



**TALENT CITY COUNCIL  
REGULAR COUNCIL MEETING  
TOWN HALL  
January 20, 2016 – 6:45 P.M.**

*Study Session, Regular Council & TURA meetings are being digitally recorded and will be available on the City website*

The City Council of the City of Talent will meet in a Regular Council session at 6:45 P.M on Wednesday, January 20, 2016 at 6:45 P.M. in the Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

**REGULAR COUNCIL MEETING- 6:45 PM**

*Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the “Citizens Heard on Non-agenda Items” section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.*

**1. Call to Order/Roll Call**

**2. Pledge of Allegiance**

**3. Mayor Announcements**

**4. Public Hearings**

*Public hearings are conducted under a prescribed procedure depending on the topic. The presiding officer will conduct the hearing in accordance with those procedures which will allow for public input at the announced time.*

- 4.1 Water Recovery Plan.....Page 3-5**
- 4.2 Styrofoam Ban.....Page 6-8**

**5. Citizens Heard on Non-Agenda Items**

*Limited to 5 minutes or less per Mayoral discretion*

**6. Public Presentations**

*Items that do not require immediate Council action, such as presentations, discussion of potential future action items. Time limited to 15 minutes per presentation unless prior arrangements have been made.*

- 6.1 None**

**7. Consent Agenda**

*The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.*

- 7.1 Approval of Regular Council Meeting Minutes for January 6, 2016.....Page 9-36**
- 7.2 Acknowledge receipt of Payables.....Page 37-42**
- 7.3 Re-appoint Paul Hadella to the Parks Commission for a 2 year term..(agenda report pending)**
- 7.4 Appoint Jenica Faye to the Parks Commission for a 2 year term.....Page 43-44**
- 7.5 Appoint John Harrison to the Budget Committee for a 3 year term.....Page 45-46**

**8. Regular Agenda**

*Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.*

- 8.1 Second Reading 16-906-O, an Ordinance for a zone change of 5.40 acres from commercial interchange (CI) to commercial highway (CH), for property along Valley View Road, previously occupied by the Talent Truck Stop.....Page 47
- 8.2 Second Reading, Ordinance 16-907-O, An Ordinance Regulating Activities on the portion of the Bear Creek Greenway Corridor within the City limits of the City of Talent, Oregon.....Page 48-55
- 8.3 Second Reading 16-908-O, an Ordinance adopting a uniform fire code prescribing regulations governing conditions hazardous to life and property from fire or explosion; and establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties.....Page 56-60
- 8.4 Second Reading 16-909-O, an Ordinance regulating the use of solid fuel burning devices within the City of Talent, Oregon and to require the permanent removal of non-certified wood stoves and fire place inserts from structures .....Page 61-69

**9. Information Items**

9.1

**10. City Manager & Other Department Reports**

*Items for discussion by the City Manager and Department Heads as needed.*

**11. Other Business**

11.1

**12. Mayor and Councilor - Committee Reports and Councilor Comments**

- Rogue Valley Area Commission on Transportation – Mayor Stricker (alternate)
- Together for Talent Committee – Councilor Collins
- Metropolitan Planning Organization – Mayor Stricker & Councilor Cooke (alternate)
- Planning Commission – Councilor Wise & Councilor Abshire (alternate)
- Public Art Advisory Committee – Councilor McManus
- Parks Commission – Mayor Stricker
- Traffic Safety & Transportation Commission – Councilor Cooke
- Rogue Valley Council of Governments – Councilor McManus & Mayor Stricker (alternate)
- Talent Historical Society –Councilor Abshire
- Harvest Festival Committee – Councilor McManus
- Economic Development - Councilor Pederson & Council McManus
- Chamber – Councilor Pederson
- Talent Charter Review – Councilor Cooke

**13. Adjournment**

**The City of Talent is an Equal Opportunity Provider**

**Note: This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website ([www.cityoftalent.org](http://www.cityoftalent.org)) in advance of each meeting.**

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**PUBLIC HEARING NOTICE**

A public hearing will be held by the City Council at 6:45 PM on Wednesday, January 20, 2016 at Town Hall, 206 E. Main Street. The Public Hearing will be to establish a water rate recovery from 2002.

The location of the hearing is accessible to the disabled. Please let Melissa Huhtala at 541-535-1566 ext. 1012 know if you need any special accommodations to attend or participate in the hearing.

**Background:**

The Medford Water Commission has approved a water rate increase effective January 1, 2016. The estimated impact of this rate increase to the City of Talent is approximately \$30,000 annually based on the City’s current water consumption. Along with the increase from the Medford Water Commission, the City anticipates capital maintenance expenditures for the TAP Intertie of \$95,000 over the next ten years. The Medford Water Commission’s rate history is presented below.

<b>MEDFORD WATER COMMISSION OTHER CITIES WHOLESALE WATER RATES</b>							
	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2011</b>	<b>2012</b>	<b>2015</b>	<b>2016</b>
<b>10" TAP Master Meter</b>	406.78	411.16	469.02	523.85	656.90	689.74	782.65

The City of Talent’s rate history is below:

<b>CITY OF TALENT INSIDE CITY CUSTOMER WATER RATE SCHEDULE</b>			
		<b>2002</b>	<b>2007</b>
<b>Number of Customers by Meter Size</b>	<b>Meter Size</b>	<b>Monthly Base Rate</b>	
1,808	3/4" to 5/8"	\$16.14	\$12.00
90	1"	\$35.64	\$30.00
23	1 1/2"	\$68.14	\$60.00
39	2"	\$143.00	\$96.00
2	3"	\$247.00	\$192.00
0	4"	\$364.00	\$300.00
1	6"	\$689.00	\$600.00
<b>Per 1,000 gallons</b>			
	3001 - 6000 gallons	\$4.04	\$4.05
	6001 - 9000 gallons	\$4.44	\$4.45
	Over 9,000 gallons	\$4.84	\$4.85

## RESIDENTIAL WATER RATE COMPARISONS

<b>Gallons</b>	<b>Talent Current</b>	<b>Talent Proposed</b>	<b>Phoenix</b>	<b>Eagle Point</b>	<b>Rogue River</b>	<b>Jacksonville</b>
<b>0-1,000</b>	\$ 12.00	\$ 16.14		\$ 17.65		\$ 24.88
<b>1,001-5,000</b>	\$ 20.10	\$ 24.22	\$ 35.03	\$ 26.33	\$ 19.30	\$ 32.79
<b>5,001-10,000</b>	\$ 42.75	\$ 46.43	\$ 44.63	\$ 37.18	\$ 33.30	\$ 42.69

## **Water Rate Information**

Rogue River- Increases rates every year by the percentage published in the ENR from November to November this year it was 1.82%.

The City of Phoenix- has had a 1.5% increase on their water every year for the last four years. They do have water commission review the increase and make a recommendation to council to approve the increase but Council would have to take action to stop the increase. Phoenix has a three million dollar bond that they pay off with the sale of water.

Eagle Point – Increases their rates through the Medford Water Commission.

Jacksonville- Increases their rates through the Medford Water Commission If there is a large rate increase they base it on their master plan.

ORDINANCE NO. 16-913-O

AN ORDINANCE PROHIBITING THE USE OF DISPOSABLE FOOD SERVICE WARE  
COMPOSED OF POLYSTYRENE FOAM IN THE CITY OF TALENT

WHEREAS, polystyrene foam has negative impacts on human health, wildlife and the environment; and

WHEREAS, according to the United States Energy Information Administration, polystyrene foam, which is derived from petroleum can take more than 1,000,000 years to decompose; and

WHEREAS, there is no viable option for recycling polystyrene foam in or near the City of Talent; and

WHEREAS, viable alternative packaging for food and food products exists and is available for use by food vendors in the City of Talent;

NOW THEREFORE, THE CITY OF TALENT ORDAINS AS FOLLOWS:

**Section 1. Definitions.**

A. "City Manager" means the City Manager of the City of Talent or the City Manager's designee.

B. "Food vendor" means, but is not limited to, shops, sales outlets, restaurants, bars, pubs, coffee shops, cafeterias, caterers, convenience stores, liquor stores, grocery stores, supermarkets, delicatessens, nonprofit organizations, mobile food trucks, vehicles or carts, and roadside stands that serve, sell, or otherwise provide food for human consumption.

C. "Disposable service ware" is a single use disposable product used by the food vendor for serving prepared food that includes, but is not limited to, plates, trays, bowls, cups, lids, straws, utensils, and hinged or lidded containers (clamshells).

D. "Polystyrene foam" means a thermoplastic petrochemical material made from a styrene monomer and expanded or blown using a gaseous agent (expanded polystyrene) including, but not limited to, fusion of polymer spears (expandable bead polystyrene), injection molding, for molding, an extrusion blown molding (extruded from polystyrene).

E. "Prepared food" means, but is not limited to, food or beverages that are packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared on the premises. "Prepared foods" does not mean: (1) any raw meat product unless it can be consumed without any further preparation, or (2) prepackaged food that is delivered to the food vendor wholly encased,

contained, or packaged in a container or wrapper, and sold or otherwise provided by the food vendor in the same container or packaging.

F. "Provide" means, but is not limited to, active serving, giving away, selling, delivering, packaging, and providing.

**Section 2. Polystyrene foam disposable food service ware prohibited.**

No food vendor shall provide prepared food in disposable service ware composed of polystyrene foam.

**Section 3.** No City sponsored event will allow the use of food in disposable service ware composed of polystyrene foam.

**Section 4. Exceptions to the polystyrene foam disposable food service ware prohibition other than at City sponsored events.**

- A. A food vendor may qualify for an exemption from the prohibition in Section 2 of this ordinance if the food vendor provides documentation to the City Manager showing the following: (1) gross revenue of less \$50,000 dollars as shown on the food vendor's tax filing for the most of the recent tax year, and (2) with respect to each specific and necessary polystyrene foam disposable food service ware used by the food vendor, the food vendor must show that there is no feasible alternative that would cost the same or less than polystyrene foam disposable food service ware.
- B. The City Manager shall render a written decision on each request for an exemption from the prohibition in Section 2 of this ordinance. The City Manager's decision shall be final.

**Section 5. Penalties.**

- A. Violations of Section 2 of this ordinance shall be punishable by a fine of up to \$250. Every day in which a violation is caused or permitted to exist constitutes a separate violation. The penalty imposed by this section is in addition to and not in lieu of any other penalty imposed by City ordinance.
- B. The City will not issue a business license to any violator of this Ordinance.
- C. The City will revoke any business license of any violator of this Ordinance.

**Section 6. Effective Date.**

This ordinance shall take effect on July 1, 2016.

Duly enacted by the City Council in open session on \_\_\_\_\_, 2016 by  
the following vote:

AYES:            NAYS:            ABSTAIN:            ABSENT:

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records



**TALENT CITY COUNCIL  
REGULAR COUNCIL MEETING DRAFT MINUTES  
TOWN HALL  
January 6, 2016 – 6:45 P.M.**

*Study Session, Regular Council & TURA meetings are being digitally recorded and will be available on the City website*

The City Council of the City of Talent will meet in a Regular Council session at 6:45 P.M on Wednesday, January 6, 2016 at 6:45 P.M. in the Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012.

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**REGULAR COUNCIL MEETING- 6:45 PM**

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**1. Call to Order/Roll Call**

**Members Present**

**Mayor Stricker  
Councilor McManus  
Councilor Cooke  
Councilor Abshire  
Councilor Pederson  
Councilor Wise  
Councilor Collins**

**Members Absent**

**2. Pledge of Allegiance**

**3. Mayor Announcements**

- Council Goal Setting will begin this month.
- Volunteer Recognition Celebration is being planned tentatively on February 4<sup>th</sup>.

**4. Public Hearings**

*Public hearings are conducted under a prescribed procedure depending on the topic. The presiding officer will conduct the hearing in accordance with those procedures which will allow for public input at the announced time.*

**4.1 Zone Change**

Community Development Director, Zac Moody gave a Staff Report (*see attached*).

Council discussed the zone change.

Mayor Stricker spoke in concern about there being no site plan due to the floodway and floodplain. Mayor Stricker questioned why there would be a zone change with no site plan. Mr. Moody answered that a site plan was not required.

Mayor Stricker questioned if it was required to notify FEMA. Mr. Moody answered no and he went over who was notified.

Mayor Stricker clarified that if there was a site plan review a zone change could be considered at that time.

**Mayor Stricker opened the Public Hearing at 7:33 PM**

**Applicant Megan Lanier- 100 E. Main St. Suite O, Medford.** Ms. Lanier is here from Richard Stevens & Association, Inc. to represent Talent Truck Stop Property. Ms. Lanier spoke regarding the zone change. She spoke that the proposed zone change is consistent with the comprehensive plan.

**Public Input:**

Joi Riley- 1706 Lithia Way, Talent – Ms. Riley gave Council a handout and map regarding the flood plain (*see attached*). Ms. Riley spoke regarding zone change.

Mr. Moody commented on the handout. He spoke that all noticing procedures were followed correctly for this Public Hearing.

Ms. Lanier spoke that currently no residential is being proposed on this. She also spoke of her concerns regarding the map that was distributed. She spoke that it may not reflect the actual true FEMA map. She spoke that if the zone changed is approved it will give a lot of opportunity for economic development.

Ms. Riley spoke that the map was a current FEMA map. She spoke if there was a more current map the applicant or Staff should have it.

**Mayor Stricker closed the Public Hearing at: 7:52 PM**

**Councilor Pederson moved to approve Ordinance 16-906-O, an Ordinance for a zone change of 5.40 acres from commercial interchange (CI) to commercial highway (CH), for property along Valley View Road, previously occupied by the Talent Truck Stop. Councilor Collins seconded. Mayor Stricker repeated the motion. Discussion: Councilor Wise spoke in favor of the change and his reasons why. Councilor Cooke spoke that she is not in support of the change. Councilor Pederson spoke in support of the change and his reasons why. Councilor Abshire agreed with Councilor Cooke. Councilor Collins spoke in support of the change. Councilor McManus spoke in support of the zone change. Mayor Stricker spoke that a denial of this proposed zone change does not inhibit the options. Roll Call Vote: Councilor McManus, Councilor Pederson, Councilor Wise and Councilor Collins: YES. Councilor Cooke and Councilor Abshire: NO. Motion Passed 4-2.**

**5. Citizens Heard on Non-Agenda Items**

*Limited to 5 minutes or less per Mayoral discretion*

Ron Medinger and Jan Wright, 333 Mountain View Drive, Talent– Mr. Medinger went over Talent Historical Society goals. (*see attached*).

**6. Public Presentations**

*Items that do not require immediate Council action, such as presentations, discussion of potential future action items. Time limited to 15 minutes per presentation unless prior arrangements have been made.*

**6.1 None**

**7. Consent Agenda**

*The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.*

**7.1 Approval of Regular Council Meeting Minutes for December 16, 2015**

**Councilor Wise moved to approve the Regular Council Minutes for December 16, 2015. Councilor Cooke seconded. Mayor Stricker repeated the motion. Discussion: None. All Ayes. Motion passed unanimously.**

**8. Regular Agenda**

*Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.*

**8.1 Council Goals Process**

City Manager, Tom Corrigan gave a Staff Report. He explained Staff found money in the budget in the training line item.

Mr. Corrigan went over the proposed facilitator, Guy Perrin from Central Point (*see attached*). His price range is approximately \$900-\$1200. Councilor Cooke questioned how much money was available in the training budget. Mr. Corrigan answered \$2000.

Mr. Perrin would be available to meet on January 27<sup>th</sup> and February 10<sup>th</sup>.

Council gave Consensus to have a work session next week. Wednesday, January 13<sup>th</sup> at 6:30 PM and meet with Mr. Perrin on January 27<sup>th</sup> & February 10<sup>th</sup> at 6:30 PM. Councilor Wise will not be here next week.

**Councilor Cooke moved to use a Guy Perrin for Council Goals facilitator to not to exceed \$2000. Councilor McManus seconded. Mayor Stricker repeated the motion. Discussion: None. Roll Call Vote: Councilor McManus, Councilor Cook, Councilor Abshire and Councilor Collins: YES. Councilor Pederson and Councilor Wise: NO. Motion passed 4-2.**

Council requested the bids in writing.

**8.2 First Reading, Ordinance 16-907-O, An Ordinance Regulating Activities on the portion of the Bear Creek Greenway Corridor within the City limits of the City of Talent, Oregon**

Mr. Corrigan gave a brief staff report.

**Councilor Pederson moved to adopt Ordinance 16-907-O, An Ordinance Regulating Activities on the portion of the Bear Creek Greenway Corridor within the City limits of the City of Talent, Oregon. Councilor Wise seconded. Mayor Stricker spoke that there was a motion and second to approve Ordinance 16-907-O as read into the record by Councilor Pederson. Discussion. None. All Ayes. Motion passed unanimously.**

**8.3 First Reading 16-908-O, an Ordinance adopting a uniform fire code prescribing regulations governing conditions hazardous to life and property from fire or explosion; and establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties**

Mr. Corrigan gave a brief staff report.

**Councilor Wise moved to adopt 16-908-O, an Ordinance adopting a uniform fire code prescribing regulations governing conditions hazardous to life and property from fire or explosion; and establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties. Councilor Collins seconded. Mayor Stricker spoke there was a motion and a second to adopt Ordinance 16-908-O as read into record by Councilor Wise. Discussion: None. All ayes. Motion passed unanimously**

**8.4 First Reading 16-909-O, an Ordinance regulating the use of solid fuel burning devices within the City of Talent, Oregon and to require the permanent removal of non-certified wood stoves and fire place inserts from structures.**

Mr. Corrigan gave a brief Staff report.

**Councilor Collins moved to adopt 16-909-O, an Ordinance regulating the use of solid fuel burning devices within the City of Talent, Oregon and to require the permanent removal of non-certified wood stoves and fire place inserts from structures. Councilor Abshire seconded. Mayor Stricker spoke there was a motion and a second to adopt Ordinance 16-909-O as read into the record by Councilor Collins. Discussion: None. All Ayes. Motion passed unanimously.**

**9. Information Items**

**9.1 Draft Ordinance for Smoke Free Parks 16-910-O**

Mr. Corrigan gave a Staff report. Council gave Staff a few recommendations changes to the Ordinance. The Ordinance will be sent to the Parks Commission.

**10. City Manager & Other Department Reports**

*Items for discussion by the City Manager and Department Heads as needed.*

Mr. Corrigan gave City and Department reports.

- There is a new light at Town Hall.
- 2 lights for the Plaza came in one was broken so will be replaced.
- Front Street open house will be next Thursday 4-6 PM at City Hall.
- There will be 3 Public Hearings at the next Council Meeting 3 Public Hearings. Planning, Water Rate Recovery and Styrofoam Ban.
- The Street Sweeper is here. There will be training on Friday at Brammo.
- We will now have a Brammo motorcycle for Talent.
- Budget is being reviewed.
- The water rights certification has passed.
- Negotiations are being discussed with Medford Water Commission regarding peak water flow.
- There will be training for the new software in finance.
- Rumble strips have been ordered for Rapp Rd.
- Rays Food Place has a new manager.
- New signs will be going up in Talent that say “Green Energy”

**11. Other Business**

**11.1** Mayor Stricker suggested Council review Council Rules and the Charter within the quarter. She spoke that no member of Council should walk out of a meeting without requesting a break.

Councilor Collins questioned if there was anything new regarding Oregon Power –Solar Cooperative. Mr. Corrigan spoke that he has not received any more information and will send out an email.

## **12. Mayor and Councilor - Committee Reports and Councilor Comments**

Rogue Valley Area Commission on Transportation – Mayor Stricker (alternate)  
Together for Talent Committee – Councilor Collins  
Metropolitan Planning Organization – Mayor Stricker & Councilor Cooke (alternate)  
Planning Commission – Councilor Wise & Councilor Abshire (alternate)  
Public Art Advisory Committee – Councilor McManus  
Parks Commission – Mayor Stricker  
Traffic Safety & Transportation Commission – Councilor Cooke  
Rogue Valley Council of Governments – Councilor McManus & Mayor Stricker (alternate)  
Talent Historical Society – Councilor Abshire  
Harvest Festival Committee – Councilor McManus  
Economic Development - Councilor Pederson & Councilor McManus  
Chamber – Councilor Pederson  
Talent Charter Review – Councilor Cooke

Councilor Wise spoke that he attended the Planning Commission and the zone change was discussed.

Councilor Cooke announced that she attended TSTC. She spoke that rumble strips for Rapp Rd. and the roundabout was discussed.

Councilor Pederson announced he attended the Chamber Meeting:

- He spoke that they are looking for new members.
- There will be more Facebook activity for business members this year.
- The Chamber is healthy financially.
- The January mixer will be on January 8<sup>th</sup> at Kindred Spirits.

Mayor Stricker spoke that she will be interviewing another Parks applicant. RVACT Meeting is coming up. Taking leave of absence of all other boards for the first quarter of 2016.

Councilor Abshire announced that the Talent Historical Society:

- Worked on their goals. He suggested for Council to come by the museum.
- They have 2 new members.

Councilor Collins attended the Together for Talent Meeting and gave announcements.

- They have a new member.
- March 5<sup>th</sup> at the Talent Library 10-12 Forum for integrated pest management.
- Friends of Trees and Weed Team have finished approximately 36 hours of weeding and planting. They thanked Mr. Corrigan for dropping off trees and mulch.
- Friends of Wagner Creek is working on a project with Native Fish Society.
- Emergency Preparedness will have 2 public presentations in May regarding house fires and map your neighborhood.
- Volunteer recognition celebration is being planned.
- Rogue Climate will meet on January 14<sup>th</sup> at 6 PM in the Community Center.

Councilor McManus had no announcements.

## **13. Adjournment**

**The Council Meeting was adjourned at 9: 19 PM**

**Respectfully submitted by:**

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**City Recorder, Melissa Huhtala**

**Attest**

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**City Manager, Tom Corrigan**

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**City of Talent**

**REZ 2015-001**

# **Zoning Map Amendment**

Talent City Council  
Public Hearing  
January 6, 2016



# Background

- Subject tract was the site of the Talent Truck Stop and Restaurant
- Lot is approximately 5.40 acres and includes two legal lots of record
- Lot is zoned Commercial Interchange
- Track is surround to the west, north and south by Commercial Highway and Commercial Interchange to the east.



# Site Information





# Property Characteristics





# Property Characteristics





# Approval Criteria

## **Article 8-3M.160 – Review Procedures – Type IV Legislative**

- Notice of Hearing Requirements
- Pre Application Conferences

## **City of Talent Comprehensive Plan**

- Element B – Parks, Recreation, Open Space, and Urban Forestry
- Element C – Natural Hazards
- Element D - Transportation
- Element E - Economy
- Element F – Public Facilities and Services

## **Oregon Administrative Rules (OAR 660-012-0060) – Plan and Land Use Regulations**



# Planning Commission Comments

- Requested more information about potential uses on property
- Future development in the 100-Year Floodplain and Floodway
- Concerns about future traffic congestion issues with expanded residential use options
- Comprehensive Plan does not reflect the need for a zone change and that TSP was predicated on the current zoning
- Proposed zone change should only be considered with a complete development plan to rationalize the zone change needs
- Would like to see open space requirement for the proposed zone change.

Planning Commission recommended approval with a 3-1 vote



# Findings

## **City of Talent Comprehensive Plan – Element B (Parks and Recreation)**

*Policy 1: Preservation: It is the policy of the City of Talent to preserve and enhance the quality of its existing parks and recreation resources*

- Proposed change of zoning will NOT have any impact on the exiting bike paths or greenway. Comprehensive Plan designation remains commercial.
- Any future site development would be required to address all riparian and open space standards at the time of review. Enhancements of riparian area will be likely at the time of development considering the existing impacts of the current development.



# Findings

## City of Talent Comprehensive Plan – Element C (Natural Hazards)

*Policy 1.1. Flood Hazards: It is the policy of the City of Talent to implement a comprehensive strategy that will mitigate and reduce the risks of flood damage from naturally occurring flood events*

- The uses allowed in the Commercial Interchange zone are similar to the other commercial and residential uses allowed in the Commercial Highway zone. No increased risks are anticipated with the change of zoning.
- All future development regardless of the zoning designation will require a floodplain review to reduce the risk of flood damage.



# Findings

## **City of Talent Comprehensive Plan – Element D (Transportation)**

*Policies: The City shall consider changes to the Zoning Code that will more effectively implement Comprehensive Plan goals that encourage transit-oriented, mixed-use and high-density development near the city center to reduce private vehicle trips by increasing access to transportation alternatives in conformity with the Oregon Transportation Planning Rule (TPR).*

- Proposed zone change from Commercial Interchange to Commercial Highway allows a larger variety of uses that could be more transit-oriented and allow mixed-use and high density residential which encourage the use of transportation alternatives.



# Findings



## **City of Talent Comprehensive Plan – Element E (Economy)**

*Policy 2: Family Wage Jobs: Promote and support businesses that bring family wage jobs into the community.*

*Policy 3: Business Support and Assistance: The City will support, and encourage retention and expansion of existing businesses.*

*Policy 5: Livability: The City recognizes that livability is an important factor in the location choices of some types of businesses, and the policy of maintaining livability for the benefits of City residents is further reinforced by the potential for economic benefits.*

*Policy 8: Land Availability: The City will plan for commercial and industrial land needs and encourage the efficient use of land.*



# Findings

## City of Talent Comprehensive Plan – Element E (Economy)

- Proposed zone change will allow for a much wider variety of uses that can be established on the subject tract, providing a broader opportunity for economic growth.
- Proposed zone change allows for the weaknesses of the SWOT (strengths, weaknesses, opportunities and threats) to be improved due to the wider variety of allowed land uses, including high density residential.
- Allows the existing lot to be used to its capacity. The existing zoning allows uses that serve the traveling public. The proposed zoning allows uses that serve both the community and traveling public.



# Findings

## **City of Talent Comprehensive Plan – Element F (Public Facilities)**

*Objective 3.1: Continue to provide safe and livable housing for working families, single-earner households, retired people, and students while improving the quality and value of local housing stock.*

- *Proposed zone change allows the subject properties to be developed with high-density residential on 50% of the parcel provided it is screen by commercial uses adjacent to the street.*
- *Existing zoning only allows mixed-use commercial/residential units and forces property owner to expand commercial uses in order to provide needed residential housing.*



# Approval Criteria

## Oregon Administrative Rules (OAR 660-012-0060) – Plan and Land Use Regulations

1. *If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) **would significantly affect an existing or planned transportation facility**, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:
  - a. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).*
  - b. *Change standards implementing a functional classification system, or**



# Approval Criteria

## Oregon Administrative Rules (OAR 660-012-0060) – Plan and Land Use Regulations

- c. *Results in any of the effects listed below*
  - (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
  - (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*



# Findings

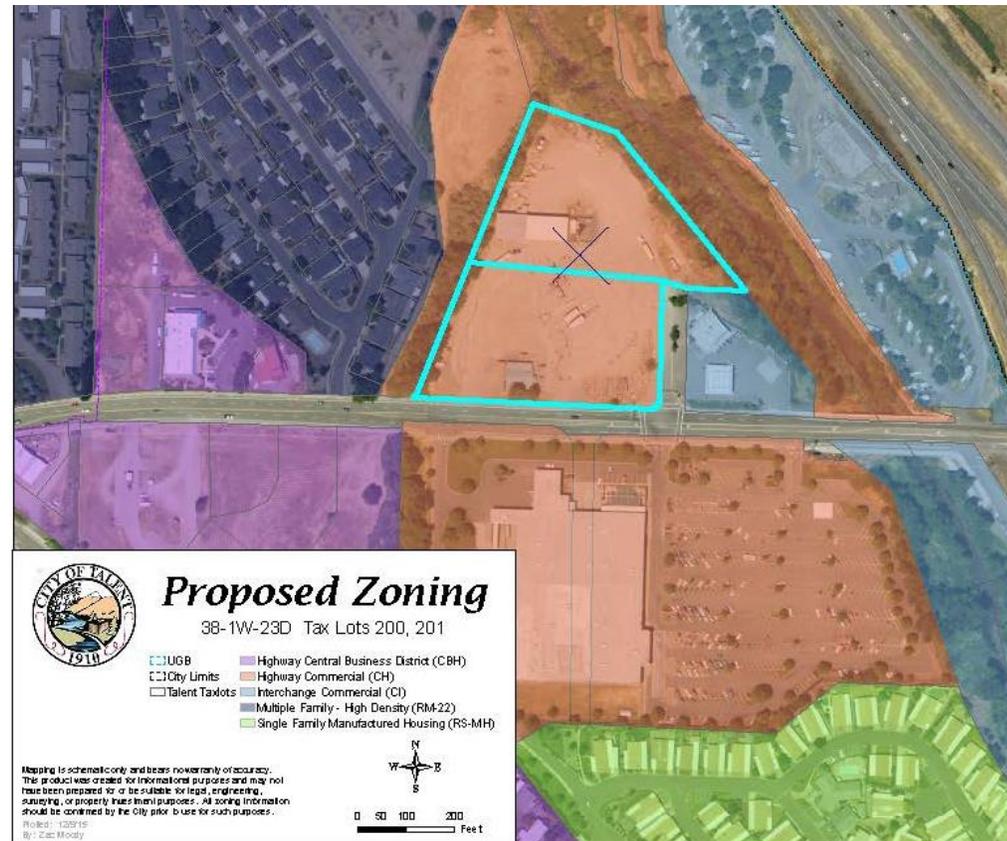
## **Oregon Administrative Rules (OAR 660-012-0060) – Plan and Land Use Regulations**

*Does the proposed zone change significantly affect the transportation facility?*

- Current average daily trips (ADT) count for W. Valley View is 8,000.
- Estimated average daily trips at full buildout of commercial in Talent (25 years) is approximately 13,000 ADT.
- Proposed 3 lane cross section on Valley View would accommodate approximately 20,000 ADT.
- Proposed change of zoning will not degrade the performance of the existing transportation facility and does not appear to affect the level of service (LOS must be no less than 95%).
- Current proposal with new allowed uses does not appear to increase the ADT to a point that a Transportation Impact Study would be required.



# Proposed Zoning





# Recommendation & Motion

## **Recommendation**

Based on the findings for the Zone Change stated in the signed Final Order, Planning Commission recommends approval of the Zoning Map Amendment.

## **Proposed Motion**

*"I move to adopt Ordinance 16-906-O, an Ordinance for a zone change of 5.40 acres from Commercial Interchange to Commercial Highway for property along Valley View Road, previously occupied by the Talent Truck Stop".*

Jan. 6, 2016

To: Hon. Mayor and City Council

Re: REZ 2015-001

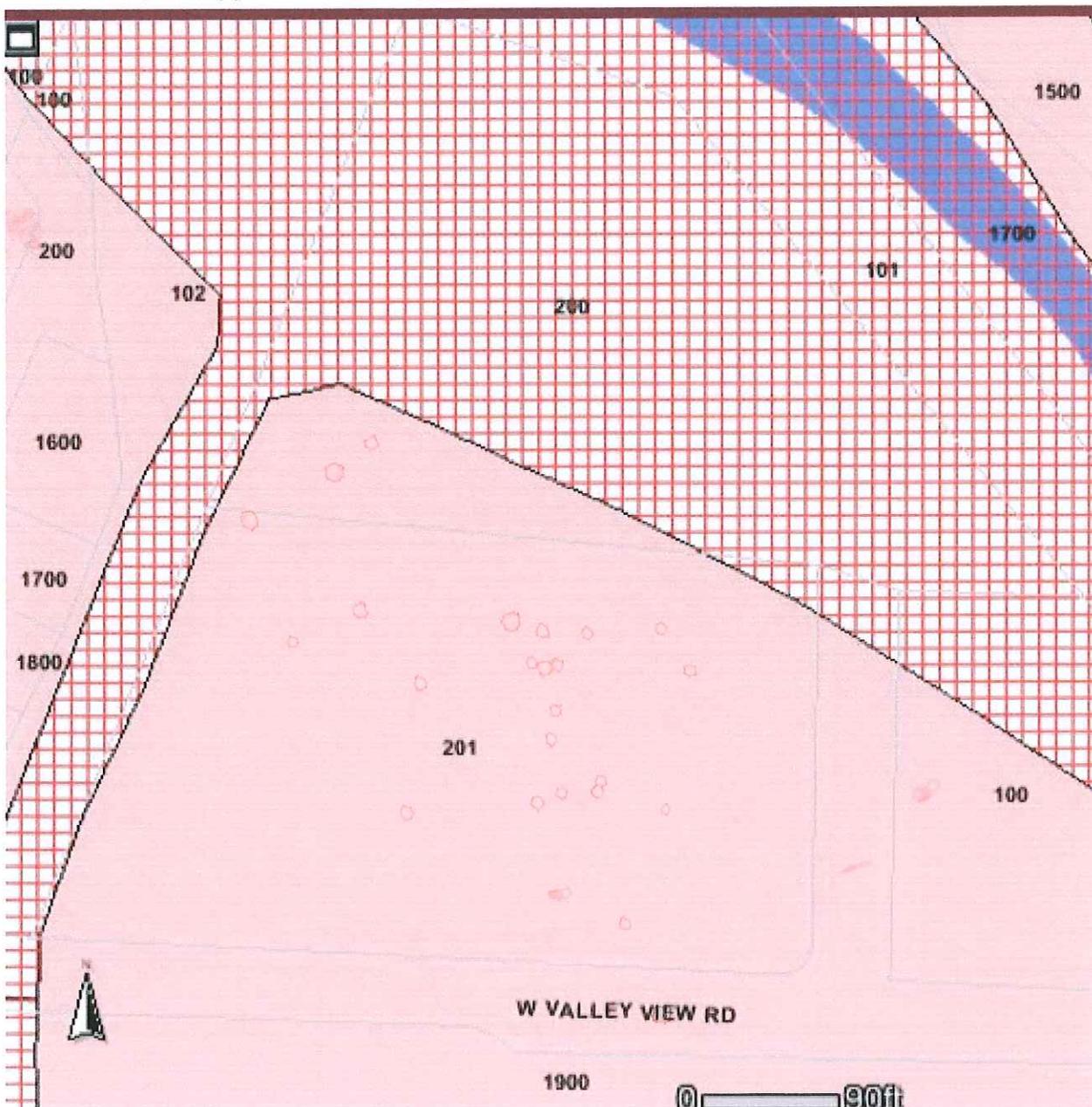
From: Joi Riley

1706 Lithia Way

Talent, OR. 97540

Granting this zone change application without an attached land use application leaves us open to unknown and unintended negative consequences.

More than half of the property is designated floodway. That means nothing may be built on it. Below is the current FEMA map. Cross hatched areas are FLOODWAY. Solid Pink is FLOODPLAIN, determined, not approximate.



**5.3 FLOODWAYS:** Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

**5.3.1** No new or replacement structures or substantial improvements are allowed within thirty-five feet of the floodway, as established in Article 12 of the Talent Zoning Ordinance. In addition, Article 12 establishes wetland and riparian area setbacks that may be stricter than the floodway setback in some cases. A structure existing within 35 feet of a floodway is a non-conforming structure, and no expansion or substantial improvement of a non-conforming structure is allowed, as established in Article 16 of the Talent Zoning Ordinance.

**5.3.2** Other encroachments are also prohibited, including fill, water-related facilities and roads, unless certification by a registered professional civil engineer is provided demonstrating that such encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge.

**5.4 ENCROACHMENTS:** The cumulative effect of any proposed development, where combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

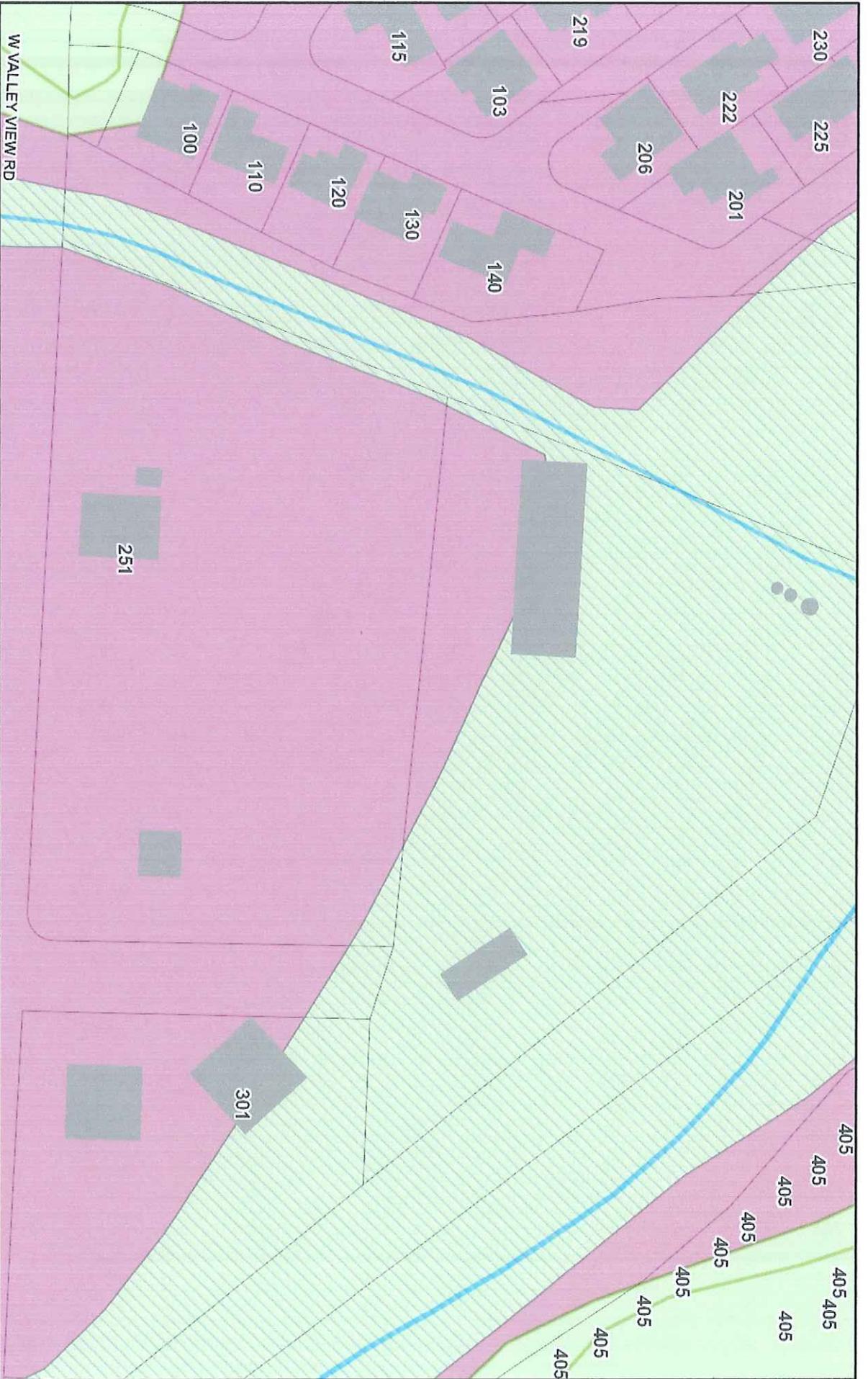
The applicant and staff brush aside all questions about the future impacts of the zone change by saying that because there's no development attached all potential problems will be addressed in the future by engineers. That is unacceptable because an engineer's job is to find a way to fulfill an objective, not to determine whether or not potential impacts are acceptable. By the time it's reached an engineer there is implied approval. And engineers can and do make mistakes.

Once we designate the right to a specific density of a property with an underlying condition, like a floodway or a wetland, which prevents building on a portion of the land, the developer's team will argue that there is a legal right to build to the "promised" density on the available land. Historically in Talent, the staff will support those arguments. Without staff support the planning commission will feel compelled to approve, which forces citizens into an expensive appeals process.

The current zoning pre existed and remained during the scrutiny of three comprehensive plan reviews and the microscopic regional problem solving process. Making a zoning change on land with natural threats simply because one property owner requests for their marketing purposes, is not adequate. It is not good planning.

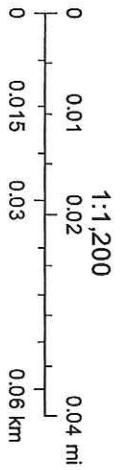
The Planning Commission recommended approval in a vacuum. The floodway information was left out of the criteria supplied by staff, so did not exist in staff's findings. There was only the minimum, and miniscule, public notice required by law before this application came before the planning commission virtually guaranteeing the lack of public and agency response. That is a failure on the part of the city staff to use the tools readily available, like the FLASH, to inform and publicize.

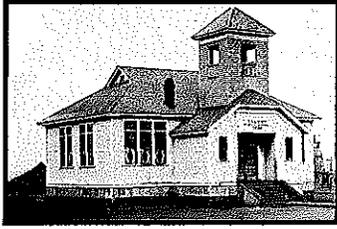
# Jackson County GIS



January 6, 2016

- Site Address - Label Only
- Building Footprints
- 500 YEAR BOUNDARY
- 100 YEAR BOUNDARY - APPROXIMATE A
- 100 YEAR DETERMINED BFE - AE W/BFE
- FLOODWAY
- 100 YEAR SHALLOW FLOODING - AO
- County Line
- Streets - Label Only





# Talent Historical Society

P.O. Box 582, Talent, OR 97540

(541) 512-8838 [www.talenthistory.org](http://www.talenthistory.org)

January 6, 2016

Talent Historical Society's primary goals for 2016 and forward.

- 1) Obtain the ultimate evidence of support from the Talent City Council by having each Councilor become a dues paying Historical Society member, thereby personally supporting the mission of the Talent Historical Society. Currently the Mayor and two City Councilors are paid members.
- 2) Obtain and install commercial shelving in the storage area at the Talent Historical Society Museum to vastly improve our ability and capacity to archive historical items and museum materials.
- 3) Obtain and install new commercial carpeting in the museum public areas. This would be attained by using commercial carpet tiles, with Historical Society volunteers removing the old carpet, preparing the concrete sub-floor and installing the new carpet tiles. Commercial carpet tiles were recommended as an excellent material for this particular use by the carpeting professional the Society had look at the project.
- 4) Work towards developing a solid financial foundation and operational structure for the Historical Society so that by 2019, the 120<sup>th</sup> anniversary of this Historic Town Hall, the Talent Historical Society could move into this building making it a new and permanent home for the Society. This move would allow us much needed additional space to continue the growth of the Historical Society Museum and would provide a fitting use for this National Register of Historic Places building. The Historical Society Board assures the Talent City Council that the Talent Historical Society would be exemplary stewards in caring for this iconic Talent building.

Thank you.

Ron Medinger  
Board President  
Membership Chair  
Talent Historical Society

# Talent Historical Society Membership Application

The Talent Historical Society was founded in 1994 as a non-profit organization dedicated to collecting, preserving and interpreting the history of the Talent area in Southern Oregon. By becoming a member of the Society, you provide valuable support of the Society's ongoing work.

To become a member complete the form below, and return the completed form along with your membership payment. All memberships, regardless of level, are greatly appreciated.

As we are a 501(C)3 non-profit organization, your contribution may be tax deductible and you will receive a receipt by email or post.

Date \_\_\_\_\_

Name \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_ e-mail \_\_\_\_\_

Member Type:                                     New                                     Renewing

Membership Level:     Junior (12-18) - \$10     Individual - \$20     Lifetime Individual - \$200

(Please select one)     Business - \$50                     Family - \$30                     Lifetime Family - \$300

Individual/Family Sponsorship - \$100 or more

Business Sponsorship - \$100 or more

Donation in addition to membership: \$ \_\_\_\_\_

Amount Enclosed: \$ \_\_\_\_\_

Dues include our quarterly newsletter: *The Historacle*

Check to receive *The Historacle* electronically, sent by email in lieu of paper. (This saves us printing and postage costs.)

Please make checks payable to:                    Talent Historical Society

Send completed form along with payment to:                    Talent Historical Society

P.O. Box 582

Thank You!

Talent, OR 97540



# City Council Accounts Payable Report

*December 1 – December 31, 2015*

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Meeting Date:	January 20, 2016	Primary Staff Contact:	Denise Woodman <i>dfw</i>
Department:	Administration and Finance	E-Mail:	denise@cityoftalent.org
Approval:	Thomas J. Corrigan <i>[Signature]</i>	Secondary Contact:	

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Attached is the check register for December 1 – December 31, 2015 for your review. Miscellaneous reimbursements, Town Hall deposits and Utility Billing credit balance refunds (STMP...) were issued on December 29<sup>th</sup>, checks numbered 27733 through 27748. Duplicate payment on check 27657 to Oregon Dept. of Transportation was canceled and voided. Other expenditures for this period include:

- Abshire, Anthony – Travel reimbursement -\$212.75
- City of Central Point – MWC Water Project 8/1/15 – 10/31/15 - \$3,485.00
- Collins, Christina – Travel reimbursement -\$212.75
- Day Wireless – Police radio maintenance and battery replacements - \$2,428.00
- Farmers State Bank – Police vehicle lease payment -\$25,899.750
- Ferguson Waterworks Inc. – Total - \$11,242.15
  - Sensus Handheld and docking station - \$9,980.00
  - 5/8 x 3/4 Meters - \$1,216.26
  - 100' Polly pipe – 45.89
- J & J Tree Service – Tree removal at North Front and Briarwood - \$600.00
- Mail Tribune Advertising – Total - \$913.24
  - Police Officer Ad - \$192.39
  - Utility Billing Clerk Ad - \$180.85
  - City Council public hearing on 11/18/2015 – \$214.08
  - Police Chief Ad - \$258.44
  - Planning Commission public hearing on 12/17/2015 – \$67.48
- ORW Architecture - CDBG grant funded Community Center architecture and engineering - \$4,175.00
- Talent Chamber of Commerce – Council discretionary funding for Business Leadership meeting - \$240.00
- US Bank Corporate Trust Services – GO Bond debt service - \$67,790.00
- Wicker, James A – Municipal Judge services – \$110.00
- Adroit Construction Co. Inc. – CDBG grand funded community center construction services - \$33,713.94
- Butlers Glass Service – Police Department bullet resistant door - \$7,800.00
- City of Phoenix – Contracted street sweeping for November 2015 - \$979.04
- David Evans and Associates Inc. – Transportation SDC Table study - \$2,991.49
- Extreme Products/Chough Inc. – Police Officer boots - \$895.85
- Mail Tribune Advertising – Total - \$397.92



- City Council public hearing on 12/17/2015 for CDBG grant funded community center - \$342.07
- Planning Commission public hearing on 12/17/2015 - \$55.85
- Pilot Rock Excavation Inc. – Rock scalping for water and street projects - \$650.00
- Rampy, Rodney – Police uniform patches and alterations - \$129.00
- Town and Country Chevrolet – Public Works vehicle heater repair - \$485.00
- Vadim Municipal Software – Annual software support - \$4,891.96

If you see any items that you would like clarification on, please give me a call or send me an email.

## Check Register - Summary-Supp.



AP5100

Page : 1

Date : Jan 13, 2016

Time : 4:30 pm

Vendor : A1PAV001 To ZUMAR001  
 Trans. Date : 01-Jul-2015 To 31-Dec-2015  
 Check Date : 01-Dec-2015 To 31-Dec-2015  
 Check No : All  
 Batch No : All

Bank : Bank : 003 To 003

Status : All

Medium :

M=Manual C=Computer R=Credit E=EFT-PAP T=EFT-File

Chq/Ref #	Check Date	Vendor	Vendor Name	Status	Batch	Medium	Amount
00312-0001	11-Dec-2015	ORDOJ002	OREGON DEPT OF JUSTICE	Cleared	163	E	193.00
00312-0002	11-Dec-2015	ORPUB003	OREGON PUBLIC EMPLOYEES RETIREM	Cleared	163	E	7848.28
00312-0003	11-Dec-2015	ORREV002	OREGON DEPARTMENT OF REVENUE	Cleared	163	E	5260.91
00312-0004	11-Dec-2015	UNITE002	UNITED STATES TREASURY PR TAX EFT	Cleared	163	E	23597.58
	17-Dec-2015	OREGO015	OREGON DEPT OF TRANSPORTATION	Cancelled	166	R	0.00
00313-0001	28-Dec-2015	ORREV002	OREGON DEPARTMENT OF REVENUE	Cleared	182	E	12.86
00313-0002	28-Dec-2015	UNITE002	UNITED STATES TREASURY PR TAX EFT	Cleared	182	E	32.78
00314-0001	29-Dec-2015	ORDOJ002	OREGON DEPT OF JUSTICE	Cleared	188	E	193.00
00314-0002	29-Dec-2015	ORPUB003	OREGON PUBLIC EMPLOYEES RETIREM	Cleared	188	E	11435.20
00314-0003	29-Dec-2015	ORREV002	OREGON DEPARTMENT OF REVENUE	Cleared	188	E	4531.47
00314-0004	29-Dec-2015	OTEA001	OREGON TEAMSTERS EMPLOYERS TR	Issued	188	E	29087.04
00314-0005	29-Dec-2015	UNITE002	UNITED STATES TREASURY PR TAX EFT	Cleared	188	E	15449.00
27629	09-Dec-2015	ABSHA001	ABSHIRE, ANTHONY	Cleared	160	C	212.75
27630	09-Dec-2015	ALSCO001	ALSCO INC.	Cleared	160	C	181.57
27631	09-Dec-2015	ATTWI001	AT&T MOBILITY	Cleared	160	C	964.81
27632	09-Dec-2015	AVIST001	AVISTA UTILITIES	Cleared	160	C	865.93
27633	09-Dec-2015	BIOMA001	BIOMASS ONE L.P.	Issued	160	C	225.00
27634	09-Dec-2015	CANTE001	CANTEL OF MEDFORD INC.	Cleared	160	C	53.00
27635	09-Dec-2015	CARET001	CARETAKERS PEST CONTROL	Issued	160	C	80.00
27636	09-Dec-2015	CENTU003	CENTURYLINK	Cleared	160	C	136.44
27637	09-Dec-2015	CHIEF001	CHIEF SUPPLY CORPORATION	Cleared	160	C	32.51
27638	09-Dec-2015	CITOT003	CITY OF TALENT	Cleared	160	C	23.37
27639	09-Dec-2015	CITYC001	CITY COUNTY INSURANCE SERVICES	Cleared	160	C	50.00
27640	09-Dec-2015	CITYO017	CITY OF CENTRAL POINT	Cleared	160	C	3485.00
27641	09-Dec-2015	COLLC001	COLLINS, CHRISTINA	Cleared	160	C	212.75
27642	09-Dec-2015	COLVI001	COLVIN OIL CO. INC.	Cleared	160	C	456.00
27643	09-Dec-2015	DAYWI001	DAY WIRELESS INC.	Cleared	160	C	2428.00
27644	09-Dec-2015	FARMS001	FARMERS STATE BANK	Cleared	160	C	25899.75
27645	09-Dec-2015	FERGU001	FERGUSON WATERWORKS INC.	Cleared	160	C	11242.15
27646	09-Dec-2015	GALLS002	GALLS LLC	Cleared	160	C	855.95
27647	09-Dec-2015	JCCOM001	JACKSON COUNTY COMMUNITY JUSTIC	Cleared	160	C	400.00
27648	09-Dec-2015	JCPLA001	JACKSON COUNTY PLANNING AND DEVI	Cleared	160	C	2374.96
27649	09-Dec-2015	JJTRE001	J & J TREE SERVICE LLC	Cleared	160	C	600.00
27650	09-Dec-2015	LOCKW001	LOCKWOODS AUTOMOTIVE	Cleared	160	C	643.36
27651	09-Dec-2015	MAILT001	MAIL TRIBUNE ADVERTISING	Cleared	160	C	913.24
27652	09-Dec-2015	MEDFO002	MEDFORD WATER COMMISSION	Cleared	160	C	1707.02
27653	09-Dec-2015	METRO001	METRO PRESORT INC.	Cleared	160	C	1094.24
27654	09-Dec-2015	NEILS001	NEILSON RESEARCH CORP.	Cleared	160	C	196.00
27655	09-Dec-2015	OFFIC001	OFFICEMAX CONTRACT INC.	Cleared	160	C	633.15
27656	09-Dec-2015	ORCON001	OREGON DEPT OF CONSUMER & BUSIN	Cleared	160	C	402.08
27657	09-Dec-2015	OREGO015	OREGON DEPT OF TRANSPORTATION	Cancelled	160	C	1095.00
27657	09-Dec-2015	OREGO015	OREGON DEPT OF TRANSPORTATION	Cancelled	165	C	-1095.00
27658	09-Dec-2015	ORHUM001	OREGON HEALTH AUTH. / PUBLIC HEAL	Cleared	160	C	140.00
27659	09-Dec-2015	ORWAR001	ORW ARCHITECTURE	Issued	160	C	4175.00

## Check Register - Summary-Supp.



Vendor : A1PAV001 To ZUMAR001  
 Trans. Date : 01-Jul-2015 To 31-Dec-2015  
 Check Date : 01-Dec-2015 To 31-Dec-2015  
 Check No : All  
 Batch No : All

Bank : Bank : 003 To 003

Status : All

Medium :

M=Manual C=Computer R=Credit E=EFT-PAP T=EFT-File

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27660	09-Dec-2015	PATHW001	PATHWAY ENTERPRISES INC.	Cleared	160	C	1118.86
27661	09-Dec-2015	PHOEN002	PHOENIX-TALENT SCHOOL DISTRICT	Issued	160	C	1699.41
27662	09-Dec-2015	RICOH001	RICOH USA INC.	Cleared	160	C	583.45
27663	09-Dec-2015	ROGUE003	ROGUE VALLEY SEWER SERVICES	Cleared	160	C	365.75
27664	09-Dec-2015	ROGUE005	ROGUE VALLEY COUNCIL OF GOVERNMENT	Cleared	160	C	50.50
27665	09-Dec-2015	SNEAK001	SNEAK PREVIEW NEWS & REVIEW LLC	Cleared	160	C	500.00
27666	09-Dec-2015	SNOOJ001	SNOOK, JENNIFER	Issued	160	C	32.45
27667	09-Dec-2015	SOSAL001	SOS ALARM INC	Cleared	160	C	148.50
27668	09-Dec-2015	TALEN020	TALENT CHAMBER OF COMMERCE	Cleared	160	C	240.00
27669	09-Dec-2015	THEST001	THE STICKER DUDE INC	Cleared	160	C	272.01
27670	09-Dec-2015	USBAN001	US BANK CORP TRUST SERVICES	Cleared	160	C	67790.00
27671	09-Dec-2015	WCPSO001	WCP SOLUTIONS INC	Cleared	160	C	501.60
27672	09-Dec-2015	WELLB001	WELBURN ELECTRIC INC.	Cleared	160	C	205.48
27673	09-Dec-2015	WHITE001	WHITE CITY METALS & SUPPLY	Cleared	160	C	23.75
27674	09-Dec-2015	WICKJ001	WICKRE, JAMES A.	Cleared	160	C	110.00
27675	11-Dec-2015	HRAVE001	HRA VEBA TRUST	Cleared	162	C	1210.00
27676	11-Dec-2015	NATIO004	NATIONWIDE RETIREMENT SOLUTION	Cleared	162	C	32.31
27677	11-Dec-2015	ORSAV001	VOYA-STATE OF OREGON PLAN	Cleared	162	C	480.00
27678	11-Dec-2015	TEAMS001	TEAMSTERS LOCAL 223	Issued	162	C	778.00
27679	11-Dec-2015	VANTA001	VANTAGEPOINT TRANSFER AGENTS 306	Cleared	162	C	1407.50
27680	22-Dec-2015	ADROI001	ADROIT CONSTRUCTION CO.INC.	Issued	168	C	33713.94
27681	23-Dec-2015	ALLIN001	ALL IN ONE RENTAL	Issued	169	C	151.20
27682	23-Dec-2015	ALSCO001	ALSCO INC.	Cleared	169	C	374.49
27683	23-Dec-2015	BUREA001	BUREAU OF LABOR AND INDUSTRIES	Cleared	169	C	47.50
27684	23-Dec-2015	BUTLE002	BUTLERS GLASS SERVICE	Issued	169	C	7800.00
27685	23-Dec-2015	CHART001	CHARTER COMMUNICATIONS	Cleared	169	C	87.99
27686	23-Dec-2015	CHEVR001	CHEVRONTEXACO CARD SERVICES	Cleared	169	C	55.46
27687	23-Dec-2015	COPHO001	CITY OF PHOENIX	Cleared	169	C	979.04
27688	23-Dec-2015	COTAL002	CITY OF TALENT PETTY CASH	Issued	169	C	72.92
27689	23-Dec-2015	DAVIE002	DAVID EVANS AND ASSOCIATES INC.	Cleared	169	C	2991.49
27690	23-Dec-2015	EXTRP001	EXTREME PRODUCTS / CHOUGH INC	Cleared	169	C	895.85
27691	23-Dec-2015	FASTE001	FASTENAL	Cleared	169	C	341.81
27692	23-Dec-2015	FEDEX001	FEDEX	Cleared	169	C	19.27
27693	23-Dec-2015	FLUID001	FLUID CONNECTOR PRODUCTS INC.	Cleared	169	C	37.57
27694	23-Dec-2015	HARRI001	HARRIS COMPUTER SYSTEMS CORP.	Cleared	169	C	356.74
27695	23-Dec-2015	HDFOW001	H.D. FOWLER COMPANY INC.	Cleared	169	C	191.10
27696	23-Dec-2015	HOMED001	HOME DEPOT CREDIT SERVICES	Cleared	169	C	304.87
27697	23-Dec-2015	HUNTE001	HUNTER COMMUNICATIONS INC	Cleared	169	C	1261.99
27698	23-Dec-2015	JCROA001	JACKSON COUNTY ROADS	Cleared	169	C	3135.33
27699	23-Dec-2015	MAILT001	MAIL TRIBUNE ADVERTISING	Issued	169	C	397.92
27700	23-Dec-2015	MEDFO004	MEDFORD BUILDERS EXCHANGE	Issued	169	C	55.00
27701	23-Dec-2015	NEILS001	NEILSON RESEARCH CORP.	Cleared	169	C	196.00
27702	23-Dec-2015	OFFIC001	OFFICEMAX CONTRACT INC.	Cleared	169	C	124.32
27703	23-Dec-2015	ONECA001	ONE CALL CONCEPTS INC.	Cleared	169	C	23.48

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Vendor : A1PAV001 To ZUMAR001  
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27704	23-Dec-2015	ORHUM001	OREGON HEALTH AUTH. / PUBLIC HEAL	Cleared	169	C	200.00
27705	23-Dec-2015	ORSEC001	OREGON SECRETARY OF STATE	Cleared	169	C	250.00
27706	23-Dec-2015	PACIF001	PACIFIC POWER	Cleared	169	C	8502.41
27707	23-Dec-2015	PHOEN003	PHOENIX AUTO PARTS	Cleared	169	C	14.63
27708	23-Dec-2015	PILOT001	PILOT ROCK EXCAVATION INC.	Cleared	169	C	650.00
27709	23-Dec-2015	PLATT001	REXEL INC. DBA PLATT ELECTRIC	Cleared	169	C	94.48
27710	23-Dec-2015	PULLT001	TRANSPORTATION EQUIPMENT INC.	Cleared	169	C	184.70
27711	23-Dec-2015	RANDD001	MCMASTER, RANDY	Cleared	169	C	199.13
27712	23-Dec-2015	RECOL001	RECOLOGY ASHLAND SANITARY SERVIC	Cleared	169	C	406.75
27713	23-Dec-2015	RHENG001	RH2 ENGINEERING INC.	Cleared	169	C	1740.90
27714	23-Dec-2015	RICOH001	RICOH USA INC.	Cleared	169	C	541.29
27715	23-Dec-2015	RODNR001	RAMPY, RODNEY	Issued	169	C	129.00
27716	23-Dec-2015	ROGUZ001	ROGUE SHRED LLC	Cleared	169	C	34.75
27717	23-Dec-2015	SHERW001	THE SHERWIN-WILLIAMS CO.	Cleared	169	C	42.33
27718	23-Dec-2015	SOSAL001	SOS ALARM INC	Cleared	169	C	107.85
27719	23-Dec-2015	SOUTH006	SOUTHERN OREGON PRINTING	Cleared	169	C	58.00
27720	23-Dec-2015	SPEER001	SPEER HOYT LLC	Issued	169	C	2226.40
27721	23-Dec-2015	STANL001	STANLEY CONVERGENT SECURITY SOL	Cleared	169	C	165.96
27722	23-Dec-2015	TOWNA001	TOWN AND COUNTRY CHEVROLET	Cleared	169	C	485.00
27723	23-Dec-2015	UNIVE001	UNIVERSITY OF SOUTHERN CALIFORNI/	Issued	169	C	120.00
27724	23-Dec-2015	VADIM001	VADIM MUNICIPAL SOFTWARE	Issued	169	C	4891.96
27725	23-Dec-2015	VERIZ001	VERIZON WIRELESS	Cleared	169	C	200.05
27726	23-Dec-2015	WELLB001	WELBURN ELECTRIC INC.	Issued	169	C	358.35
27727	29-Dec-2015	AFLAC001	AFLAC	Issued	189	C	1203.66
27728	29-Dec-2015	NATIO004	NATIONWIDE RETIREMENT SOLUTION	Issued	189	C	32.31
27729	29-Dec-2015	ORSAV001	VOYA-STATE OF OREGON PLAN	Issued	189	C	480.00
27730	29-Dec-2015	STAND001	STANDARD INSURANCE CO	Issued	189	C	1065.36
27731	29-Dec-2015	STAND001	STANDARD INSURANCE CO	Issued	189	C	12.00
27732	29-Dec-2015	VANTA001	VANTAGEPOINT TRANSFER AGENTS 30€	Issued	189	C	1407.50
27733	29-Dec-2015	GRIGD001	GRIGSBY, DANIEL	Issued	190	C	500.00
27734	29-Dec-2015	OXFOR002	OXFORD HOUSE CHAPTER II	Cleared	190	C	200.00
27735	29-Dec-2015	STMP001421	JONES, IAN	Issued	190	C	18.54
27736	29-Dec-2015	STMP001422	CLEMENT, KYLIE	Issued	190	C	44.83
27737	29-Dec-2015	STMP001423	CARLING, TONI	Issued	190	C	20.67
27738	29-Dec-2015	STMP001424	FULLER, JUDY	Issued	190	C	78.66
27739	29-Dec-2015	STMP001425	WIMMER, TOM	Issued	190	C	51.59
27740	29-Dec-2015	STMP001426	WELSH, NICHOLAS	Issued	190	C	31.05
27741	29-Dec-2015	STMP001427	THIELE, DEVIN	Issued	190	C	30.25
27742	29-Dec-2015	STMP001428	JOSEPHS, NORMAN	Issued	190	C	65.00
27743	29-Dec-2015	STMP001429	BUFORD, KIM	Cleared	190	C	47.64
27744	29-Dec-2015	STMP001430	FRAMER, CHAMISE	Issued	190	C	16.06
27745	29-Dec-2015	STMP001431	BAKER, KEN	Issued	190	C	39.72
27746	29-Dec-2015	STMP001432	KNIFE RIVER MATERIALS	Issued	190	C	779.41
27747	29-Dec-2015	STMP001433	SUNCREST HOMES	Issued	190	C	61.58

Check Register - Summary-Supp.



AP5100

Page : 4

Date : Jan 13, 2016

Time : 4:30 pm

Vendor : A1PAV001 To ZUMAR001  
 Trans. Date : 01-Jul-2015 To 31-Dec-2015  
 Check Date : 01-Dec-2015 To 31-Dec-2015  
 Check No : All  
 Batch No : All

Bank : Bank : 003 To 003  
 Status : All  
 Medium :  
 M=Manual C=Computer R=Credit E=EFT-PAP T=EFT-File

Chq/Ref #	Check Date	Vendor	Vendor Name	Status	Batch	Medium	Amount
27748	29-Dec-2015	STMP001434	ALVERMAN, LAUREN	Issued	190	C	38.81

Total Computer Paid : 219,677.46

Total EFT PAP : 97,641.12

Total Paid : 317,318.58

Total Manually Paid : 0.00

Total EFT File Transfer : 0.00

APPLICATION FOR COMMISSION or COMMITTEE

City of Talent

110 East Main Street/PO Box 445

Talent, OR 97540

PH (541) 535-1566 FAX (541) 535-7423

Web: [www.cityoftalent.org](http://www.cityoftalent.org) E-mail: [talent@cityoftalent.org](mailto:talent@cityoftalent.org)

1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ Parks ⇐⇐⇐

2. Name: Jenica Faye

3. Mailing address: \_\_\_\_\_

City Talent

State OR

Zip 97520

4. Residence address (if different) \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

5. Current occupation: Self-employed Operations & Finance Chee Studio LLC  
(\*NOTE\* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_ 1  
Email: jenica @ goodchee.com Fax: \_\_\_\_\_

7. How long have you lived in Talent?: Since June 2014

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: Since March 2009

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No ✓ If yes, please describe: \_\_\_\_\_



**APPLICATION FOR COMMISSION or COMMITTEE**

**City of Talent**

**110 East Main Street/PO Box 445**

**Talent, OR 97540**

**PH (541) 535-1566 FAX (541) 535-7423**

*Web: [www.cityoftalent.org](http://www.cityoftalent.org) E-mail: [talent@cityoftalent.org](mailto:talent@cityoftalent.org)*

1. I am applying for an appointment to a position on the following commission, committee, board or other body:

⇒⇒⇒ BUDGET COMMITTEE ←←←

2. Name: JOHN HARRISON

3. Mailing address: \_\_\_\_\_

City TALENT State OR Zip 97540

4. Residence address (if different) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Current occupation: RETIRED US POSTAL SERVICE MANAGER  
(\*NOTE \* If retired or unemployed, state your general or past profession)

6. Phone number(s): Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_ Fax: \_\_\_\_\_

7. How long have you lived in Talent?: 15 MONTHS

If you do not know if you live inside the city limits or urban growth boundary, please view the official zoning map at City Hall

8. How long have you lived in Jackson County?: SAME AS ABOVE

9. Are you an employee of the City of Talent, an occasional or potential contract employee, or have any other real or potential conflict of interest in working or serving in this capacity?

Yes \_\_\_\_\_ No X If yes, please describe: \_\_\_\_\_

10. I believe that I am qualified for and should be considered for the above position(s) and should be considered for the following reasons: (Attach additional sheet if necessary).

Accounting Background and education  
Experience with budgets and proposals US Postal Service

11. Signature:

*J. P. Han*

Date:

10.24.2015

**ORDINANCE NO. 16-906-O**

**AN ORDINANCE FOR A ZONE CHANGE OF 5.40 ACRES FROM COMMERCIAL INTERCHANGE (CI) TO COMMERCIAL HIGHWAY (CH), FOR PROPERTY ALONG VALLEY VIEW ROAD, PREVIOUSLY OCCUPIED BY THE TALENT TRUCK STOP.**

WHEREAS: The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on September 1, 2015 as evidenced in the record and on the land use application.

WHEREAS: The City Council finds the proposed zone change (zoning map amendment) is consistent with the City's Comprehensive Plan and identified Commercial designation.

WHEREAS: The City Council finds the proposed rezoning is consistent with the existing zoning in the area, making it possible for alternative commercial uses to be considered.

WHEREAS: The City Council finds that proposed rezoning application was duly noticed, including a noticed hearing by the Talent Planning Commission on December 17, 2015.

WHEREAS: The City Council finds that the Planning Commission recommended approval of the proposed zone change as shown in the Final Order dated December 21, 2015.

**THE CITY OF TALENT ORDAINS AS FOLLOWS:**

SECTION 1. REZONING: That the zoning designation of Tax Lot 200 and 201, Jackson County Map Number 381W-23D, as shown on the map labeled as Exhibit A, attached, be changed from Commercial Interchange (CI) to Commercial Highway (CH).

SECTION 2. That the proposed rezoning as described herein has been advertised and publically noticed in accordance with Section 8-3M, Article 1 of the Talent Zoning Code.

\_\_\_\_\_

Duly enacted by the City Council in open session on \_\_\_\_\_, 2016 by the following vote:

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

**ORDINANCE NO. 16-907-O**

**AN ORDINANCE REGULATING ACTIVITIES ON THE PORTION OF THE BEAR CREEK GREENWAY CORRIDOR WITHIN THE CITY LIMITS OF THE CITY OF TALENT, OREGON, AND REPEALING ORDINANCE 00-686-O (AS AMENDED BY ORDINANCE 04-768-O)**

Commented [TT1]: Consolidating Ordinances: 00-686-O & 04-768-O

WHEREAS,

THE CITY OF TALENT ORDAINS AS FOLLOWS:

**Section 1. Purpose.**

Substantial completion of the Bear Creek Greenway has stimulated greater use of that corridor by the public. Increased use of the Greenway necessitates the establishment of rules regulating its use. The following rules were developed and approved by the Jackson County Board of Commissioners to establish common enforceable regulation of activities throughout the Bear Creek Greenway Corridor.

**Section 2. Definitions.**

For the purposes of Sections 1 to 8, unless the context requires otherwise, the following definitions apply:

"Camp" means to set up, occupy, or to remain in or at a campsite for more than two (2) hours at any one time or more than 4 (four) hours in any 24 (twenty-four) hour calendar day.

"Campsite" means any place where any bedding, sleeping bag or other material used for bedding purposes, or any stove or fire, is placed, established or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, box, lean-to, shack or any other structure, or any vehicle or part thereof.

"Bear Creek Greenway Corridor (Greenway)" means that publicly-owned 20- mile corridor of parks, trails, and adjacent land and waters that is located running north and south and includes sections of Bear Creek between North Mountain Avenue in the City of Ashland to Seven Oaks Interchange in the City of Central Point.

"Bicycle" has the meaning given that term in ORS 801.150.

"Destructive device" means any device with an explosive, incendiary or poison gas component, including but not limited to a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or any combination of parts either designed or intended

for use in converting any device into any destructive device described in this paragraph and from which a destructive device may be readily assembled.

"Dwell" means to [regularly or intermittently] remain for such a period of time at or near a particular location, premises or area for more than two (2) hours at any one time or more than 4 (four) hours in any calendar day.

"Firearm" has the meaning given that term in ORS 166.210.

"Fireworks" has the meaning given that term in ORS 480.110.

"Greenway Authority" means a unit of local government, its designees, or its employees, who have lawful control of regulating use of the Greenway by nature of jurisdiction, ownership, tenancy, or official position.

"Horse," in addition to its ordinary meaning includes mules, donkeys and other rideable animals.

"Keeper" means a person who owns, possesses, controls or otherwise has charge of a companion animal, as that term is defined in ORS 164.055(2)(a).

"Livestock" means equines, cattle, sheep, goats, llamas, alpacas and swine.

"Occupy" or "Occupancy" means the purpose for which a premises or structure, or parts thereof, is used or intended to be used. The definition of "Occupy" is not limited to human or animal inhabitation and can include the improvement, development, or the placement of a structure or building on a premises, or any condition thereof.

"Open to the public" means premises that, by their physical nature, function, custom, usage, notice or lack of notice, or other circumstances at the time, would cause a reasonable person to believe that no permission to enter or remain is required.

"Possess" has the meaning given that term in ORS 161.015.

"Premises" includes any real property, facility, structure, shelter or building whether privately or publicly owned.

"Skate" or "Skating" means roller skating, skate boarding or roller blading, or otherwise the use or application of a similar contrivance propelled exclusively by human power.

"Weapon" means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury. A weapon includes any knife having a blade that projects or swings into position by force of a spring or by centrifugal force and commonly known as a switchblade knife, any dirk, dagger, ice pick, slingshot, metal knuckles, or any similar instrument by the use of which injury could be inflicted upon the person or property of any other person. A "deadly" weapon has the meaning given that term in ORS 161.015(2).

### **Section 3. Intended Uses.**

The Greenway is intended for multiple use for recreational and non-motorized transportation activities. None of the provisions of the Bear Creek Greenway Ordinance relieves the pedestrian or relieves the cyclist, skater, or equestrian from the duty to exercise due care concerning other users of the Greenway or adjacent land owners.

- A) All Greenway users should maintain their own common or standard lane of travel without impeding travel of other users.
- B) Bicyclists and skater yield to all other trail users. Unless otherwise marked, Greenway users are permitted only on paths or paved trails specifically designed for such use.
- C) Companion animals are allowed if on a leash no longer than six feet and in strict control of its keeper. Keeper shall remove the animal's waste.
- D) All users are expected to observe and obey all Oregon State and Greenway traffic, as well as informational, warning, and closure signs.
- E) All persons within the Greenway will be held responsible for any damage they cause. Parents or guardians will be held responsible for the damage caused by their children under the age of 18 years old, whether or not the parent or guardian is present.

### **Section 4. Authority; Closure of Greenway; Use Limitations.**

- A) The Greenway Authority is hereby authorized to establish and post regulations governing the use of the Greenway which are not inconsistent with regulations contained in this Ordinance and which promote public health and safety and the preservation of property.
- B) The Greenway Authority is hereby authorized to close to public use the Greenway corridor or any portion thereof, restrict the times when the same shall be open to such use and limit or prohibit any recreational use whenever such action is necessary to protect the health or safety of the public or the safety of the Greenway or its facilities. Causes for Greenway closure or limitations on Greenway use include, but are not limited to, scheduled public events, fire hazard, dangerous weather or water conditions, sanitary protection of the watershed, park construction or repairs, conservation of fish and wildlife, unsafe or overcrowded shoreline, ramp, parking or road conditions, the prevention of damage to the Greenway or any of its facilities or any dangerous, unsafe or unhealthful condition.
- C) Unless otherwise posted, Greenway closure shall occur between the hours of 10:00 p.m. and 6:00 a.m. except as follows:

- 1) Pedestrians crossing the Greenway on a paved section of the path;
- 2) Participants or spectators of an athletic contest or approved public event in Greenway areas;
- 3) Persons attending a scheduled event in a Greenway building designated for community recreation or instruction; or
- 4) Government employees during the course of official activities.

D) The Greenway Authority shall have the authority to eject from the Greenway any person acting in violation of regulations contained in Sections 1 to 8.

**Section 5. Regulations; Prohibitions.**

All regulations of the Greenway shall apply to and be in full force and effect within the Greenway area unless otherwise specifically authorized by Sections 1 to 8 or by declaration of the Greenway Authority or local unit of government independent of each other as a representative of each applicable jurisdictional boundary affected by the Greenway. The provisions of Subsections A) and B) of this Section do not apply to governmental officials or their agents acting within their official capacity. In addition, to fine imposed pursuant to violation of any provision of this Section, violator is responsible for any and all costs resulting from necessary response, clean up, or damage caused by the act of offensive littering. Unauthorized signing or trail marking is prohibited.

A) Closure: No person shall enter the Greenway or area which has been closed if notice of prohibited entry has been posted.

B) Basic Speed Rule: A person commits the offense of violating the basic speed rule if the person drives bicycles, skates or rides a horse upon the Greenway at a speed greater than is reasonable and prudent, having due regard to all the following:

- 1) the traffic;
- 2) the surface and width of the pathway;
- 3) the hazard at intersections;
- 4) weather;
- 5) visibility; or
- 6) any other conditions then existing.

In no case shall a person drive a bicycle, skate or ride a horse in speeds in excess of 15 miles per hour, unless otherwise posted.

C) Obstruction of the Right of Way: No person, unless specifically authorized, shall:

- 1) Stand, gather with others upon any street, street crossing, sidewalk, trail or area within the Greenway in a manner that obstructs free passage of users of the Greenway; or
- 2) Place, cause to be placed, or permit to remain on any street, sidewalk, trail or area within the Greenway anything that obstructs or interferes with such area or interferes with the normal flow of users of the Greenway.

D) Vehicles/horses: No unauthorized person shall operate, park, stand or use any motorized vehicle, or ride or lead a horse within the Greenway, except in areas provided, maintained or designated for such purpose. Horses are permitted only on posted equestrian trails, where located.

E) Animals: Companion animals are allowed if on a leash no longer than six feet and in strict control of its keeper.

- 1) No person within the Greenway shall allow any pet or animal in his or her custody:
  - to annoy or molest any person; or
  - to be tied up and left unattended; or
  - except for areas provided, maintained or designated for such purpose, to deposit its waste on any street, sidewalk, trail or managed landscape area unless the person immediately removes the waste from the area.
- 2) No horse or pack animal shall be tied, secured or hobbled in such a manner as to injure any tree, shrub or Greenway improvement.
- 3) No person shall cause or knowingly permit livestock within the Greenway.

F) Access to Private Lands: No person shall use the Greenway to gain unauthorized access to private property adjacent or otherwise to the Greenway.

G) Property Destruction: No unauthorized person shall:

- 1) Pick, cut, mutilate, blaze, paint or remove any flowers, shrubs, foliage, trees or plant life, or property of any kind, within the Greenway area without written permission therefor from the Greenway Authority;

- 2) Mutilate, deface, damage, move or remove any Greenway equipment, including but not limited to streets, sidewalks, bicycle paths or any part of the public right-of-way, tables, benches, buildings, signs, markers, plaques, barriers, fountains, faucets, traffic recorders or other structures or facilities of any kind within the Greenway area; or
- 3) Dig, dredge, deface or remove any dirt, stones, rocks, artifacts or other substances, make any excavation, quarry any stones or other objects or cause or assist in doing any of such things within the Greenway area, except upon written permission from the Greenway Authority.

H) Fires: Unless specifically authorized, no person shall build, light or maintain any fire, portable gas, gasoline or oil stoves or other portable cooking devices, or leave a fire unattended, throw or deposit any burning substance, or other substance capable of burning or combustion within the Greenway. A person shall be responsible for damage resulting from fires caused by said person and for the cost of suppressing such fires.

I) Offensive littering: No person shall:

- 1) Throw, dump, deposit or leave any trash, refuse, garbage, litter, cigarettes or tobacco products, or waste material within the Greenway area, except in receptacles designated by the Greenway Authority for that purpose;
- 2) Bring into the Greenway area any trash, refuse, garbage, litter, waste material or vehicle for the purpose of leaving it therein;
- 3) Wash any clothing or other materials in the waters of any pond or stream, or throw, dump or deposit into such waters, or onto the banks thereof, any trash, refuse, garbage, litter, waste material or other polluting product of any kind. Pollution and waste, for the purpose of this Subsection, are as defined in ORS 468B.005(3) and (7).

J) Camping: Unless specifically authorized, no person shall camp or dwell within the Greenway, or under any bridge or viaduct within the Greenway area.

K) Peddlers and Solicitors; Advertising; Signs: Unless otherwise specifically permitted by the Greenway Authority or other appropriate local governmental authority, no person shall, within the Greenway:

- 1) Operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling goods, wares, merchandise, liquids or

edibles for human consumption;

- 2) Advertise in any manner, including but not limited to distributing circulars, or using fixed or mobile display; or
- 3) Erect any sign, marker or inscription.

L) Alcoholic Beverages: Possessing or drinking alcoholic beverages within the Greenway is prohibited.

M) Firearms, Air Guns and Other Weapons: No person, other than law enforcement officers performing their official duties, shall discharge any firearm, air gun, pellet gun, bow and arrow, slingshot or other projectile propelling device within the Greenway.

N) Fireworks: No person shall possess or use fireworks or explosives of any type within the Greenway.

O) Hunting: Unless specifically authorized, no person shall, or attempt, to pursue, hunt, trap, kill or injure any wild bird or animal within, into or out of the Greenway area.

P) Noise: Loudspeakers, public address systems and amplified musical instruments are allowed within the Greenway only upon approval from the Greenway Authority or other appropriate local governmental authority.

**Section 6.** Camping by homeless on public property.

A) In accordance with ORS 203-077, the City recognizes the social nature of the problem of homeless individuals camping on public property.

B) To ensure the most humane treatment for removal of homeless individuals from camping sites on public property, the City Manager and City staff are required to implement and continue to execute the requirements of ORS 203.077. Said ORS details a process and notification procedure to be followed prior to the physical removal of homeless individuals from camp sites including 24 hour notification.

**Section 7.** Severability.

If any section, subsection, sentence, clause, phrase or portion of Sections 1 to 8 is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 8.** Jurisdiction; Enforcement.

A) Persons are subject to the jurisdiction of that unit of local government in which the violation has alleged to have been committed.

B) Enforcement of this code may be performed by any law enforcement officer whose jurisdictional boundaries include or are adjacent to the Greenway, or by any enforcement personnel as designated by the Greenway Authority.

**Section 9.** Violations/Penalty.

A) Unless provided otherwise, violations of any provision of this ordinance shall, upon conviction, be punished by a fine set by that unit of local government in which the violation has been committed.

B) Violations committed within the jurisdiction of the City of Talent shall, upon conviction, be punished by a fine of not more than \$250.00 per incident.

Duly enacted by the City Council in open session on \_\_\_\_\_ by  
the following vote:

Ayes:

Nays:

Abstain:

Absent:

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

ORDINANCE NO. 16-908-O

AN ORDINANCE ADOPTING A UNIFORM FIRE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES. REPEALING ORDINANCE 77-366-O (AS AMENDED BY 82-439-O, 83-443-O, 83-447-O, 91-537-O),

Commented [TT1]: Consolidating Ordinances: 77-366-O, 82-439-O, 83-443-O, 83-447-O, & 91-537-O

WHEREAS,

THE CITY OF TALENT ORDAINS AS FOLLOWS:

**Section 1. Adoption of Fire Prevention Code.**

There is hereby adopted by the City Council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code known as Uniform Fire Code recommended by the International Conference of Building Officials, being particularly the 1976 edition as hereinafter deleted, modified, or amended (by Section 7 of this ordinance); of which code not less than three copies have been and now are filed in the office of the City Recorder of the City of Talent, Oregon; and the same is hereby adopted and incorporated as fully as if set out at length herein; and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the city limits of the City of Talent, Oregon.

A) **Intent of code.** It is the intent of this code to prescribe regulations consistent with nationally recognized standard practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises. Compliance with the standards of the National Board of Fire Underwriters or other nationally recognized authority, as referred to by number and date of publication in this code, shall be deemed prima facie evidence of compliance with this intent.

B) **Application to new and existing conditions.** The provisions of this code shall apply equally to new and existing conditions, except that existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

C) **Liability for damage.** This code shall not be construed to affect the responsibility of any person owning, operating or installing any equipment for damage to persons or property caused by any defect therein; nor shall the City of Talent be held as assuming any such liability by reason of the inspection or

reinspection authorized herein or the permit issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

D) **Adoption of state laws; conflicts.** All the provisions of ORS 479.010 to 479.190, inclusive, and all amendments thereto hereafter duly enacted, are hereby adopted as a part of this ordinance and, by reference, hereby made a part hereof as though fully set forth herein; provided, however, that if any regulation contained in any of said statutes conflicts with any other regulation contained in this ordinance, then the more restrictive regulation shall apply.

## **Section 2. Establishment and Duties of Bureau of Fire Prevention.**

A) The uniform fire code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Talent, which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

B) The fire marshal in charge of the Bureau of Fire Prevention shall be appointed by the Fire Chief with the approval of the City Council on the basis of examination to determine his qualifications. His appointment shall continue during good behavior and satisfactory service, and he shall not be removed from office except for cause after public trial.

C) The Chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The Chief of the fire department shall recommend to the City Council the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

D) A report of the Bureau of Fire Prevention shall be made annually and transmitted to the chief executive officer of the municipality; it shall contain all proceedings under this code, with such statistics as the Chief of the fire department shall wish to include therein; the Chief of the fire department shall also recommend any amendments to the code which, in his judgment, shall be desirable.

## **Section 3. Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have the meanings indicated in this section:

A) Wherever the word "municipality" is used in the uniform fire code, it shall be held to mean the City of Talent.

B) Wherever the term "corporation counsel" is used in the uniform fire code, it shall be held to mean the attorney for the City of Talent.

C) Wherever the term "chief of the Bureau of Fire Prevention" is used in the uniform fire code, it shall be held to mean the fire marshal.

D) "Approved" shall mean accepted by the chief of the fire department or fire marshal, pursuant to applicable standards provided herein, or pursuant to applicable standards to which reference is herein made.

E) Authority is granted to the Fire Chief to issue citations for violations of this ordinance, of Ordinance 272, and of any other ordinance that pertains to the Uniform Fire Code and/or enforcement of the fire prevention ordinances of the City of Talent.

**Section 4. Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents Is to Be Prohibited.**

The limits referred to in Section 11.201 of the Uniform fire code are as follows: The planning commission shall recommend to the City Council a location for such a storage (if) the location is outside of the principal business district, closely built commercial areas, and heavily populated areas; the code shall be enforced in full as detailed in Section 11.201; before a permit may be issued, the chief of the bureau of fire prevention, or his assistants, shall inspect and approve the location; joint approval shall be obtained from all departments concerned.

**Section 5. Penalties.**

A) Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any permit or certificate issued thereunder, and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the time fixed herein; shall severally for each and every such violation and noncompliance respectively be guilty of an infraction punishable by a fine of not less than \$25.00 nor more than \$100.00. The imposition of one penalty for any violation shall not excuse the violation or permit

it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

B) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

#### **Section 6. Modifications.**

The chief of the bureau of fire prevention shall have power to modify any of the provisions of the fire prevention code, upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed, and the decision of the chief of the bureau of fire prevention thereon, shall be entered upon the records of the department; and a signed copy shall be furnished the applicant.

#### **Section 7. Amendments Made in the Uniform Fire Code.**

A) The Uniform Fire Code is amended and changed in the following respects:

1) Section 1.302. Before a permit may be issued, all applications for a permit required by the code shall be made to the division of fire prevention in such form and detail as it shall prescribe.

B) The Uniform Fire Code is amended by adding the following to Section 27.101: It is unlawful for anyone to cause or permit an outside fire to be kindled or maintained on property under his control without first securing a written permit from the Fire Department. The Fire Department shall not issue such a permit if the Oregon Department of Environmental Quality Ventilation Index is less than 200, or the State Forestry Burn Index is greater than 65, or the wind speed, as determined by the department, is greater than 10 mph and no permit shall authorize burning at a time when any such conditions exist. The Fire Department may rely upon information secured from the local offices of the above agencies and of the National Weather Service, and the permittee shall rely upon, and secure a determination from, the Department. Upon issuance of the written burn permit. Annual permits may be issued for barrel burning only and only for approved barrels on an approved site. All annual permits will expire on December 31 of the year issued. The Department is authorized to issue a written letter of instruction with each permit. Failure to comply with the requirements of the written letter of

instruction shall be a violation of this ordinance and may be the basis for the cancellation of the permit or the imposition of a fine pursuant to Section 5.

**Section 8. Appeals.**

Whenever the fire marshal shall refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the City Council. Such appeal shall be made in writing not less than 10 days from the service of the order or denial of the permit; after a decision from the corporation counsel, the fire chief shall affirm, modify or revoke the decision of the fire marshal; and the appealing person shall, within the time limit then set by the fire chief, comply with the order as affirmed or modified; provided, that if the decision of the fire marshal is revoked, then the permit shall be forthwith granted or the order appealed from shall be deemed vacated.

**Section 9. New Materials, Processes, or Occupancies Which May Require Permits.**

The corporation counsel, the chief of the fire department and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in said code.

**Section 10. Validity.**

The City Council hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this ordinance independent of the elimination here from of any such portion as may be declared invalid.

Duly enacted by the City Council in open session on \_\_\_\_\_ by the following vote:

Ayes:                      Nays:                      Abstain:                      Absent:

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

ORDINANCE NO. 16-909-O

**AN ORDINANCE REGULATING THE USE OF SOLID FUEL BURNING DEVICES WITHIN THE CITY OF TALENT, OREGON AND TO REQUIRE THE PERMANENT REMOVAL OF NON-CERTIFIED WOOD STOVES AND FIRE PLACE INSERTS FROM STRUCTURES. REPEALING ORDINANCE 98-635-O (AS AMENDED BY ORDINANCE 06-804-O).**

Commented [TT1]: Consolidating Ordinances: 98-635-O & 06-804-O

WHEREAS,

THE CITY OF TALENT ORDAINS AS FOLLOWS:

**Section 1. DEFINITIONS.**

As used in this ordinance:

**Conveyance of Real Property** – Transfer of title of real property from one person or entity to another, including, but not limited to transfer by earnest money agreement, purchase agreement, land sale contract, inheritance, bankruptcy or action of law. A lease of real property (including any lease options or extensions) for a term of ten (10) or more years shall be considered a conveyance of real property under this ordinance. A revocable inter vivos trust (living trust) created for the purpose of holding ownership to an individual's assets during the person's lifetime, and for distributing those assets after death to minimize taxes or avoid probate (or both) shall not be considered a conveyance of real property hereunder. The term "transfer of title" shall otherwise be liberally construed in favor of a transfer.

**High pollution period** means a period of time commencing three hours after initial designation as a red or yellow day by the Oregon Department of Environmental Quality (hereinafter referred to as DEQ) or the Jackson County Department of Health and Human Services. In the event more than one consecutive day are designated as red or yellow, they shall all be considered a part of the same period.

**Non-certified wood stove or fireplace insert** means a residential space heating device that has not been certified by either the State of Oregon Department of Environmental Quality or Federal Environmental Protection Agency as complying with smoke emission standards. "Non-certified wood stove or fireplace insert" does not include:

- A) devices exempt from certification requirements such as pellet stoves (a wood burning heating appliance which uses wood pellets as its primary source of fuel);
- B) cook stoves (an indoor wood burning appliance the design and primary purpose of which is to cook food);

C) antique wood stoves (a wood stove built before 1940 that has an ornate construction and a current market value substantially higher than a common wood stove manufactured in the same time period), and fireplaces and is not being used for heating purposes.

**Opacity** means the degree to which emissions from a solid fuel-burning device reduce the transmission of light and obscure the view of an object in the background. It is expressed as a percentage representing the extent to which an object viewed through the smoke is obscured.

**Oregon certified stove** means a solid fuel-burning device certified by DEQ as meeting the emission performance standards specified in Oregon Administrative Rules Division 262.

**PM<sub>10</sub>** means airborne particles ranging from .01 to 10 microns in size, **PM<sub>2.5</sub>** means airborne particles ranging from .01 to 2.5 microns in size, the breathing of which can be harmful to the human respiratory system.

**Red and yellow woodstove curtailment days** mean a 24-hour period beginning at 7:00 a.m. when fine particulate levels are forecast by the DEQ or the Jackson County Department of Health and Human Services to possibly approach or exceed Federal Particulate Standards.

**Residence** means a building containing one or more dwelling units used for habitation by one or more persons.

**Residential Wood burning** means utilization of wood in a solid fuel-heating device inside a residence.

**Sole source** of heat means one or more solid fuel burning devices, which constitute the only source of heating in a residence. No solid fuel burning device or devices shall be considered to be the sole source of heat if the residence is equipped with a permanently installed furnace or heating system utilizing oil, natural gas, electricity, or propane.

**Solid fuel burning device** means a device designed for solid fuel combustion so that usable heat is derived for the interior of a building, and includes, without limitation, solid fuel burning stoves, fireplaces, fireplace inserts, or woodstoves of any nature, combination fuel furnaces or boilers used for space heating which can burn solid fuel, or solid fuel burning cooking stoves. Solid fuel burning devices do not include barbecue devices, natural gas-fired artificial fireplace logs, DEQ approved pellet stoves, or Kachelofens.

**Space Heating** means raising the interior temperature of a room.

**Structure has the same meaning provided in the Zoning Ordinance of the City of Talent, Oregon.**

**Section 2. REQUIREMENTS FOR SOLID FUEL HEATING DEVICE INSTALLATION.**

The purpose of this section is to reduce the amount of particulate pollution resulting from wood burning for space heating.

A) It shall be unlawful for any new or used solid fuel-heating device to be installed in the City of Talent after April 4, 1998, unless:

1) The device is installed pursuant to the City Building Code and regulations of the Department of Planning and Development; and

2) The solid fuel heating device complies with the Oregon Department of Environmental Quality Particulate Emission standards for certified woodstoves; and

3) For all new construction, the structure contains an alternate form of space heating, including natural gas, propane, electric, oil, solar, or kerosene, sufficient to meet necessary space heating requirements, so that during episodes of high pollution levels, the occupant will be able to heat the home with other than a solid fuel heating device.

B) If the conditions set forth in this subsection are not fulfilled, no person in possession of the premises shall cause or permit, and no public agency shall issue any permit for, the installation of the device.

**Section 3. SOLID FUEL BURNING DEVICE EMISSION STANDARD.**

A) Within the City of Talent, no person owning or operating a solid fuel burning device shall at any time cause, allow, or discharge emissions from such device which are of an opacity greater than fifty (50) percent.

B) The provisions of this subsection shall not apply to emissions during the starting or refueling of a new fire for a period not to exceed 30 minutes in any four-hour period.

C) For the purposes of this section opacity percentages shall be determined by a certified observer using the standard visual method listed in 40 CFR 60A, Method 9, or operation of equipment approved by the Jackson County Department of Health and Human Services that is known to produce equivalent or better accuracy.

**Section 4. RESTRICTION OF WOODBURNING AND EMISSIONS ON HIGH POLLUTION DAYS**

A) Operation of Solid Fuel Burning Device Prohibition

1) The operation of a solid fuel-burning device within the City of Talent during a high pollution period shall be prohibited unless an exemption has been granted pursuant to Section 4 (B) of this Chapter. A presumption of a violation for which a citation shall be issued shall arise if smoke is being discharged through a flue or chimney after a time period of three hours has elapsed from the time of declaration of the high pollution period.

2) Notwithstanding subsection (A)(1) of this section, the operation of an Oregon Certified solid fuel burning device shall be permitted during a high pollution period so long as no visible emissions of smoke are discharged through a flue or chimney after a time period of three hours has elapsed from the time of the declaration of the high pollution period. The provisions of this subsection shall not apply to emissions of smoke during the starting or refueling of a fire for a period not to exceed 30 minutes in any four-hour period.

3) After two years from the effective date of this ordinance, no property owner within the City of Talent shall rent or lease a residential unit that is not equipped with a secondary source of heat other than a solid fuel-burning device, unless the landlord has a valid exemption under Section 4 (B)(2) of this Chapter. Should a violation of this section occur it shall be attributable to the property owner and not to the tenant or lessee.

B) Exemptions

It is permissible for a household to operate a solid fuel-burning device within the City of Talent during a high pollution period when the head of that household has obtained one of the following exemptions. Exemptions granted under this section shall expire on September 1 of each year.

1) Economic Need: An exemption for an economic need to burn solid fuel for residential space heating purposes may be issued to heads of households who can show their eligibility for energy assistance under the Federal Department of Energy Low-income Energy Assistance Program (hereinafter referred to as L.I.E.A.P.), as administered by ACCESS Inc. or its successor.

2) Sole Source: An exemption may be issued to the heads of households who sign a statement declaring their reliance on a solid fuel burning device as the sole source of heat for their residence. Sole source

exemptions shall not be issued after two years from the effective date of this ordinance, unless the residence is approved for installation of an alternative heating source through the Jackson County Housing Authority woodstove replacement program guidelines or in the absence of such a program when the head of the household can show that the family income is less than 80% of the median income level for the Medford metropolitan area as established by the Federal Department of Housing and Urban Development (HUD). Households that qualify for an exemption based on economic need, as defined in this Chapter, may continue to rely on a solid fuel-burning device as the sole source of heat for the residence beyond two years from the effective date of this ordinance.

3) Special Need: Upon a showing of special need, as further defined by administrative rule, a temporary exemption may be granted authorizing the burning of a solid fuel burning device notwithstanding Section 4 (A)(1) of this Ordinance. Special need shall include, but not be limited to occasions when a furnace or central heating system is inoperable other than through the owner or operator's own actions or neglect.

#### **Section 5. PROHIBITED MATERIALS**

It shall be unlawful for a person to cause or allow any of the following materials to be burned in a solid fuel burning device: garbage, treated wood, plastic, wire insulation, automobile parts, asphalt, petroleum products, petroleum treated material, rubber products, animal remains, paint, animal or vegetable matter resulting from the handling, preparation, cooking, or service of food or any other material which normally emits dense smoke or noxious odors.

#### **Section 6. REMOVAL OF NON-CERTIFIED WOOD STOVES AND FIRE PLACE INSERTS**

For the protection of the health, safety and welfare of the City's residents it is required that non-certified wood stoves and fireplace inserts be permanently removed from when the real property is conveyed.

A) Unless otherwise agreed, the responsibility for removal of non-certified wood stoves or fireplace inserts shall be the responsibility of the seller of the structure(s), which contain the non-certified wood stoves or fireplace inserts,

B) The presence of all wood stoves or fireplace inserts in a structure shall be included as part of the seller's property disclosure presented to the new owner, as part of the conveyance of any real property. The disclosure shall evidence by certificate, whether any wood stoves or fireplace inserts are of a conforming use, and present in the subject real property.

C) Unless otherwise agreed, all non-certified wood stoves and fireplace inserts shall be permanently removed from the structure(s) on or before conveyance of any real property containing a structure having any non-certified wood stove(s) and fireplace insert(s). If the seller assumes the responsibility for removal, then such removal shall be completed on or before the earlier of the closing date or title transfer date of the real property. Should the buyer assume the responsibility of removal, or should the seller fail to remove the non-certified wood stove(s) and fireplace insert(s) for any reason whatsoever, then the buyer shall complete the removal within thirty (30) calendar days after the closing date or title transfer date.

D) The disclosure(s) and certificate must be executed by both the seller and the undersigned owner, on or before, the closing of any real estate transaction involving real property, upon which the structure(s) containing the wood stoves or fireplace inserts are involved. Upon the complete execution of the disclosure certificate, a copy must be submitted to the City of Talent, Building Department by the responsible designee. Delivery of the disclosure certificate is required for any transfer of title, whether the real estate transaction is closed in escrow or closed by the seller and the undersigned owner without a closing escrow.

E) Failure of the seller, or the undersigned owner, to provide a disclosure certificate in substantially the form found in Appendix A of this ordinance shall be subject to a fine of not more than \$1000.

F) Failure of the seller or the undersigned owner to provide a notarized removal certificate in substantially the form found in Appendix B of this ordinance certifying removal of non-certified wood stove(s) or fireplace insert(s) from a structure as required by this ordinance shall be subject to a fine or not more than \$1000 and/or legal or equitable action to enforce said removal.

G) A copy of the receipt received for the disposal of the scrap metal by means of recycling is required to be provided to the City of Talent. The receipt shall state that the non-certified woodstove was properly disposed of at a DEQ regulated landfill or that the non-certified woodstove was sold to a person in the business of recycling scrap metal.

**Section 7.** This ordinance shall become effective 30 days after passage.

Duly enacted by the City Council in open session on \_\_\_\_\_ by the following vote:

Ayes:                      Nays:                      Abstain:                      Absent:

\_\_\_\_\_  
Melissa Huhtala, City Recorder and Custodian of City records

**APPENDIX A**

**WOOD STOVE/FIREPLACE INSERT DISCLOSURE CERTIFICATE**

The undersigned seller discloses to the undersigned owner the presence of wood stoves or fireplace inserts are located at the real property having the following address:

\_\_\_\_\_

The wood stoves or fireplace inserts are generally described as:

The wood stoves or fireplace inserts are:

	Certified	Non-certified
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Seller and the undersigned owner, understand that the City of Talent's wood stove/fireplace insert ordinance requires non-certified wood stoves or fireplace inserts to be permanently removed from the subject structures upon conveyance; and that the seller shall have the responsibility for the removal of the wood stoves or fireplace inserts, unless the seller and the undersigned owner agree in writing, that the undersigned owner shall assume the responsibility to remove the wood stove(s) or fireplace insert(s) pursuant to the local ordinance. The undersigned owner shall have the responsibility to remove the wood stove(s) or fireplace insert(s) or if the seller fails to remove them for any reason whatsoever.

Recognizing that woodstoves and fireplace inserts can be valuable as well as decorative, an approved alternative to removal is to disable their use. This requires welding firewood openings permanently closed. If this option is chosen, City Hall shall be notified after the welding has taken place and the City will verify the work has been completed. At that time the disclosure statement will be accepted.

The responsibility for removing any non-certified wood stoves or fireplace inserts shall be:

- Responsibility of the seller
- Responsibility of the undersigned owner

The seller and the undersigned owner also understand that this certificate must be completed, signed by both parties, and delivered to the City of Talent on or before the closing of any related real estate transaction. Further, all obligations stated herein, survive the close of escrow or transfer of title.

The seller or the undersigned owner must submit to the City on an approved form a notarized certificate certifying permanent removal of non-certified wood stove(s) or

fireplace insert(s) from a structure as required by City ordinance. Failure to submit the notarized form shall subject the seller or undersigned owner to a fine of not more than \$1000 and/or legal or equitable action to enforce removal of the stove(s) and/or insert(s).

The penalty for not removing non-certified wood stoves or fireplace inserts is a fine not exceeding \$1000.

Dated \_\_\_\_\_

\_\_\_\_\_  
Seller

\_\_\_\_\_  
Undersigned Owner

APPENDIX B

**WOOD STOVE/FIREPLACE INSERT CERTIFICATION OF PERMANENT REMOVAL**

The undersigned owner of the real property at the address below certifies that all non-certified wood stoves and fireplaces have been permanently removed from the structures on the real property, and will not be replaced:

\_\_\_\_\_

The wood stoves or fireplace inserts are generally described as:

The wood stoves or fireplace inserts are:

	Certified	Non-certified
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Dated \_\_\_\_\_

\_\_\_\_\_  
Seller

\_\_\_\_\_  
Undersigned Owner

STATE OF OREGON     )  
                                  ) ss.  
County of Jackson    )

This instrument was acknowledged before me on \_\_\_\_\_, by \_\_\_\_\_, who represents that he or she is the owner of the above-referenced property, or if the property is owned by an entity, represents that he or she is duly authorized by the entity to represent that the entity is the owner of the property.

Notary Public for  
My Commission Expires: