lieu of time off, per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and be approved by the immediate supervisor.

10.20.110. If the number of vacation hours accumulated by an employee exceeds the allowable maximum accumulation at any time during the year, no additional accruals will occur until the balance is reduced below the one hundred sixty (160) hour maximum.

10.20.120. Employees who have completed their probationary period and are terminated prior to their use of vacation shall be paid for the part of the employee's vacation time earned. Any employee terminated prior to completion of their probationary period shall not be paid accrued vacation.

10.30. Sick Leave

10.30.10. The City provides a more generous sick leave policy than what is required through the Oregon Sick Leave law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, seasonal, temporary, exempt and non-exempt employees. Sick leave runs concurrently with other leave where allowed by law.

10.30.20. All employees with a regular or probationary status and normally scheduled to work forty (40) hours per week shall earn paid sick leave at the rate of eight (8) hours per calendar month of service. Sick leave shall accrue beginning on their start date. There shall be a maximum accumulation of sick leave of two hundred forty (240) hours.

10.30.30. All employees with a regular or probationary status normally scheduled to work less than forty (40) hours per week, shall earn paid sick leave at a pro-rated amount based on the number of hours they are normally scheduled to work per week. Sick leave shall accrue beginning on the first day of work.

10.30.40. Employees in a probationary status shall be eligible to use paid sick leave during their probationary period of employment up to the amount of sick leave accrued at the time of use.

10.30.50. Employees with temporary or seasonal status are eligible to accrue sick leave as required, and at the rate, specified by Oregon Sick Leave law and may use accrued sick time after the 91st calendar day of continuous employment.

10.30.60. The accrual and eligibility of sick leave for employees with seasonal or temporary status shall start over each calendar year. Under Oregon Sick Leave law, an employee would be entitled to have any unused sick time hours restored if that person is reemployed within 180 days. If that person had not yet qualified for leave (had earned hours but not yet reached 90 days of employment) they would be able to pick up where they had left off again assuming they were reemployed within 180 days.

10.30.70. Employees are eligible to use sick leave for the following reasons:

a. Personal illness, injury or health condition, including time off for medical diagnosis, care, treatment, and preventative care;
b. Care for your family member with an illness, injury or health condition, including time off for medical diagnosis, care, treatment, and preventative care;
c. For any purpose allowed under Oregon's domestic violence, harassment, sexual assault, or stalking law; or
d. A public health emergency, including upon an order of a general specific public health emergency, or when the City requires you to be away from the workplace by law or rule for health reasons.

10.30.80. Abuse of sick leave privilege shall be cause for disciplinary action. If the City suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of leave adjacent to weekends, holidays, vacations, or paydays, the City may require documentation from a healthcare provider. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

If the need for sick leave is unforeseeable, the employee shall notify their supervisor with the reason for his or her absence at least one (1) hour prior to the time he or she is expected to report for work.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only

minimally disruptive to the organization and operations, the City may deny the use and legal protections of sick leave.

If an employee takes five (5) or more consecutive scheduled workdays as sick leave, the City may require reasonable documentation showing that the employee was absent for an approved reason. Reasonable documentation includes documentation signed by a healthcare provider, or documentation for victims of domestic violence, harassment, sexual assault or stalking. Documentation may be requested at the discretion of the supervisor if less than five (5) days. Employers must pay for all costs associated with providing medical verification, including copays, the full cost of visits if the employee is uninsured, and lost wages if the employee is required to miss work to obtain the medical verification.

10.30.90. Accrual of sick leave shall stop on the last day worked.

10.30.100. Unused sick leave shall not be compensated for in any way at the time of resignation, retirement or termination of an employee. However, unused sick leave shall be reported to the appropriate agency for computations relating to retirement benefits, as required.

10.30.110. Sick leave may be used in amounts of not less than one-half (1/2) hour, except as provided herein.

10.30.120. If the need for sick leave is foreseeable, an employee must notify their supervisor as soon as practicable before the leave is to begin. Generally, an employee must provide at least 10 days' notice for foreseeable sick leave. The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of the City. Employees must notify their supervisor of any change in the expected duration of sick leave as soon as practicable.

10.30.120. Exceptions to Sick Leave With Pay.

a. No employee of the City shall be entitled to salary, paid benefits, or accrued leave benefits by the City, if the employee is receiving full-wage replacement worker's compensation or other similar benefit payments from a source related to employment other than with the City of Veneta.

b. From time to time the City may require the employee to submit a sick leave certification from an attending physician. In the event of failure or refusal to supply such certificate, or in the event the certificate does not clearly show sufficient reason to preclude the employee from the performance of duties, such sick leave will be canceled and the employee's services may be terminated.

10.30.130. Sick Leave Without Pay. At the City's sole discretion and if requested by any employee, sick leave without pay may be granted if the employee's accrued sick leave, compensatory time, vacation time, administrative time, and personal time have been depleted. In the event that such additional unpaid leave exceeds thirty (30) days, an extension must be requested and may be approved by the City Administrator. Such leave of absence, shall not exceed one (1) year, and shall be without pay or fringe benefits, except as otherwise required by law (i.e. COBRA).

10.40. Personal Leave

10.40.10. All employees with a regular or promoted probationary status may earn personal leave when an employee has accumulated the maximum of two hundred forty (240) hours sick leave, at a rate of eight (8) hours, for each month during which the employee maintains an accumulated two hundred forty (240) hours of sick leave, provided:

a. Personal leave hours shall not be accumulated in excess of sixty (60) hours.
b. Personal leave hours may not be earned if an employee's sick leave is less than the maximum. Therefore; accrued personal leave must be used prior to using sick leave.
c. Personal leave will be scheduled by mutual agreement between the employee and supervisor.
d. Unused personal leave shall not be compensated in any way at the time of resignation, retirement or termination.
e. Employees in a regular status working less than full-time shall earn personal leave on a pro-rated amount based on the hours they are normally scheduled to work during each calendar month.
f. Subject to available funding, employees may opt for payment of personal leave in lieu of time off. Payment may be requested for no more than forty (40) hours per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and approved by the employee's supervisor.

10.40.20. Accrual of personal leave shall stop on the last day worked.

10.50. Maternity/Parental Leave

10.50.10. Work absences caused by childbirth or related circumstances are likely covered by the City's accrued sick leave policies during the period that the employee's doctor certifies the employee's inability to work. The City may also allow the employee to use accrued paid Vacation leave under these circumstances. If the employee has no paid sick leave accrued, he/she should discuss the issue with their supervisor.

10.50.30. To be eligible for sick leave benefits due to childbirth or related circumstances, the employee should follow the process for using sick leave and should t notify the

City, in writing, of the anticipated date of departure and date of return at least thirty (30) days prior to the beginning of the leave, if at all possible. In the event of emergency, such as premature delivery, telephone notice shall suffice, provided written notice is given within three (3) working days following the emergency.

10.60. Expression of Breast Milk

10.60.10. Female employees breastfeeding a child 18 months or younger are allowed a 30 minute unpaid break during each 4-hour work period or major part of a 4-hour work period for expression of breast milk; the break should be taken by the employee approximately in the middle of the work period.

10.60.20. If an employee takes the 30 minute break by adding time to a paid 10-minute rest period, ten minutes of the break will be paid, the remaining portion will not.

10.60.30. With prior approval from her manager, an employee may choose to work before or after her normal shift to make up the amount of time used during the unpaid portion of the rest period.

10.60.40. If the employee does not make up the unpaid time, the employee will not receive compensation for the breast milk expression time. Employees cannot be required to make up the unpaid time.

10.60.50. The City will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the City will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

10.60.60. An employee who intends to express milk during work hours must give their supervisor or [Contact] reasonable oral or written notice of her intention to do so in order to allow the [Company] time to make any preparations necessary for compliance with this rule.

10.60.70. Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

10.70. Statement of No FMLA/OFLA Coverage)

10.70.10. City employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) due to the size of the City (24 or fewer employees).

10.80. Military Leave

10.80.10. The City shall comply with all applicable facets of the Uniformed Services Employment and Reemployment Rights Act (USERRA), or any amendments thereto, as the Act applies to employees who leave employment in "other than a temporary position" for the purpose of military training, service or examination.

Employees who wish to serve in the military and take military leave should contact Human Resources for information about their rights before and after such leave. The employee is entitled to reinstatement upon completion of military service, provided that the employee applies for reinstatement within the time allowed by law.

10.80.20. Eligible employees called for initial active duty for training and for all periods of annual active duty for training as a member of the National Guard, National Guard Reserve or any reserve component of the Armed Forces for the United States or of the Unites States Public Health Service, may be entitled to leave with pay for all regular workdays that fall within a period not to exceed 15 calendar days in any federal training year. Weekend drill obligations are not considered "federal active duty" for training under this policy; other requirements apply.

10.80.30. The City will honor requests from eligible employees to take a leave of absence under the Oregon Military Leave Act. Thus, during a period of military conflict, as defined by law, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces ("Military Spouse"), and who has been notified of an impending call or order to active duty (or who has been deployed) is entitled to a total of 14 days of unpaid leave per deployment after the Military Spouse has been notified of an impending call or an order to active duty and before deployment and when the Military Spouse is on leave from deployment. To be an eligible employee and entitled to this leave, the employee must have worked an average of 20 hours per week prior to beginning the requested leave.

10.90. Administrative Leave

10.90.10. In recognition that certain employees who hold City positions classified as exempt (Management and Professional/Supervisory) will from time to time work more

than forty (40) hours per week, and in lieu of any compensatory time, such employees hired after August 15, 2010 are entitled to six (6) hours of administrative leave per month. Each employee hired prior to August 15, 2010, will continue to accrue administrative leave at the rate they were accruing as of August 15, 2010.

a. Administrative leave shall not accumulate to more than (sixty 60) hours at any one time.
b. Administrative leave will be scheduled by mutual agreement between the employee and supervisor.
c. Unused administrative leave shall not be compensated in any way at the time of resignation, retirement or termination.
d. Subject to available funding, employees may opt for payment of administrative leave in lieu of time off. Payment may be requested for no more than forty (40) hours per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and approved by the employee's supervisor

10.90.20. Accrual of administrative leave shall stop on the last day worked. Unused administrative leave shall not be compensated for in any way at the time of resignation, retirement or termination of an employee.

10.100. Crime Victim's and Domestic Violence Leave and Accommodation Policy

10.100.10. Any employee who has worked an average of at least 25 hours per week for 180 days are eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or immediate family member has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies.\\ a

10.100.20. Employees who are eligible for crime victim leave must:

a. Use any accrued, but unused vacation/sick leave during the leave period;
b. Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
c. Submit a request in writing to Human Resources as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, the City may require certification of the need for leave, such as copies if any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

10.100.30. The City may provide reasonable safety accommodations for an employee who is a victim of domestic violence, sexual assault, or stalking, if the employee requests it, and if it does not impose an undue hardship on the City as determined by the City Administrator.

10.100.40. Examples of reasonable accommodation may include, but are not limited to: transfer, reassignment, modified schedule, changed work telephone number, changed work station, installed lock, implemented safety procedure, or other adjustment to a job structure, workplace facility or work requirement.

10.110. Other Leave with Pay

10.110.10. Employees with regular or promotional probationary status, with approval, are entitled to leave without loss of time, pay, loss of leave accruals or benefits for absences caused by the following:

City employees called for jury duty, or subpoenaed as a witness in their capacity as a City employee, shall be paid at their regular rate of pay during such absence. Compensation received by the employee for serving on a jury will be paid to the City. Compensation received by the employee to cover travel and related expenses will be retained by the employee, unless otherwise paid by the City. It is the responsibility of the employee to report to work for the remainder of their normal shift if jury duty does not exceed the work day, or to make arrangement with their supervisor for approval of the use of accrued leave.

a. No personal civil case of the employee shall be covered by this provision.
b. Employees with regular status who are requested by an appropriate agency to participate in a search and rescue operation are eligible for leave with pay for a period not to exceed five (5) regular working days, for each such operation (incident), provided the employee fully complies with ORS 652.250.
c. In the event of the death of an employee's immediate family member(s), an employee with regular or probationary status may be granted up to three (3) days paid bereavement leave with pay per occurrence, not to exceed six (6) paid days per fiscal year.

Under Oregon's Sick Leave law, up to 40 hours (in any one year) of bereavement leave will be granted to employees who have worked for the City for 90 or more days. This leave is provided to employees who have experienced the death of a family member and is unpaid except as stated in 10.110.c; employees, however, may use accrued sick leave during the bereavement leave period.

"Family Member" is defined to include the employee's spouse, same-sex domestic partner (registered), child, parent, parent-in-law, grandparent, or grandchild, or the

same relations of an employee's same-sex domestic partner (registered) or spouse.

Requests for bereavement leave must be made to the employee's immediate supervisor before the leave is to begin. This leave will be administered in accordance with Oregon's sick leave law, and the time off will be deducted from the employee's sick leave bank. Please see Human Resources for more information.

10.120. Leave without Pay

10.120.10. An employee with regular or promotional probationary status may be granted leave without pay for a period not exceeding ninety (90) days. Requests for such leave must be in writing, and must establish reasonable justification for approval by the City Administrator. No vacation, holiday, personal leave, administrative leave, sick leave, retirement, or other benefits (except COBRA rights) will be continued or accrued during periods of leave without pay. The City provides continued access to medical insurance to employees on unpaid leave in accordance with the requirements of COBRA. Additional information concerning extended benefits is available from the City Administrator, or designee and is largely dictated by the terms in the City's agreement with City County Insurance Services.

11.00. Benefits

11.10. Health Insurance
11.20. Life Insurance
11.30 Long Term Disability
11.40. Deferred Compensation Plan
11.50. Retirement
11.60. Industrial Accidents & Illnesses
11.70. Conferences and Conventions
11.80. Travel Policy
11.90. Educational Training & Training Aid
11.100. Professional Affiliations
11.110. Clothing Allowance
11.120. Cell Phone Stipend
11.130. Pool Pass

11.10. Health Insurance

11.10.10. The City of Veneta participates with employees and their dependents to provide health insurance to cover non-occupational injuries and illnesses. All regular and probationary status employees who are normally scheduled to work twenty-four (24) hours or more per week are eligible for health insurance coverage on the first day of the month following their first full calendar month of employment. Dependents of qualifying employees who are otherwise eligible for coverage shall be provided with health insurance coverage pursuant to the provisions of the policy currently in effect.

11.10.20. The City will, subject to limitations by its insurance carrier, provide employees with a medical insurance plan. The premium will be shared between the City and the employee depending on (1) the premium costs, (2) the plan offered and (3) the number of hours each employee is normally scheduled to work. All premium costs paid for by employees will be deducted pre-tax within the scope of current tax laws. Subject to the City's contract with the insurance carrier, in all cases, the City will pay at least 50% of the health insurance premium for each employee.

11.10.30. In conjunction with a health plan, the City will contribute money into each employee's Health Savings Account (HSA) in quarterly installments. Employees must notify the City if they desire to contribute additional money into their HSA directly from their paycheck, pre-tax. Employees are responsible to track all HSA contributions and the City will not be held responsible for any additional taxes, penalties, etc. that may occur due to contributions made in access of IRS limits.

11.10.40. Information and health care booklets are available from the City Administrator, or designee. In compliance with COBRA (the Consolidated Omnibus Budget Reconciliation Act), the City will offer continuing health care coverage on a self-pay basis to employees and/or a dependent child when they cease to be a dependent child under the provisions of the current carrier's health plan. Such continued health care coverage will be the same as the current level provided to the employee and/or other employees purchasing that level of coverage. In all matters concerning eligibility for and/or duration of continued health care coverage, the City will comply with the requirements of COBRA.

11.10.50. The City provides an Employee Assistance Program (EAP) through Cascade Centers to employees and dependents who are enrolled in The City's medical coverage. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320, or go online to www.cascadecenters.com. The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

11.20. Life Insurance

1120.10. All regular and probationary employees who are normally scheduled to work twenty-four (24) hours or more per week are eligible for term life insurance coverage on the first day of the month following their first full calendar month of employment. The City pays 100% of the premium and reserves the right to change the coverage amount as needed.

11.30 Long Term Disability

11.30.10. The City provides Long Term Disability (LTD) insurance coverage for all regular and probationary employees who are normally scheduled to work twenty-four (24) hours or more per week. This coverage is intended for non-job related injuries and illnesses that take place outside of employment.

11.30.20. The injured employee is responsible for filing the LTD claim with the provider and managing the claim process.

11.40. Deferred Compensation Plan

11.40.10. The City of Veneta provides one or more deferred compensation plans. Employees in regular or probationary status are eligible for participation in these plans on a self-pay basis as a pre or post tax deduction.

11.50. Retirement

11.50.10. The City of Veneta provides retirement benefits for its qualified employees through the OREGON PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS), and the Oregon Public Service Retirement Plan (OPSRP), in accordance with the provisions of PERS and OPSRP, as each may be amended from time to time. Statutory requirements may change, subject to state law.

11.50.20. Employees, not previously qualified with PERS, who work in excess of six hundred (600) hours per year are eligible for PERS retirement participation after six (6) months of employment. Public employees hired on or after August 29, 2003 become members of OPSRP, unless membership was previously established in PERS. The City provides 100% of the employee's and employer's contribution to PERS or OPSRP.

11.50.30. Contributions to Social Security and Medicare are shared equally between the City and all employees.

11.50.40. There is no mandatory retirement age for City employees. However, employees should consult the PERS Summary of Member Benefits for further information.

11.60. Industrial Accidents & Illnesses

11.60.10. The City provides insurance coverage for all employees covering job related injuries and illnesses occurring during employment with the City. The injured employee is responsible for immediately notifying the employee's supervisor, completing an injury/incident report or Form 801, whichever is most appropriate, and submitting it to the supervisor no later than the working day following the accident or injury, unless the seriousness of the accident makes it impossible for him or her to do so.

11.60.20. An injured employee's supervisor is responsible for preparation of the injury/incident report or Form 801 in the event the employee is incapable of doing so. Failure to complete the required reports may jeopardize the employee's right to worker's compensation benefits.

11.60.30. When an employee must take time off from work as a result of such injury or illness, the employee shall receive such worker's compensation benefits as the employee may be entitled to under the State Worker's Compensation law. The employee has the option of using any accrued leave as a way to bridge the gap between their normal salary and the amount of compensation benefits they receive from the City's workers' compensation carrier.

11.60.40. When receiving compensation as stated above, the employee will continue to accrue leave benefits as if they were working their regular work schedule.

11.60.50. If an employee requires worker's compensation leave, the City will strive to reemploy the employee in the most suitable, vacant position available at the conclusion of that leave. However, the employee must first submit documentation from a health care provider who is familiar with the condition certifying the employee's ability to return to work and perform essential functions of the position.

11.60.60. If an employee's health care provider determines that the employee is able to perform modified work, the City will attempt to provide the employee with a temporary job assignment for a reasonable period of time until the employee can resume their regular duties (except where provided as an accommodation as for a disability). While the employee is on a modified position or assigned transitional work, the employee is still subject to all other City rules and procedures.

11.70. Conferences and Conventions

11.70.10. Decisions concerning employee attendance at conferences, conventions, or other meetings, at City expense, shall be made by the employee's supervisor and/or City Administrator. Decisions concerning the City Administrator's attendance at conferences, conventions, or other meetings, at City expense, shall be made by the Mayor.

11.80. Travel Policy

11.80.10. When employees are required or asked to travel on City business, guidelines and reimbursements for expenses incurred shall be determined as follows:

a. Prior to traveling outside the City, the employee will obtain approval for the trip, and the mode of travel from the employee's Supervisor, and/or the City Administrator.
b. Travel on official business outside and inside the City by a single individual, should be in a City-owned vehicle, when available.
c. If the employee is authorized to use a private vehicle for travel outside the City, mileage will be paid at the maximum rate approved by the IRS at the time of such travel, provided the private vehicle use is advantageous to the City. This rate includes all travel, insurance, and storage, expenses of the vehicle. There will not be any other reimbursement for those vehicle related expenses; however, parking fees will be reimbursed subject to the guidelines in section I below.
d. If the employee is authorized to use a private vehicle for travel inside the City, mileage will be paid at 50% of the maximum rate approved by the IRS at the time of such travel, provided the private vehicle use is advantageous to the City. This rate includes all travel, and insurance. There will not be any other reimbursement for those vehicle related expenses.
e. Use of a City vehicle for personal business and commuting in a City vehicle are prohibited. If either of these occur the employee shall be subjected to disciplinary action and the value of such use reported as taxable income.
f. Employees using personal vehicles for City business shall furnish to the City proof of personal insurance coverage. The City Council may set the levels of such required coverage from time to time, provided it shall not create an excessive burden on the employee.
g. Drivers of City-owned vehicles, or employees using personal vehicles on city business, shall obey all

traffic and speed laws, and shall use such vehicles only for City business.

h. No alcoholic beverages shall be carried in a City-owned vehicle at any time. No alcoholic beverages shall be carried in an employees' personal vehicle while on City business. Employees will refrain from any consumption of alcohol prior to driving, when traveling for City business. No one who is under the influence of intoxicants, including alcohol, Controlled Substances, or Over the Counter Medicine, so that the person's ability to safely operate a vehicle is in any way impaired, shall operate a vehicle for City business. No one who is visibly intoxicated shall be allowed in a City vehicle or in a personal vehicle which is being used for City business.
i. The City will pay for the amount of actual and reasonable expenses incurred on official trips and during the performance of official duty outside the City, region, and/or state,
j. Reimbursement will be given after actual receipts for the expenditures are submitted along with an itemized expense report. Credit card statements do not suffice as actual receipts. No reimbursement will be made for family expenses or alcoholic beverages.
k. With approval from the City Administrator, employees can receive a travel advance, as shown in letter l below. However, employees are still required to submit receipts and return the unused portion of the advance.
l. The reasonable reimbursement rates are as follows:
    a. Breakfast: $10.00 per day;
    b. Lunch: $15.00 per day
    c. Dinner: $25.00 per day; Incidentals: $5.00 per day
    d. Lodging: $150.00 per night, unless prior approval allowed.

11.90. Educational & Training Aid

11.90.10. The City shall encourage training opportunities for employees in order that services rendered to the City will be more effective. At the discretion of the City, training sessions may be conducted during regular working hours.

11.90.20. The City will reimburse an employee's tuition cost upon successful completion of a job related course, provided, HOWEVER, that APPROVAL MUST BE GRANTED BY the City PRIOR TO ENROLLMENT, and within current budget authority.

11.90.30. When attendance for a training program is required by the City, the total cost, including mileage and meals, will be paid by the City. In such cases, all educational materials provided to the employee shall become the property of the City.

11.100. Professional Affiliations

11.100.10. Employees are encouraged to join and participate in job-related professional associations and groups. Members of professional societies may be granted permission to attend meetings of their society, when such attendance is considered to be in the best interest of the City.

11.100.20. With prior approval from the employee's supervisor or City Administrator, employees may attend seminars, conferences, or short training courses offered by such groups, provided the subject matter is job-related. Preference will be given to courses sponsored by associations that lead to certificates of advanced standing such as First Aid, or accredited water or waste water treatment plant operator.

11.110. Clothing Allowance

11.110.10. City of Veneta Public Works employees routinely work in environments that require special attire and frequent replacement, therefore, the City will furnish them with specific items of clothing and equipment and provide a clothing allowance for items not furnished.

11.110.20. The City will supply all Public Works employees with OSHA/OROSHA required safety equipment, raingear, rubber boots, work gloves, and City-logo attire. Use of items provided by the City is restricted to use on the job and normal commuting time to and from work.

11.110.30. Except as provided above, Public Works employees are expected to purchase their own clothing and footwear including, but not limited to, jackets, pants, and boots. The City's policy is to reimburse each Public Works employee for these purchases up to $200.00 per fiscal year. To qualify for reimbursement employees must attach legible receipts to an approved reimbursement form for their individual purchases. Employees providing receipts totaling less than $200.00 will receive only the amount on their receipts. Employees have the entire fiscal year to use the full $200.00 reimbursement.

11.110.40. Reimbursement for clothing items that do not have the City logo is considered a taxable fringe benefit per IRS Code 162 because such items are "non-distinctive" and therefore could be worn for personal use. The total allowance paid will be included in taxable wages on the employee's W-2 (in Box 1).

11.110.50. The Finance department will keep a record of individual usage of the clothing allowance benefit. Copies of the record are available upon request.

11.120. Cellular Device Stipend

11.120.10. The City recognizes that some employees, due to their position and responsibilities, must be reachable by cellular device during and after normal business hours. Recognizing that most employees have a personal cellular device, the City will provide a monthly stipend for city related use of an employee's personal cellular device to employees that qualify.

11.120.20. The employee's supervisor and/or the City Administrator will determine whether or not an employee is qualified for a stipend based upon their job description and responsibilities.

11.120.30. The monthly cellular device stipend for qualified employees will be $50 for employees requiring a service plan with voice and data and $30 for employees requiring a voice only service plan.

11.120.40. Employees receiving a stipend are required to adhere to Section 8.70 regarding appropriate usage during business hours. Personal use of cellular devices should only occur during non-business hours except in the case of an emergency.

11.120.50. Employees receiving a stipend are required to obtain and retain a cellular device service plan, a reliable cellular device and any necessary equipment (charger, protective casing, screen protector, etc.) and are solely responsible for the care and maintenance of that device and equipment.

11.120.60. The City will not be responsible for any expenses relating to cellular device usage over and above the monthly stipend amount. Such expenses including fees, taxes, repair, replacement costs, etc. are the sole responsibility of the employee.

11.120.70. Employees receiving a stipend are further responsible for immediately notifying the City in the event they no longer have a reliable cellular device and/or service plan.

11.120.80. The stipend is not considered part of the employee's compensation because the phone is owned by the employee; therefore, it is excluded from taxable income.

11.130. Pool Pass

11.130.10. As part of the City of Veneta's efforts to support employee wellness, regular and probationary employees shall be provided one "family season pass" (as defined by pool policy) each pool season as part of their official compensation package.

11.130.20. The family season pass does not cover the cost of swim lessons, swim team membership, pool rentals, or any use of the pool, other than as outlined in the season pass. Employees who wish to participate in activities not covered by the season pass will be responsible for paying the regular user fees.

12.00. Disciplinary Process

12.10. Policy
12.20. Objectives of Discipline
12.30. Causes of Discipline
12.40. Forms of Discipline
12.50. Determination of Discipline
12.60. Process for Probation, Demotion, Termination

12.10. Policy

12.10.10. Employees are expected to perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City standards, the City will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline.

12.20. Objectives of Discipline

12.20.10. When it is necessary for supervisors to resort to corrective action, the principle objective in any disciplinary action shall be to improve the performance, efficiency and morale of the City employee and City operations.

12.30. Causes of Discipline

12.30.10. Discipline may be initiated for many reasons, including, but not limited to, violations of City policies or other work rules, insubordination or poor job performance. The severity of the disciplinary action generally depends on the nature of the offense and an employee's work record, may range from verbal counseling to termination, and may occur in any order the City determines is necessary and responsive to the situation; although your supervisors will generally make an effort to apply discipline in a progressive order, starting at less stringent types of discipline (such as a verbal warning) and graduating to more stringent discipline (such as demotion or termination). . When an employee is subject to disciplinary action, the action will be documented on the appropriate City form and placed in the employee's personnel file.

12.30.20. Some examples of prohibited conduct includes, but is not limited to:

a. Falsification of employment or other City records; or untruthfulness regarding work or City matters
b. Falsification of any time sheets (your own or another employee's).
c. Theft, misuse, or the deliberate or careless damage or destruction of any City property, or the property of any other employee, citizen, vendor or third party.
d. Unauthorized use of City equipment, materials or facilities.
e. Provoking a fight or fighting during work hours or on City property.
f. Carrying firearms or any other dangerous weapon on City premises at any time.
g. Engaging in criminal conduct while at work.
h. Causing, creating or participating in a significant or substantial disruption of work during working hours on City property.
i. Insubordination, including but not limited to: failure or refusal to follow the orders or instructions of a supervisor or member of management, disrespectful conduct or the use of abusive or threatening language toward another City employee, customer or vendor.
j. Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
k. Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
l. Sleeping or malingering on the job.
m. Excessive personal telephone calls during working hours; unproductivity
n. Unprofessional appearance during normal business hours.
o. Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.
p. Misrepresentation of City policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City. Employees may not use the City's name, logo, likeness, facilities, assets or other resources of the City for personal gain or private interests.
q. Violations of the Ethics Policy or Oregon's Ethics laws.
r. Violation of any safety, health, security or City policy, rule or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory or legislative bodies.
s. Harassment, discrimination, or bullying as defined by Federal, State, and City policies.

t. Failure to maintain professional and respectful working relationships with fellow employees, supervisors, elected officials, and citizens of our community with whom they must interact.

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and the City's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

12.40. Forms of Discipline.

12.40.10. Modes of discipline include, but are not limited to:

a. Verbal counseling
b. Written counseling or warning
c. Performance Improvement Plans, Increased Training or Mentoring
d. Leave without Pay Disciplinary probation
e. Demotion
f. Termination

12.50. Determination of Discipline

12.50.10. When performance or conduct does not meet the City's standards, the City will determine whether it will terminate an employee or provide the employee a reasonable opportunity to correct the deficiency through counseling or discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions).

12.50.20. The corrective action process will not always commence with a verbal counseling or include a specific or ordered sequence of steps. Some misconduct, especially if intentional or serious, warrants more severe action (including termination) on the first or subsequent offense. Discipline may occur in any order the City determines is necessary and responsive to the situation; although your supervisors will generally make an effort to apply discipline in an increasingly progressive order, starting at less stringent types of discipline (such as a verbal warning) and graduating to more stringent discipline (such as demotion or termination).

12.50.30. In lieu of terminating the employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior, the City may choose to provide the employee with a last-chance agreement. The City may also choose to send the employee to training or an education opportunity.

12.50.40. In all cases, the City will determine the nature and extent of any discipline based upon the circumstances of each individual case and may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, in no particular order, and when the City deems such action is appropriate. The City retains the right to terminate any employee's employment at any time and for any reason with or without advance notice or other disciplinary action.

12.50.50. A supervisor may choose whether to make the imposition of a verbal warning part of the employee's personnel file. All discipline will be noted in the employee's personnel file and will not be removed from an employee's file.

12.60. Process for Probation, Demotion, and Termination

12.60.10. Notice of Disciplinary Concerns and Employee's Opportunity to Provide Comment (Pre-Disciplinary Meeting).

a. If the supervisor deems that it may be appropriate, for disciplinary reasons, to place an employee on disciplinary probation, demote, or terminate an employee, the supervisor shall notify the City Administrator, Department Head, Human Resources personnel, and the employee in writing of the nature of the proposed discipline which is being considered and the specific reasons for the proposed discipline.
b. If the discipline involves the loss of salary, a demotion, or a termination, Human Resources personnel working with the supervisor shall provide the employee with a written explanation of the concerns, and shall afford the employee an opportunity to respond to the concerns and provide an explanation, either in person or in writing, within five working days. .
c. Once the employee has been afforded an opportunity to respond, after consultation with Human Resources personnel, the supervisor shall decide what, if any, discipline to impose. The supervisor may not impose a more severe form of discipline than that listed in the Disciplinary Notice without first informing the employee in writing of the reasons for the more severe discipline, providing an explanation of any additional concerns, and affording the employee another opportunity to respond to the additional concerns. .

Human Resources personnel working with the supervisor shall advise the employee in writing of the disciplinary decision within two working days (or at a later date if the City notifies the employee in writing that it requires additional time to make the disciplinary decision), either hand-delivered to the employee or mailed to the employee.

13.00 Complaint Procedure

13.10. Policy

13.20. Complaint Procedure

13.10. Policy

13.10.10. The City recognizes that there are times when the need arises for employees to express concerns or complaints in a formal manner. The following procedures will ensure that employees receive fair and unbiased treatment for regarding their workplace concerns. Employees who have concerns or wish to report possible discrimination or harassment may choose to follow these procedures or may choose to proceed under Section 5.0 of this policy.

13.20. Complaint Procedures

13.20.10. Step 1: Informal Discussion with Supervisor. Employee concerns should first be discussed with the employee's immediate supervisor. Many concerns can be resolved informally when an employee and supervisor take time to review and discuss the concerns and options to mitigate the issues. If the employee complaint is regarding illegal harassment, discrimination or retaliation, the employee should submit the written complaint directly to Human Resources.

13.20.20. Step 2: Written Complaint to Human Resources or City Administrator. If the employee is not satisfied with the results of the informal discussion with their supervisor (in Step 1), the employee may submit a written complaint within five working days of speaking with their Supervisor. The complaint must be dated and provided to Human Resources, or to the City Administrator if Human Resources is unavailable.

Human Resources or the City Administrator will consult with the employee's immediate supervisor, Department Head, and any other relevant parties to evaluate, review, or investigate the complaint and may recommend disciplinary action. Human Resources will provide a summarized written response to the employee. Generally, the City strives to provide a response within five working days, but in some cases a longer period of time may be needed to fully review the complaint. The City will keep the complaining employee generally informed of an estimated timeline for review. The City Administrator or a supervisor, as applicable, may take disciplinary action based on such report, using the City's disciplinary process.

13.20.30. Complaint Against the City Administrator. In the event the complaint is about the City Administrator, the employee must follow the process in Step 1. If the complaint proceeds to Step 2, the employee must submit the written complaint to Human Resources and follow the process in this Section 13.20. Human Resources will inform the Mayor and the City Attorney of the complaint and will handle (or delegate to a neutral third party) all aspects of the complaint, including any review or investigation. Human Resources will draft a report which includes findings regarding the allegations and will work with the City Attorney to ensure that the appropriate process is followed. During this time, the Mayor or the City Attorney will work together to keep the Council reasonably informed of the process, while respecting employee privacy and addressing any confidentiality concerns. Human Resources (or its delegate) will provide the final report to the Council. The Council shall consider the report and determine if any disciplinary measures are warranted. If the Council believes discipline is warranted, the Council shall seek the advice of the City Attorney and will follow the disciplinary procedures in any Employment Agreement or in these policies, as applicable.

Employees who have concerns or wish to report possible discrimination or harassment against the City Administrator may choose to follow these procedures or may choose to proceed under Section 5.0 of this policy.

13.20.40. Contents of the Complaint. The written complaint must include:

a. The date the complaint was submitted and the date the employee satisfied Step 1.
b. A detailed explanation of the concern or complaint and details of all previous efforts to resolve the issue. The complaint must include specific facts and, if possible, dates and witnesses.
c. Any City policies the employee believes may have been violated and how;
d. Detailed information regarding the employee's dissatisfaction, if applicable, with the immediate supervisor's response.

13.20.40. Recordkeeping. Human Resources will maintain records of the complaint process confidentially and securely.

13.20.50. Extensions and Finality. The City may extend the time limits for the pre-disciplinary meeting or responses at any time. Failure of the City to respond within the time limits set forth in this section shall constitute an extension of the applicable time limits. Any complaint not taken to the next step on the procedure shall be considered settled on the basis of the last reply made and received in accordance with provisions in this section. All disciplinary decisions are final.

14.00. Savings Clause

14.10.00. Should any portion of this Employee Handbook be rendered ineffective by a Court of competent jurisdiction, the remaining parts shall remain in full force and effect.

15.00. Adoption of Policies

15.10.10. The City Council may alter these policies at any time, including rectifying any portion as necessary to accommodate changes in applicable statute and/or regulation.

15.10.20. The policies and rules contained herein have been adopted consistent with the authority of the City Council of Veneta, at a City Council meeting held *June, 08, 2020.* All prior related resolutions, policies, rules and practices previously adopted by the City Council are hereby simultaneously superseded.

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VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: **Transportation System Development Charges – Consideration of Options**

Meeting Date: June 8, 2020
Department: Community Development

Staff Contact: Evan MacKenzie
Email: emackenzie@ci.veneta.or.us
Telephone Number: 541-935-2191

ISSUE STATEMENT
Staff is bringing the Council information to consider regarding adoption of updated Transportation SDC fees. This report addresses questions and input received at the May 11, 2020 City Council Work Session.

BACKGROUND
City staff assembled a $146.6 million Project List to identify needed and desired transportation projects. This "wish list" of projects is larger than, and not to be confused with, the project list in the City's Transportation System Plan (TSP). A little over $14 million of the construction costs is eligible for SDC funds. The "100%" Transportation SDC fee recommended by FCS based on that project list is $13,163 per PM peak-hour-trip-end (All projects constructed, all projects funded). Veneta's current Transportation SDC is $2,496 per equivalent-dwelling-unit (roughly the same as PM-peak-hour-trip-end for a single-family residence).

Based on revenue assumptions made in the Transportation System Plan (TSP), the City anticipates $30.4 million in total transportation funding for both maintenance and TSP capital projects over the next 20 years. We are also anticipating that there will be $3.8 million of Transportation SDC funding over the 20-year planning period.

We cannot predict when and where growth will occur that triggers a transportation project opportunity from the comprehensive Project List. However, we know that we must limit our expenditures to match our revenues over the 20-year planning horizon of 2020-2040. This means we will be unable to fund the majority of the items on the Project List over the next 20 years even under a best-case scenario. We also know that adopting a Transportation SDC fee of +/- $13,000 per trip end based on the Project List will be significantly higher than all of our regional neighbors and would likely slow new development.

At the May 11, 2020 Work Session, City Council directed staff to return with principled options to establish a new fee lower than the full fee proposed by FCS. To reduce the fee, we could reduce the Project List or accept that while we intend to construct every project on the list, we can't fund all of them over the 20-year planning horizon. As noted in the May 11 meeting, some projects on the list are actually carry-overs from the previous 1998 project list that were never built.

Staff evaluated two options to manage the Project List's financial burden, and hence the SDC necessary to cover it: 1) Reduce the number of projects on the Project List by SDC eligibility or priority ranking, and; 2) Reduce the funding expectations for the Project List to the 20-year planning horizon of 2020-2040.

OPTION 1: Trim the Project List based on SDC Eligibility or Priority

A number of projects on the Project List are not associated with capacity increases and thus are not eligible for SDC funding at all. Removing those projects from the Project List has no impact on SDCs. Remaining projects are either 100% eligible for SDCs (fully attributable to capacity expansion) or 29% eligible for SDCs (partially attributable to capacity expansion).

One method to reduce the total cost would be to remove all those projects that are only partially attributable to capacity expansion and thereby SDC eligible.

- Removing all 0% SDC Eligible projects from the Project List reduces the total cost to $159,460,400 with no change to SDC-eligible costs of $71,498,912. This would not result in any change to our SDC calculations.
- Removing all 0% and 29% SDC Eligible projects from the Project List reduces the total cost to $61,690,410 and SDC-eligible costs to $50,830,245. This change would only reduce the total funding need to 71% of the original figure, which would not significantly reduce the SDC necessary to recover all costs.
- Because the savings resulting from removing projects based on SDC eligibility does not meet the Council's goal of adopting a significantly lower fee, this is not the recommended alternative.

Another method to reduce the total cost would be to remove low and medium priority projects. Projects on the Project List are ranked according to Low, Medium and High priority.

- Removing all Low Priority projects from the list reduces the total cost to $40,176,551 and SDC-eligible costs to $7,769,647. This change would remove 31 of the 89 projects from the cost basis and reduce the fee necessary to recover remaining eligible costs to $7,206 per PM peak hour vehicle trip end.
- Removing all Low and Medium Priority projects from the list reduces the total cost to $11,329,107 and SDC-eligible costs to $3,027,163. This change would base the fee on only 11 of the 89 projects in the original list, which is likely not an accurate representation of what the City will fund or construct. Basing the fee on only High Priority projects would reduce the fee necessary to recover remaining eligible costs to $2,722 per PM peak hour vehicle trip end.
- Both of these options have a significant impact on total costs, which would allow the City to adopt a much lower Transportation SDC.

SDC Alternatives	Project List Value	SDC Eligible	Fee	Notes
Current fee:			$2,496	(All fees are for 1 new SF-D dwelling)
100% Project List:	$162,360,734	$71,498,912	$13,163	ALL projects funded and constructed
Project List - 100% + 29% SDC Eligible	$159,460,400	$71,498,912	X	All SDC-eligible projects funded
Project List - 100% SDC Eligible	61,690,410	50,830,245	X	Only 100% SDC-eligible projects funded
Project List – Med & High Priority	49,360,935	13,425,164	$7,206	Only Medium & High Priority projects funded
Project List – High Priority only	11,554,386	3,092,376	$2,722	Only High Priority projects funded

However, if a development occurs that makes a certain SDC-eligible project more viable and that project was removed from the Project List, then we can't use SDCs for the project. Therefore, both Option 1 methods are not recommended alternatives.

OPTION 2: Retain the full project list but reduce the funding expectations

We could adopt a 20-year planning horizon as the funding basis for collecting Transportation SDCs. The Transportation System Plan (TSP) is a 20-year plan that includes funding expectations for transportation projects over that planning period. In Table 11 of the TSP, it's estimated that we will receive $3,850,500 in Transportation SDCs over the 20-year planning period based on a 5-year Transportation SDC collection trend (2012-17) at a rate of $2,425.67 per single-family-dwelling. (Our SDC rate increased for inflation in the time since the TSP was adopted last year.)

To collect $3,860,500 in Transportation SDC revenue over the 20-year planning period, the SDC amount would be approximately $3,650 per PM peak hour vehicle trip end (or $3,613 for a single-family residence). This Option provides several advantages:

- We would retain the flexibility to fund any of the projects on the Project List up to the eligibility for each project.
- The SDC amount would be more in-line with surrounding jurisdiction Transportation SDC levels.
- By collecting at a higher SDC rate than the rate used in the TSP ($3,613 versus $2,425, respectively) to calculate the expected SDC revenue, we are better positioned to collect an adequate amount of Transportation SDCs for the 20-year planning horizon.

Transportation SDC Comparison

City	Population				Peak-Hour Trips				SDC-eligible build out budget	Cost per trip in SDC study	SF-D SDC (Current or Proposed)
	Current	Projected	# increase	% increase	Current	Projected	# increase	% increase			
Veneta	4,800	6,591	1,791	37.3%	2,700	3,800	1,100	40.7%	$14,070,592	$13,163	$13,031
Creswell	5,410	7,573	2,163	40.0%	11,830	17,400	5,570	47.1%	$16,544,644	$3,749	$3,749
Cottage Grove	9,920	11,677	1,757	17.7%			7,481	#DIV/0!	$11,095,350	$1,483	$1,975
Junction City	6,075	9,080	3,005	49.5%			0	#DIV/0!			$1,054
Coburg	1,195	1,660	465	38.9%	19,161	23,997	4,836	25.2%	$168,775		$419
Eugene	177,332	219,060	41,728	23.5%	156,949	197,918	40,972	26.1%	$92,871,000	$2,776	$2,042
Springfield	70,278	75,579	5,301	7.5%	657,472	818,488	161,016	24.5%	$52,075,064	$397	$3,750
Madras	6,265	15,011	8,746	139.6%	9,100	21,805	12,705	139.6%	$32,460,283	$2,555	$3,837
West Linn	26,000			0.0%	11,963	15,105	3,142	26.3%	$32,237,657	$580	$9,208
Oregon City	34,610			0.0%	37,226	54,461	17,235	46.3%	$209,158,753	$10,512	$8,481

Notes:

Information was pulled from multiple sources and should not be relied upon as an apples-to-apples comparison.

Build-out budget is based on SDC-eligible (capacity-expanding) projects, not ALL transportation projects.

Some projects may include both maintenance/upgrades of existing capacity (not eligible for SDCs) and new capacity.

Current population figures are mostly from PSU PRC 2017; others may reflect different base years

Population growth forecasts are from PSU PRC 2044 estimate; others may represent different end years

Coburg trip count is for Average daily trips, not peak hour trips

Regardless of the fee adopted, our anticipated revenues over the next twenty years will not fund every project on our List. However, due to the unpredictability of growth, staff advises against adopting a constrained Project List that eliminates any of the identified projects from consideration for funding. Staff proposes the Council adopt the full Project List, with the expectation that only some of the projects on the List will actually be funded and constructed within the 20-year planning horizon. This will enable the City to maintain maximum flexibility in response to growth pressures with targeted improvements to provide the greatest benefit to our residents and business community. It will also keep us reasonably in line with other area jurisdictions.

COUNCIL OPTIONS

Direct staff to initiate an update to the City's Transportation SDC based on one of the following methodologies:

1) Base the fee on fully funding and constructing all projects in the Project List.
2) Base the fee on only projects that are 100% eligible for SDCs, and only build those projects.
3) Base the fee on only High Priority projects from the Project List, and only build those projects.
4) Base the fee on a 20-year planning horizon and fund projects in response to development pressures and available funds.
5) Establish a different fee based on Council directive.

CITY ADMINISTRATOR'S RECOMMENDATION

Direct staff to initiate an update of the City's Transportation SDC to adopt the full recommended Transportation SDC and Project List, and apply a reduced Transportation SDC according to Option 2 in the memo (the 4th methodology above).

SUGGESTED MOTION

"I make a motion to direct staff to initiate an update of the City's Transportation SDC for the full recommended Transportation SDC and Project List, and apply a reduced Transportation SDC according to Option 2 in the memo per PM peak hour trip."

ATTACHMENTS

None.

VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

Title/Topic: Transfer Appropriations for 2019-2020 Fiscal Year

Meeting Date: June 8, 2020
Department: Finance

Staff Contact: Shauna Hartz
Email: shartz@ci.veneta.or.us
Telephone Number: 541-935-2191 Ext. 305

ISSUE STATEMENT
Adjust adopted budget appropriations to better match current financial activity and needs.

BACKGROUND
When the budget is adopted it is based on numerous estimates of amounts and timelines. The actual figures and timing can vary significantly by account (line item) and depending on the other expenditures within the classification, budget adjustments or transfers are recommended. For the current fiscal year the following adjustments, explained below, are being recommended.

Street Fund $50,000 from Contingency to Materials and Services
Sewer Fund $100,000 from Contingency to Capital Outlay
Sewer Fund $5,000 from Materials and Services to Capital Outlay
Building Inspection Program Fund: $1,500 from Personal Services to Materials and Services

The amount budgeted in the Street Fund for materials and services has proven to be low because of timing on the 8th Street pavement work. The expectation, during the budget process was that we would spend most of the $425,000 in fiscal year 2018-19, in actuality the work was delayed and then paid for in fiscal year 2019-20.

A similar timing issue happened in the Sewer Fund regarding the lift station relocation project.

In the Building Inspection Program Fund the estimated amount for bank fees (card payments) has proved to be understated.

Oregon Budget Law allows entities to respond to this type of situation by passing a resolution that transfers existing appropriations from one expenditure classification to another within the same fund. These transfers do not change the total budget figure nor do they change the total appropriated for expenditures within the Fund(s). Neither revenue nor ending fund balances are affected.

RELATED CITY POLICIES
Oregon Budget Law; Resolution No. 1274 Adoption of Fiscal Year 2019-20 Budget

COUNCIL OPTIONS
1. Approve the resolution as presented.
2. Approve the resolution with suggested changes.
3. Not approve the resolution and provide direction to staff.

CITY ADMINISTRATOR'S RECOMMENDATION
Approve the resolution as presented.

SUGGESTED MOTIONS
"I make a motion to approve Resolution No. 1299, a resolution transferring appropriations for the 2019-20 fiscal year, as presented."

ATTACHMENTS
None

CITY OF VENETA

RESOLUTION NO. 1299
A RESOLUTION TRANSFERRING APPROPRIATIONS FOR THE 2019-2020 FISCAL YEAR

WHEREAS, expenses of certain City of Veneta programs, purchases and projects were appropriated without actual components, timelines nor costs being known; and

WHEREAS, Oregon Budget Law allows for an appropriation in the expenditure classification entitled "Contingency" to use for uncertain expenses; and

WHEREAS, the Contingency appropriation cannot be spent directly. Rather the appropriation must be transferred to another expenditure classification; and

WHEREAS, Oregon Budget Law also allows for transfers from one appropriation classification to another within a fund;

NOW, THEREFORE, BE IT RESOLVED by the Veneta City Council that:

SECTION 1 Transfer of Appropriations. The appropriation transfer shown below shall be accomplished as allowed by ORS 294.463.

Street Fund $50,000 from Contingency to Materials and Services
Sewer Fund $100,000 from Contingency to Capital Outlay
Sewer Fund $5,000 from Materials and Services to Capital Outlay
Building Inspection Program Fund: $1,500 from Personal Services to Materials and Services

SECTION 2 Resulting Appropriations. The transfer shown above in Section 1 of this Resolution changes the Fiscal Year 2019-20 Adopted Budget as follows:

Streets Fund			
Appropriation Type	Original Appropriation	Change	New Appropriation
Materials and Services	1,045,541	50,000	1,095,541
Contingency	150,000	(50,000)	100,000

Sewer Fund			
Appropriation Type	Original Appropriation	Change	New Appropriation
Capital Outlay	254,026	100,000	359,026
Materials and Services	400,427	(5,000)	395,427
Contingency	100,000	(100,000)	0

Building Inspection Program Fund			
Appropriation Type	Original Appropriation	Change	New Appropriation
Materials and Services	95,200	1,500	96,700
Personal Services	19,089	(1,500)	17,589

PASSED AND ADOPTED by the Veneta City Council this _____ day of June, 2020.

XXXXXXXXXXXXXXXXX
Keith Weiss, Mayor

ATTEST:

XXXXXXXXXXXXXXXXX
Darci Henneman, City Recorder

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VENETA CITY COUNCIL
AGENDA ITEM SUMMARY

TITLE/TOPIC: Cost Adjustment to Intergovernmental Agreement for Building Permit Program Services

Meeting Date: June 8, 2020
Department: Administration

Staff Contact: Matt Michel, City Administrator
Email: mmichel@ci.veneta.or.us
Telephone Number: 541-935-2018

ISSUE STATEMENT
Should the Veneta City Council accept Addendum No. 2 to the intergovernmental agreement with the City of Cottage Grove that provides building permit program services?

BACKGROUND
Effective July 1, 2018 the City of Veneta entered into an intergovernmental agreement (IGA) with the City of Cottage Grove to share building permit and inspection services after the State limited cities providing those services through third-party independent contractors. Veneta shares in the costs of one full-time Building Official/Inspector, one full-time Electrical Inspector, and one half-time Building Permit Specialist/Residential Inspector and Plans Examiner employed by the City of Cottage Grove. Costs are shared between the cities of Cottage Grove, Creswell, Veneta, and Coburg based on population size and use of services.

Addendum No.2 amends the IGA cost to Veneta. The initial IGA cost was $20,211.25 on a quarterly basis. In 2019 the quarterly cost went up to $23,750.00 (Addendum No. 1). The proposed quarterly cost for 2020 is $18,893.50. A significant driver of the lower cost is that the City of Coburg recently joined in sharing building permit services with Cottage Grove, thereby spreading the overall program costs over a larger number of cities.

RELATED CITY POLICIES
None.

COUNCIL OPTIONS
1. Approve IGA Addendum No. 2 with the City of Cottage Grove as presented.
2. Approve IGA Addendum No. 2 with the City of Cottage Grove as modified by Council.
3. Do not Approve IGA Addendum No. 2 with the City of Cottage Grove.

CITY ADMINISTRATOR'S RECOMMENDATION
Approve IGA Addendum No. 2 with the City of Cottage Grove as presented.

SUGGESTED MOTION
"I make a motion to authorize the City Administrator to sign Addendum No. 2 to the IGA with the City of Cottage Grove for the purpose of providing building permit program services."

ATTACHMENTS
1. Proposed IGA Addendum No. 2 with the City of Cottage Grove
2. 2020-2021 Building Program Cost

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ADDENDUM NO. 2

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITIES OF COTTAGE GROVE AND VENETA FOR BUILDING PERMIT PROGRAM SERVICES

BETWEEN: City of Cottage Grove (Cottage Grove)

AND: City of Veneta (Veneta)

EFFECTIVE DATE: July 1, 2020.

RECITALS

A. Cottage Grove and Veneta entered into an Intergovernmental Agreement for Building Permit Program Services, on June 11, 2018, 2018, with an effective date of July 1, 2018 (IGA).

B. Amendments to the Contract are needed to more accurately reflect Cottage Grove's costs to provide Veneta with Building Permit Program Services.

AGREEMENT

In consideration of the foregoing Recitals, which by this reference are incorporated herein, and of the mutual covenants, conditions and obligations on the part of each party to be kept and performed, it is hereby agreed as follows:

1. Section 4, Consideration, subsection (A) of the IGA, is hereby amended to read as follows:

> "$18,893.50 to Cottage Grove on a quarterly basis, by July 25th, October 25th, January 25th and March 25th each year this Agreement continues in effect. This amount represents the actual cost to Cottage Grove to provide Building Permit Program Services to Veneta, thus ensuring that all Building Permit funds collected by Veneta are properly dedicated to administration and enforcement of Veneta's Building Inspection Program."

By execution of this Addendum, each party hereby acknowledges that it has read this Addendum No. 2, understands this amendment, and reaffirms all unamended provisions of the IGA.

CITY OF COTTAGE GROVE, an Oregon municipal corporation	**CITY OF VENETA.** an Oregon municipal corporation
By: XXXXXXXXXXXXXXXXXX	By: XXXXXXXXXXXXXXX
Name: _____	Name: Matt Michel
Title: _____	Title: City Administrator
Date: _____, 2020	Date: _____, 2020

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2020-2021 Building Program Costs

Total Staff Expenses $319,550.00

$134,975.00 Building Official
$142,475.00 Electrical Inspector
$ 42,100.00 Building Permit Specialist/Residential Inspector and Plans Examiner (50% cost)

Total Materials and Services $17,050.00

$1,500 Telephone
$ 500 Fuel and Lubricants
$ 100 Communication Service
$ 100 Postage
$ 500 Vehicle Expense
$ 500 Computer Service and Supplies
$ 500 Office Supplies
$1,000 Books, Maps, Periodicals
$1,000 Computer Equipment
$ 100 Minor Equipment
$ 250 Misc. Supplies & Expenses
$2,000 Professional Association Dues
$6,000 Education & Registration Fees
$3,000 Travel and Subsistence

Total Cottage Grove Building Program Expenses $182,764.00

$159,775.00 Staffing
$ 8,525.00 Materials & Services (billed quarterly as expended)
$ 13,464.00 General Office Overhead (8% of total costs)
$ 1,000.00 Vehicle Expense (Mileage Re-Imbursement)

Total Creswell Building Program Expenses $56,030.00 (Quarterly Payment $14,007.50)

$47,932.50 Staffing
$ 2,557.50 Materials & Services (billed quarterly as expended)
$ 4,040.00 General Office Overhead (8% of total costs)
$ 1,500.00 Vehicle Expense (Mileage Re-Imbursement)

Total Veneta Building Program Expenses $75,574.00 (Quarterly Payment $18,893.50)

$63,910.00 Staffing
$ 3,751.00 Materials & Services (billed quarterly as expended)
$ 5,413.00 General Office Overhead (8% of total costs)
$ 2,500.00 Vehicle Expense (Mileage Re-Imbursement)

Total Coburg Building Program Expenses $57,030.00 (Quarterly Payment $14,257.50)

$47,932.50 Staffing
$ 2,557.50 Materials & Services (billed quarterly as expended)
$ 4,040.00 General Office Overhead (8% of total costs)
$ 2,500.00 Vehicle Expense (Mileage Re-Imbursement)

Percentage of program expenses:

Cottage Grove	50%
Coburg	15%
Creswell	15%
Veneta	20%