

North Powder City Council Work Session
June 26, 2020
City Hall 6PM

Attendance: Mayor Mike Wisdom, Councilors Dennis Lefever, David “Shorty” Schwehr, Jeff Grende, Joyce Lawyer, and Mike Morse (Big Mike). City Recorder Beth Wendt. Councilor Logan McCrae was absent.

Community members: Jeff & Wynn Neilsen, Ron & Sharon Harmon, and Rich McConnell.

Mayor Mike called the meeting to order to review comments and changes that were made to the proposed RV ordinance by LOC attorney, Patty Mulvihill. Some were just clarifications on definitions and how those tied in throughout the ordinance to make things consistent. Patty also answered some questions that were sent to her. The first question related to the procedure for adopting the ordinance. It has to be treated as an amendment to zoning and therefore requires following the public hearing process. Patty did not recommend adopting the ordinance as an emergency. Beth will get more clarification regarding classifying tiny homes as RVs. Beth asked Patty how we could take manufactured homes out of the RV ordinance without nullifying the existing ordinance references to penalties and violations.

Corrections to Section 1.18 included correcting time periods from 360 days to 365 days.

Beth asked if the Council wanted to leave temporary habitation at a total time of 14 days per year. Jeff felt it shouldn't be an issue if someone is here for just a night or two. After a discussion, it was decided that it should be left at 14 days in 365 day period. Jeff was concerned about wording for the 30 day permit. He thought it was supposed to be 30 days, use it or lose it. That means if a permit is issued for a 30 day period, the permittees can use it however they want in the 30 day period. For example, if they want to take the RV to go camping for a weekend, as long as they are returning within the 30 day time frame, that is okay. Beth clarified that if they come back after the permit expires, they have lost those days they were gone.

Beth noted that we will need to come up with a resolution for a fee schedule that would specific the different fees for an owner occupied RV vs. a visitor occupied RV.

Mayor Mike thought there should be a clause that allows exceptions to be made on a case-by-case basis. Beth wondered if we should ask Patty if there is a place in her revised ordinance that would allow exceptions. Jeff felt that would leave too much room for favoritism. Dennis agreed.

Mayor Mike was concerned about the 14 day permit and what happens at the end of the 14 days. He also liked the idea of requiring a request for extension must be submitted at least 15 days before the permit is expired because if the Council can't meet before the permit expires, it allows for the RV to remain at the current location until the permit can be reviewed. Shorty thought they were supposed to be allowed to extend for up to 90 days total. Beth thought the Council had agreed that as long as all boxes on the application were checked, the permit could be renewed at City Hall and wouldn't have to be brought to the Council unless there was a problem. She suggested that only when an application requests to extend beyond 90 days, or if there is a problem, would it to go to City Council and the application has to be filed at least 15 days before the last permit has expired.

Mayor Mike wondered about the paragraphs referring to conventions and City sponsored events. He thought events in North Powder, such as the Huckleberry Festival, would fall under City sponsored programs. Beth clarified that the Huckleberry Festival is not actually City sponsored. She suggested we combine the paragraphs to cover conventions and events. Mayor Mike noted that one paragraph allowed for RVs to be on public or private property during the event.

Mayor Mike quickly reviewed the information that would be included on an application, including names, signatures, fees, location, dates, etc. Permit applications should also include parking and ingress and egress on the property.

Paragraph H addressed the conduct of the property owner and occupants of the RV. Paragraph J addressed violations. Paragraph K refers to appeal procedures. Mayor Mike didn't like putting someone off if they didn't appeal at least 10 days before a Council Meeting. It was decided to strike the line so as to allow an appeal to be heard at the next regular Council Meeting regardless of when filed.

Jeff wanted clarification on what constituted a violation. Beth suggested it say if the permittee was found guilty of having violated a permit. That would allow for a warning and time to correct before a ticket is issued. Shorty thought to revoke a permit it should go to court. Dennis commented that a warning can be given which gives someone time to correct a problem before a ticket is issued. If someone complies immediately upon notice, it wouldn't actually be considered a violation. Shorty thought the words "previously violated" meant a citation was issued. Dennis noted that there should be some kind of record for every time someone has been contacted, whether it was done orally or written. Mayor Mike felt there has to be some sort of history to revoke a permit. Jeff reiterated that it should be a convicted violation. It should say if they have been "found guilty".

Beth wondered if we should see if we can remove all reference to manufactured homes and mobile homes so that we are only dealing with RVs in this ordinance. It was agreed we should ask Patty if we can do that. Mayor Mike added that we need to include mobile home and manufactured home parks. Mayor Mike mentioned that RVs can't be parked on City right-of-ways. Shorty didn't care for the statement that wrecked, inoperable or unlicensed RVs couldn't be on private or public property. Beth agreed it should just say they can't be on public property. Jeff proposed removing notations of public property.

Mayor Mike noted that Section 1.22 states that improvements to a site won't not be considered in issuing a permit.

Section 1.23 deals with penalties and enforcement. It identifies fines, enforcement, notification, etc. Mayor Mike thought the paragraph about response to notification should have a reference to the appeal section of the ordinance.

Beth thought we should add a severability clause and an enactment clause. She will check with Patty. Mayor Mike wondered if we should send it to Dan Van Theil. Beth thought since Dan would be the one to defend it, we should send it to him once we have it finalized.

Shorty asked about boats. Mayor Mike noted that they are listed under the definition of Recreational Vehicle.

Jeff felt we should really start to push for an Ordinance Enforcement Officer. He was against having the Mayor or other City employee acting as such. Mayor Mike thought we had someone interested. Dennis said the interested party is no longer interested.

Meeting adjourned at 8PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder