

CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 01-11-96

RESOLUTION OPPOSING FALCON CABLE SYSTEMS COMPANY'S PETITION  
FOR SPECIAL RELIEF SEEKING CLASSIFICATION BY THE FEDERAL  
COMMUNICATIONS COMMISSION AS A SMALL CABLE SYSTEM

WHEREAS, Falcon Cable Systems Company provides services to Dunes City subject to a franchise agreement governing the terms and conditions under which Falcon Cable Systems Company operates; and

WHEREAS, Falcon Cable Systems Company has filed a Petition for Special Relief seeking classification by the Federal Communications Commission as a small cable system; and

WHEREAS, the City of Dunes City on September 8, 1994, adopted Ordinance #142 establishing the Regional Cable Television Commission, under the sponsorship of Lane County, Oregon, to address common problems the cities and County are experiencing with providers of cable television programs and services; and

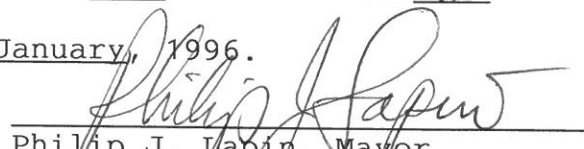
WHEREAS, said Regional Cable Commission has filed an Opposition to Falcon Cable Systems Company's Petition for Special Relief.

THEREFORE BE IT RESOLVED that the opposition to Petition for Special Relief filed by the Regional Cable Commission on December 20, 1995, is hereby adopted by the City of Dunes City, Lane County, Oregon, as reflecting the position of the City of Dunes City with regard to the Petition for Special Relief filed by Falcon Cable Systems Company; and

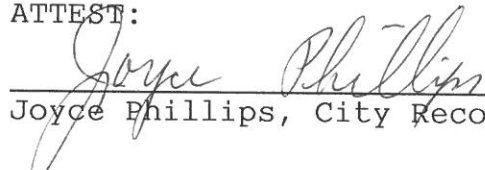
BE IT FURTHER RESOLVED that the City of Dunes City requests that the Federal Communications Commission grant the relief requested in the Regional Cable Commission Opposition by denying the Petition for Special Relief filed by Falcon Cable Systems Company.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Adopted this 11th day of January, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder

CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 02-08-96

RESOLUTION ADOPTING POLICY FOR DETERMINING WHETHER REPAIRS  
AND/OR MAINTENANCE TO NONCONFORMING STRUCTURES MEET CRITERIA  
OF DCZO SECTION 10, OR WHETHER REPLACEMENT VIA VARIANCE  
OR CONDITIONAL USE PERMIT PROCESS IS REQUIRED.

WHEREAS, Dunes City has received numerous requests for repairing nonconforming ("grandfathered") structures (many of which are within the 50' shoreland zone) that were constructed prior to the adoption of the Dunes City Zoning Ordinances; and

WHEREAS, DCZO Section 10, VI (Nonconforming Structures - Repairs and Maintenance) outlines the criteria for determining whether proposed repairs and/or maintenance may be done to a nonconforming structure, or whether replacement of nonconforming structure would require a Variance or a Conditional Use Permit.

WHEREAS, Dunes City finds it would be beneficial to the City and citizens requesting such repairs to have a qualified building inspector make such determinations; and

WHEREAS, pursuant to the terms of the Building Inspection Contract between Dunes City and Mortier Engineering, the Building Official may make such determinations.

THEREFORE BE IT RESOLVED THAT Dunes City adopts a policy whereby the Dunes City "Building Official" may make such determination based upon citizen's application for a building permit, submission of plans for the proposed repairs, and (if deemed necessary by Building Official) an on-site inspection of the existing structure. Fees for such determination to be based on the actual cost of the Building Official's expended time at his current hourly rate, billable in one-half (1/2) hour increments, payable 100% to Mortier Engineering as agreed between City and Mortier Engineering. Determination fee to be included as part of the total fees on the issued building permit.

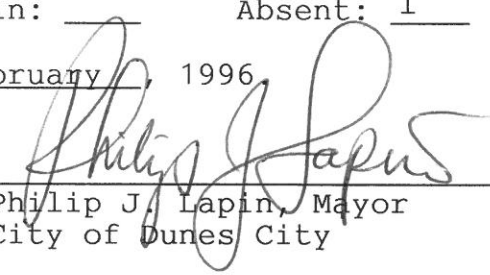
BE IT FURTHER RESOLVED THAT if Building Official determines from his inspection and investigation that applicant's proposed repairs and/or maintenance exceeds the criteria outlined in DCZO, Section 10, the Building Official shall deny the issuance of a building permit and instruct applicant to apply for the proper permit to replace said nonconforming structure. If building permit

application is denied, said determination fee to be paid by applicant. However, City may apply said determination fee as a credit to applicant's subsequent fee for a Variance or Conditional Use Permit.

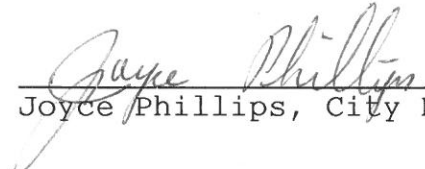
**BE IT FURTHER RESOLVED THAT** if applicant disagrees with Building Official denial of building permit, applicant may appeal denial to the City Council within ten (10) days of notification of denial upon payment of a non-refundable appeal fee in the sum of \$50.00.

Ayes: 5      Nays:           Abstain:           Absent: 1

Adopted this 8th day of February, 1996

  
\_\_\_\_\_  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
\_\_\_\_\_  
Joyce Phillips, City Recorder

CITY OF DUNES CITY, LANE COUNTY, OREGON

RESOLUTION NO. 06-13-96(A)

RESOLUTION ADOPTING THE 1996-97 FISCAL YEAR BUDGET,  
MAKING APPROPRIATIONS AND LEVYING TAXES

WHEREAS, the annual budget for the fiscal year 1996-97 has been duly completed and submitted to the Mayor and City Council of the City of Dunes City, and;

WHEREAS, said budget has been reviewed by the Mayor and the City Council of the City of Dunes City,

NOW THEREFORE BE IT RESOLVED:

1. That the City Council of the City of Dunes City, Oregon, does hereby adopt the budget for the fiscal year 1996-97 approved by the Budget Committee of the City of Dunes City on April 30, 1996, now on file at the Dunes City Hall, Dunes City, Oregon.

2. That the City Council hereby levies the taxes provided for in the budget adopted in Section 1 of this resolution in the aggregate amount of \$ 0.00, and that these taxes are hereby levied and assessed pro rata upon all taxable property within the City of Dunes City as of 1:00 a.m., January 1, 1996.

3. That the amounts for the fiscal year beginning July 1, 1996, and for the purposes shown below are hereby appropriated as follows:

GENERAL FUND

|                        |                  |            |
|------------------------|------------------|------------|
| Personal Services      | \$ 44,721        |            |
| Materials and Services | \$ 59,885        |            |
| Capital Outlay         | \$ 2,750         |            |
| Contingencies          | \$ <u>12,151</u> |            |
| TOTAL                  |                  | \$ 119,507 |

STATE STREET TAX FUND

|                        |                  |            |
|------------------------|------------------|------------|
| Personal Services      | \$ 3,435         |            |
| Materials and Services | \$166,050        |            |
| Other                  | \$ <u>31,879</u> |            |
| TOTAL                  |                  | \$ 201,364 |

EMERGENCY COMMUNICATIONS FUND

|                        |                 |          |
|------------------------|-----------------|----------|
| Materials and Services | \$ <u>4,668</u> |          |
| TOTAL                  |                 | \$ 4,668 |

PLANNING ASSISTANCE GRANT FUND

|                        |               |           |
|------------------------|---------------|-----------|
| Materials and Services | \$ 37,388     |           |
| Other                  | \$ <u>500</u> |           |
| TOTAL                  |               | \$ 37,888 |

COUNTY/CITY ROAD PARTNERSHIP FUND

|                        |                  |            |
|------------------------|------------------|------------|
| Materials and Services | \$374,000        |            |
| Other                  | <u>\$129,933</u> |            |
| TOTAL                  |                  | \$ 503,933 |

MOTEL TAX FUND

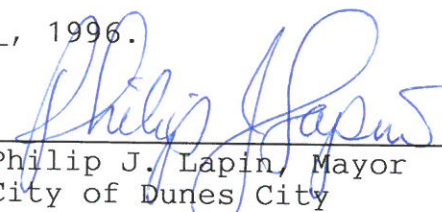
|                        |                 |           |
|------------------------|-----------------|-----------|
| Materials and Services | \$ 12,700       |           |
| Other                  | <u>\$ 2,111</u> |           |
| TOTAL                  |                 | \$ 14,811 |

4. That the City Recorder certify to the County Clerk and County Assessor of Lane County, Oregon, the levy made by this resolution and shall file with the Department of Revenue a true copy of the budget as finally adopted.

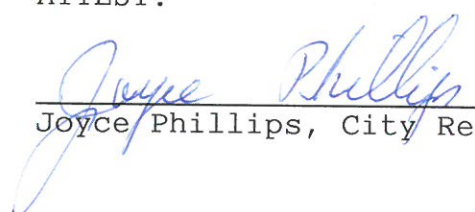
ADOPTED BY THE CITY COUNCIL OF DUNES CITY, OREGON, THIS 13TH DAY OF JUNE, 1996.

Ayes: 6 Nays: 0 Abstain: 0 Absent: 0

Dated this 13th day of June, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder

CITY OF DUNES CITY, LANE COUNTY, OREGON

RESOLUTION NO. 06-13-96(B)

RESOLUTION TRANSFERRING GENERAL FUND OPERATING CONTINGENCY  
MONIES AND MOTEL TAX FUND LINE ITEMS IN 1995-96 BUDGET

WHEREAS, Dunes City has a General Operating Contingency line item in the 1995-96 General Fund Budget in the amount of \$12,091; and,

WHEREAS, the City has over expended certain line items in its 1995-96 budgeted appropriations;

NOW THEREFORE BE IT RESOLVED that the City Council does hereby approve the transfer of \$2,400 in the General Fund from General Operating Contingency to be designated as expenditures in the following line items:

|                            |    |            |                 |
|----------------------------|----|------------|-----------------|
| PERS                       | \$ | 500        |                 |
| Total Personal Services    |    |            | \$ <u>500</u>   |
| Telephone                  | \$ | 150        |                 |
| Consulting                 | \$ | 1,000      |                 |
| Com. Center Main. & Repair | \$ | 500        |                 |
| Miscellaneous              | \$ | <u>250</u> |                 |
| Total Materials & Services |    |            | \$ <u>1,900</u> |

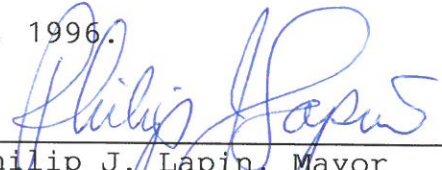
TOTAL OPERATING CONTINGENCY TRANSFER MONIES \$ 2,400

BE IT FURTHER RESOLVED that the City Council also approves the transfer of \$2,000 within the Motel Tax Fund from the "Travel" line item to "Miscellaneous".

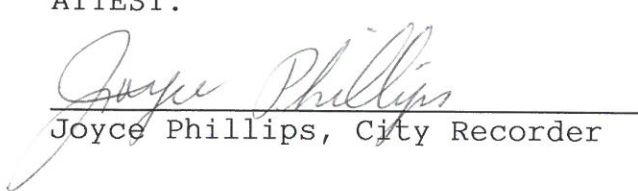
ADOPTED BY THE CITY COUNCIL OF DUNES CITY, OREGON, THIS 13TH DAY OF JUNE, 1996.

Ayes: 6 Nays: 0 Abstain: 0 Absent: 0

Dated this 13th day of June, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder



Return to: Department of Administrative Services  
State Controller's Division  
Attn: Terry Polston  
155 Cottage Street NE  
Salem OR 97310

or  
Fax #: (503) 378-3518  
CITY OF DUNES CITY  
RESOLUTION NO. 06-13-96(C)

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance, and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services

and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, now, therefore,

BE IT RESOLVED, that the City of Dunes City hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

- (1) Fire protection;
- (2) Street construction, maintenance, & lighting;
- (3) Storm sewers; and
- (4) Planning, zoning, and subdivision control

Approved by the City of Dunes City

this 13th day of June, 1996.

ATTEST:

Recorder

Joyce Phillips  
Joyce Phillips

Mayor

Philip J. Lapin  
Philip J. Lapin

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RESOLUTION NO. 06-13-96 (C) - CERTIFICATION FOR ELIGIBILITY OF STATE FUNDS.

CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 06-13-96(D)

RESOLUTION DIRECTING REGIONAL CABLE COMMISSION TO ADOPT  
A FINAL ORDER CONSISTENT WITH PRELIMINARY ORDER NO. 96-21

WHEREAS, Dunes City has granted Falcon Cable Systems Company a franchise to use the public right of way to offer cable television within the City of Dunes City; and

WHEREAS, the City of Dunes City, through passage of Ordinance #142 on September 8, 1994, has authorized the Regional Cable Commission, under the sponsorship of Lane County, Oregon, to act on its behalf in regard to the regulation of rates for the basic service tier and associated equipment; and

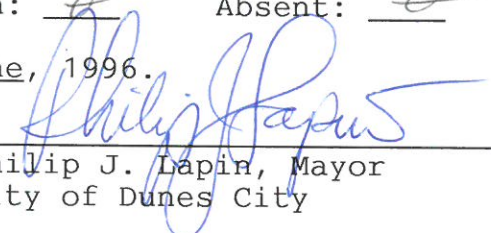
WHEREAS, on May 15, 1996, the Regional Cable Commission adopted Preliminary Order No. 96-21, disapproving Falcon Cable Systems Company's proposed rate increase and ordering a reduced rate in compliance with the rules of the Federal Communication Commission and the Regional Cable Commission;

THEREFORE THE CITY COUNCIL OF THE CITY OF DUNES CITY RESOLVES the aforementioned Regional Cable Commission Preliminary Order No. 96-21 is accepted by the City of Dunes City as an appropriate action of the Regional Cable Commission under its delegation of authority from the City of Dunes City; and

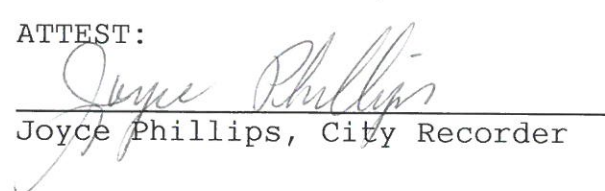
BE IT FURTHER RESOLVED that the City of Dunes City requests and directs the Regional Cable Commission to adopt a final order consistent with Preliminary Order No. 96-21 and otherwise continue to regulate the rates of Falcon Cable Systems Company as allowed by Federal Laws and Regulations.

Ayes: 6 Nays: 0 Abstain: 0 Absent: 0

Adopted this 13th day of June, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder



DUNES CITY, LANE COUNTY, OREGON

RESOLUTION NO. 08-08-96 (A)

**RESOLUTION REGARDING MEMBERSHIP  
CITY/COUNTY INSURANCE SERVICES TRUST  
PROPERTY SELF-INSURANCE POOL**

Whereas, the City/County Insurance Services Trust (CIS) offers pooled self-insurance offering cost stability and the potential for long-term savings and;

Whereas, CIS is sponsored by the League of Oregon Cities and the Association of Oregon Counties as a service to Oregon cities and counties; and

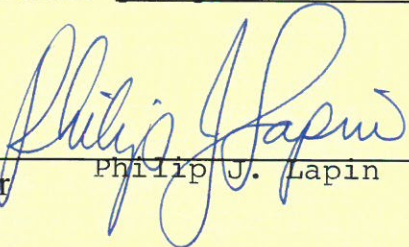
Whereas, the City of Dunes City finds that membership in CIS is of benefit in managing the risks involved in providing services to its citizens; and

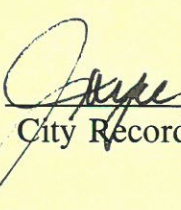
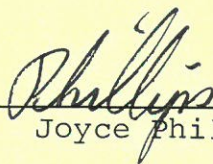
Whereas, the City of Dunes City has been provided with an opportunity to review the Trust Agreement, Bylaws and Rules of CIS; and

Whereas, the City of Dunes City has reviewed the Trust Agreement, Bylaws and Rules of CIS for compliance with the Charter and Ordinances of the City of Dunes City;

Now, therefore, the City of Dunes City does hereby enter into a contract with CIS and becomes a member of the CIS Trust for **Property** for a three-year period commencing July 1, 1996 and agrees to abide by the terms of the Trust Agreement, Bylaws and Rules of CIS which, along with this Resolution, constitutes the contract between the City of Dunes City and CIS. The [Administrative Officer - insert title City Recorder] is hereby authorized to execute such documents as are necessary pursuant to this Resolution.

ADOPTED: [Date] August 8, 1996

  
\_\_\_\_\_  
Mayor Philip J. Lapin

ATTEST:    
\_\_\_\_\_  
City Recorder Joyce Phillips

RESOLUTION NO. 08-08-96 (B)

A RESOLUTION CALLING AN ELECTION TO BE CONDUCTED BY THE LANE COUNTY ELECTION DEPARTMENT ON NOVEMBER 5, 1996 IN ACCORDANCE WITH CHAPTER 254 OF OREGON REVISED STATUTES FOR THE PURPOSE OF REFERRING TO THE LEGAL ELECTORS OF DUNES CITY FOR THEIR APPROVAL OR REJECTION A MEASURE ADOPTED BY THE CITY COUNCIL ESTABLISHING A NEW TAX BASE FOR DUNES CITY; AND PROVIDING FOR ALL ACTS NECESSARY FOR THE CARRYING ON OF SAID ELECTION.

The City Council of Dunes City finds:

A. The City has no tax base historically established under the Oregon Constitution and the City has not submitted nor received elector approval of a new tax base.

B. The City has not in previous years found it necessary to receive approval from the City's electors to levy taxes for general operational expenses outside an established tax base under Article XI, Section 11 (2)(a) of the Oregon Constitution.

C. It appears necessary to the City Council that commencing July 1, 1997, a new tax base of \$60,000 under Article XI, Section 11 of the Constitution of the State of Oregon should be established for the City in order to finance animal control measures, expanded land use administrative support, and other basic and necessary governmental services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Dunes City as follows:

Section 1. The Measure hereinafter set forth is hereby adopted, subject to elector approval, and shall be submitted to the legal electors of Dunes City at the general election to be held on November 5, 1996, for its adoption or rejection.

MEASURE SUBMITTED TO THE  
ELECTORS BY THE CITY COUNCIL  
OF DUNES CITY

MEASURE NO. \_\_\_\_\_

DUNES CITY REQUEST TO ESTABLISH A TAX BASE.

Shall Dunes City be granted a tax base of \$60,000, effective  
July 1, 1997?

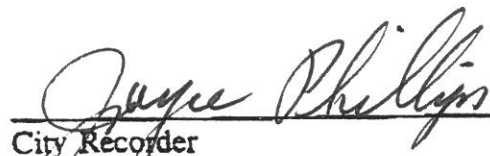
The City has never had a tax base. It levied no ad valorem property taxes in 1996-97. The City is requesting a tax base be established subject to limitations in Article XI, Oregon Constitution, effective July 1, 1997. If approved, the \$ 60,000 tax base will allow the City to finance general city services such as: animal control, expanded land use administrative support, and other necessary governmental services. The proposed tax base will be subject to the limits of Article XI, Section 11b of the Oregon Constitution, and will be used for government purposes other than education and support services.

The measure shall become effective upon elector approval.

Section 2. The measure shall be placed upon the official ballot by the City Recorder. Upon its preparation by the City Attorney, the City Recorder shall furnish to the County Clerk for Lane County a certified copy of the ballot title for the Measure, and direct that the County Clerk for Lane County place the Measure upon the ballot to be used at the general election to be voted upon by the electors of the City.

Section 3. The City Council orders this election to be held on the 5th day of November, 1996, in accordance with the provisions of Chapter 254 of Oregon Revised Statutes, and the ballots shall be counted and tabulated and the results certified as provided by law.

The foregoing Resolution adopted this 8th day of August, 1996.

  
City Recorder



CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 08-08-96(C)

RESOLUTION ADOPTING POLICY REGULATING  
PLACEMENT OF POLITICAL SIGNS WITHIN  
CITY LIMITS AND RIGHT-OF-WAYS

**WHEREAS**, due to numerous citizen questions, concerns, and complaints regarding placement of political signs within the City limits and specifically within City right-of-ways; and

**WHEREAS**, the Dunes City Zoning Code Section 6: General Development Standards and Requirements, Subsection I(F) Sign Requirements outlines sign requirements in the R-1 (Residential) zone; and

**WHEREAS**, pursuant to Section 2(I) Policy, the City Council wishes to interpret as a matter of policy the size and placement of political signs within Dunes City limits.

**NOW THEREFORE DUNES CITY RESOLVES** that the City adopt the following policy regulating placement of political signs within Dunes City limits and right-of-ways:

1. RESIDENTIAL/COMMERCIAL PROPERTIES:

- (a) Political signs not exceeding eight square feet in area may be placed on residential/commercial properties within the City limits so long as property owner consents to placement.

2. CITY RIGHT-OF-WAYS:

- (a) Political signs not exceeding eight square feet in area may be placed within City right-of-ways if, prior to sign placement, candidate or agent registers with City Recorder naming a contact person, address, and telephone number.
- (b) If any registered political sign placement is deemed to be detrimental to the public health, welfare, and safety of its citizens, registered candidate or agent may be contacted by City to remove said sign.
- (c) In the event political signs are placed in city right-of-ways by unregistered candidate or agent, Dunes City may remove and dispose of said signs without notification.



3. REMOVAL OF POLITICAL SIGNS:

- (a) Political signs may not be placed within Dunes City limits, either on private property or in City right-of-ways, more than sixty (60) days prior to election date, and must be removed within four (4) days after election date.

4. VIOLATIONS

- (a) The provisions of Dunes City Zoning Ordinance 50, Section 12 Enforcement Requirements, Violations shall apply.

Ayes: 5      Nays: 0      Abstain: 0      Absent: 0

Dated this 8<sup>th</sup> day of August, 1996.

*Philip J. Lapin*  
\_\_\_\_\_  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

*Joyce Phillips*  
\_\_\_\_\_  
Joyce Phillips, City Recorder

CITY OF DUNES CITY, LANE COUNTY, OREGON

RESOLUTION NO. 10-10-96(A)

RESOLUTION MODIFYING BUDGET PROCEDURE AND RECLASSIFYING SALARIES FROM MATERIALS & SERVICES TO PERSONAL SERVICES IN FY96-97 BUDGET

WHEREAS, pursuant to recommendation of Gregor Professional Corp. in its 95/96 annual financial report for City to modify its budgeting procedures to reflect employees gross pay, payroll taxes, and benefits as Personal Services rather than Materials and Services;

WHEREAS, pursuant to recommendation of auditor to reclassify budgeted amounts in the current 96/97 budget for administrative personnel salaries, payroll taxes, and benefits from Materials and Services to Personal Services; and

WHEREAS, the Mayor and the City Council of Dunes City have considered the recommendations of Gregor Professional Corp.

NOW THEREFORE DUNES CITY RESOLVES AS FOLLOWS:

1. That City modify its budgeting procedures to reflect administrative personnel gross pay, payroll taxes and benefits as Personal Services in all funds, and

2. That the 96/97 fiscal year budgeted amounts for administrative personnel be reclassified from Materials and Services to Personal Services as listed below:

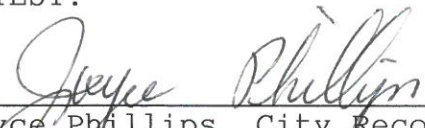
| NAME OF FUND           | FROM<br>MATERIALS & SERVICES | TO<br>PERSONAL SERVICES |
|------------------------|------------------------------|-------------------------|
| STREET FUND            | \$ 9,935                     | \$ 9,935                |
| PLANNING ASSISTANCE    | \$ 1,018                     | \$ 1,018                |
| CITY/COUNTY ROAD PRTN. | \$ 7,000                     | \$ 7,000                |
| MOTEL TAX FUND         | \$ 2,500                     | \$ 2,500                |

Ayes: 4 Nays: 0 Abstain: 0 Absent: 1

Dated this 10th day of October, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder

CITIZENS BUILDING  
975 OAK STREET  
SUITE 1010  
EUGENE, OREGON 97401-3174



GREGOR PROFESSIONAL  
C O R P O R A T I O N

541/686-8777  
Facsimile 541/686-8779

September 25, 1996

Joyce Phillips  
City of Dunes City  
Post Office Box 97  
Westlake, Oregon 97493

This letter is in response to your request for clarification of our Letter to Management, dated September 5, 1996 and included in our audit report.

Reclassification of salaries from Materials & Services to Personal Services. You don't need to redo the budget to make these reclassifications, simply have the council adopt a resolution that makes the following changes:

Street Fund:

|                             |         |
|-----------------------------|---------|
| From Materials and Services | \$9,935 |
| To Personal Services        | \$9,935 |

This is comprised of Director of roads salary \$3,120, Employment taxes of \$315 and Admin wages of \$6,500.

Planning Assistance fund:

|                             |         |
|-----------------------------|---------|
| From Materials and Services | \$1,018 |
| To Personal Services        | \$1,018 |

This was all planning assistance wages.

City/County Road Partnership fund:

|                                    |         |
|------------------------------------|---------|
| From Materials and Services        | \$7,000 |
| To Personal Services (Admin wages) | \$7,000 |

Motel Tax Fund:

|                                    |         |
|------------------------------------|---------|
| From Materials and Services        | \$2,500 |
| To Personal Services (Admin wages) | \$2,500 |

Regarding our comment on Gross Pay/PERS wages. We had not seen your resolution # 12-08-94(B) which addresses this consideration. We cannot express a legal opinion on this matter, but it appears that this resolution satisfies our concern expressed in our management letter.

Thank you,  
  
David Cooke, CPA

CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 10-10-96(B)  
ADOPTING DUNES CITY FISCAL YEAR 95/96 AUDIT REPORT

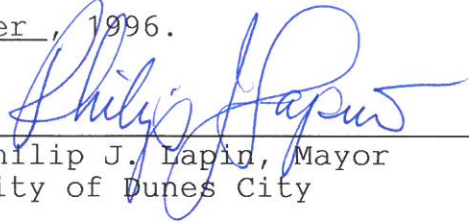
WHEREAS, the annual audit of general purpose financial statements of the City of Dunes City for the fiscal year ending June 30, 1996, has been duly completed and submitted in written form by its auditor, Gregor Professional Corp., to the Mayor and City Council of Dunes City; and

WHEREAS, said audit report has been reviewed by the Mayor and City Council;


NOW THEREFORE DUNES CITY RESOLVES that the audit report be accepted and adopted when certain adjustments have been made as agreed to between City and auditor, and re-submitted with revised pages by its auditor, Gregor Professional Corp. for fiscal year 1995/96 ending June 30, 1996.

Ayes: 4      Nays: 0      Abstain: 0      Absent: 1  
Vacancy: 1

Dated this 10th day of October, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder



CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 10-10-96(C) INTERPRETING SUBDIVISION ORDINANCE  
#60 AS PROHIBITING PANHANDLE LOTS IN ALL LAND DIVISIONS

WHEREAS, Dunes City Subdivision Ordinance #60 states:

Section 1.03 Scope: "This ordinance establishes procedures for the division of land. Since the division of land is often accompanied by a change of use, this ordinance must be applied in concert with the zoning ordinance, the comprehensive plan, and other city ordinances.

Section 1.04 - Definitions:

(22)(EE)- Panhandle Lot: A lot where the buildable area is located away from the street and served by a long narrow strip with less than required frontage width."

(29) Partition Land (See attache pages 5-6)

(38) Subdivide Land and (39) Subdivision (See attached page 7)

Section 4.05-F Panhandle Divisions

"Panhandle lots shall NOT be permitted in new subdivisions."  
(See attached page 32)

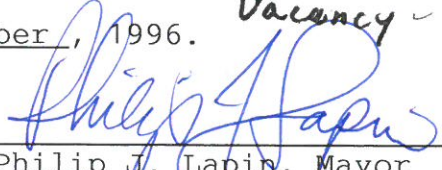
WHEREAS, Subdivision Ordinance #60 does not specifically allow or disallow panhandle lots in either Minor or Major Partitions, but does specifically prohibit them in new subdivisions; and

WHEREAS, Dunes City Zoning Ordinance #50, Section 2-1: General Provisions, provides that: "It shall be the duty of the city council, in addition to those matters specifically provided in this Ordinance, to interpret matters of policy with respect to this Ordinance."

NOW THEREFORE BE IT RESOLVED, that the City Council interprets, as a matter of policy and to bring conformity to Subdivision Ordinance #60, that panhandle lots are prohibited in all land divisions, including minor partitions, major partitions, as well as in new subdivisions.

Ayes: 4 Nays: 0 Abstain: 0 Absent: 1

Dated this 10th day of October, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder

council in accordance with the procedures provided for in this ordinance.

- (26) Owner An individual, association, partnership, or corporation having legal or equitable title to land sought to be divided, other than legal title held for purpose of security only.
- (27) Parcel A unit of land that is created by the partitioning of land.
- (28) Partition Either an act of partitioning land, or an area or tract of land partitioned as defined in this section.
- (29) Partition Land
  - (AA) To divide an area or tract of land into two or three parcels within a calendar year, when such area or tract of land exists as a unit or contiguous units of land under single ownership at the time of partition. "Partition land" does not include:
    - (1) Divisions of land resulting from lien foreclosures.
    - (2) Division of land resulting from the creation of cemetery lots.
    - (3) Divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or intestate succession.
    - (4) Adjustment of a lot or parcel line by the relocation of a common boundary where an additional parcel or lot is not created and where the existing parcel or lot reduced in size by the adjustment is not in conflict with any applicable law or ordinance, including but not limited to provisions pertaining to minimum area, frontage, average width and required setbacks.
    - (5) Division of land created by the acquisition or dedication of land to the city for the sole use and purpose of providing a public service or operating a public utility.
    - (6) A lease for agricultural purposes.

- (7) Renting or leasing of spaces within a mobile home park, recreational trailer park, motel or campground.
- (BB) When it appears to the planning commission that the area is to be ultimately divided into four or more lots or parcels, provisions of this ordinance pertaining to subdivisions may be required.
- (CC) Major Partition A partition which includes the creation of a street.
- (DD) Minor Partition A partition that does not include the creation of a street.
- (30) Partitioner An owner or his lawful agent commencing proceedings under this ordinance to effect a partition of land.
- (31) Performance Agreement or Bond A financial commitment by the petitioner or subdivider and executed by an Oregon licensed surety company in an amount equal to the full cost of construction and improvements as required in Section 2.03, 3.10, and 5.13 of this ordinance and conditioned upon the faithful performance thereof.
- (32) Petition for Improvement A proper petition submitted to and approved by the city council for construction and improvements as required by Sections 2.03 and 3.10 of this ordinance. For purposes of this article, the term shall also include improvements initiated by the council.
- (33) Plat A diagram, drawing, or replat containing all the descriptions, locations, specifications, dedications, provisions and other information required by this ordinance concerning a subdivision.
- (34) Reserve Strip A narrow parcel of land at the end or side of a street which is used to control access to the street or to preserve land needed for future widening or extension of the street.
- (35) Right-of-way The area between property lines or other easements designated for public use.
- (36) Sidewalk A pedestrian walkway with permanent surfacing.
- (37) Street A public or private way that is created to provide ingress or egress for persons to one or more

lots, parcels, areas or tracts of land and including the term "road", "highway", "lane", "avenue", "alley" or similar designations.

- (AA) Alley A narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.
- (BB) Arterial A street of considerable continuity which is primarily a traffic artery for intercommunication among large areas. Arterial streets in dunes city are defined as canary road, clear lake road, and highway 101.
- (CC) Block Length The distance measured along all that part of one side of a street which is between two intersecting or intercepting streets, or between an intersecting or intercepting street and a railroad right-of-way, water course, body of water or unsubdivided acreage.
- (DD) Collector Street A street used to provide for traffic movement between arterials and local streets, and which provides direct access to abutting property. Collector streets are defined in Dunes City as a street which deposits traffic onto an arterial street, and receives traffic from two or more side streets.
- (EE) Cul-de-sac A local street terminating in a turn-around.
- (FF) Dead End Street A local street connecting with another street only at one end.
- (GG) Local Street A street used primarily for access to abutting properties.
- (38) Subdivide Land To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.
- (39) Subdivision Either an act of subdividing land or an area or tract of land subdivided as defined in this section.
- (40) Tentative Plan A preliminary drawing or diagram concerning a partition or subdivision.



and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

- (1) Depth Each lot shall have an average depth between the lot front line and the lot rear line of not less than the applicable minimum average width requirement for such lot, but in no case shall be less than 80 feet, and not more than two and one-half (2-1/2) times the average width between the lot side lines.
- (2) Frontage Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc. Lots with water frontage shall have a minimum of 50 feet frontage.
- (B) Key Lots and Butt Lots There shall be no key lots or butt lots except where authorized by the city where such lots are necessitated by unusual topographic conditions or previous adjacent layout.
- (C) Lot Side Lines As far as is practicable, lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.
- (D) Suitability for intended use All lots shall be suitable for the purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety or sanitary needs of the residents of the subdivision area or of such lot, as determined by the city in accordance with the purpose of this ordinance.
- (E) Future Subdivision of Lots Where the subdivision will result in a lot 2 acres or larger in size which in the judgment of the planning commission is likely to be subdivided in the future, the planning commission may require that the location of lot lines and other details of layout be such that future subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets, any restriction of buildings within future street locations shall be made a matter of record if the planning commission deems it necessary for the purpose of future subdivision.
- (F) Panhandle Divisions Panhandle lots shall not be permitted in new subdivisions.

CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 12-12-96(A)

RESOLUTION TRANSFERRING BUDGETED 1996/97 FISCAL YEAR LINE  
ITEM MONIES WITHIN THE GENERAL FUND, COUNTY/CITY ROAD  
FUND, STREET FUND, AND PLANNING ASSISTANCE GRANT FUND

WHEREAS, Resolution No. 10-10-96(A) modified the budget procedure upon recommendation of auditor by reclassifying salaries, payroll taxes, and benefits as "Personal Services" rather than "Materials and Services" in all of the funds in the adopted FY96-97 Budget; and

WHEREAS, the adopted FY96/97 budget included line items ONLY in the General Fund for "PERS (City Contribution)" and "Employer Taxes/SAIF Contributions" which was calculated on the total FY96/97 anticipated wages and the city paid PERS, FICA, Medicare, Workers Comp, and Unemployment Taxes had not been prorated nor included as line item expenditures in the other funds;

WHEREAS, Council finds that it would be more equitable and more accurately reflect actual expenditures for wages in each fund if new line items were created to include employer costs for city paid taxes and benefits under "Personal Services" as line items for "PERS-City Contribution" (9.29%) and "Employer Taxes/Saif" (10.85%) in each fund; and

WHEREAS, Council passed a motion at its October 30, 1996 Special Meeting to transfer \$1,000 in "Materials & Services" from the "Community Services: line item to "Community Center Maintenance and Repair" item to cover unanticipated costs of approximately \$2,000 for treating building for termite infestation.

NOW THEREFORE DUNES CITY RESOLVES AS FOLLOWS:

That City transfer monies within designated funds as indicated below to more accurately reflect total city administrative costs in each fund by creating specific line item expenditures, i.e., "PERS (City Contribution)" and "Employer Taxes/SAIF" in the "Personal Services" category in each fund, and for unanticipated costs of termite control:

GENERAL FUND

|               |   |                                   |
|---------------|---|-----------------------------------|
| <u>AMOUNT</u> | <u>FROM: "MATERIALS &amp; SERVICES"</u> | <u>TO: "MATERIALS &amp; SER."</u> |
| \$1,000.00    | Community Services                      | Com. Center M&R                   |

STATE TAX STREET FUND

| <u>AMOUNT</u> | <u>FROM: "MATERIALS &amp; SERVICES"</u> | <u>TO: "PERSONAL SERVICES"</u>              |
|---------------|---|---|
| \$1,315.00    | City Street Maint. & Repair             | PERS .....\$ 605.00<br>TAXES/SAIF \$ 710.00 |

COUNTY/CITY ROAD PARTNERSHIP

| <u>AMOUNT</u> | <u>FROM: "MATERIALS &amp; SERVICES"</u> | <u>TO: "PERSONAL SERVICES"</u>             |
|---------------|---|--|
| \$1,410.00    | Road Planning                           | PERS.....\$ 650.00<br>TAXES/SAIF \$ 760.00 |

MOTEL TAX FUND

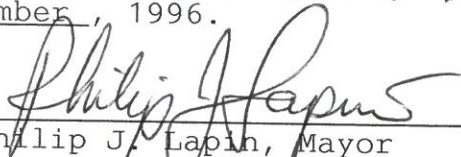
| <u>AMOUNT</u> | <u>FROM: "MATERIALS &amp; SERVICES"</u> | <u>TO: "PERSONAL SERVICES"</u>             |
|---------------|---|--|
| \$ 505.00     | Travel                                  | PERS.....\$ 233.00<br>TAXES/SAIF \$ 272.00 |

PLANNING ASSISTANCE/COASTAL MANAGEMENT GRANT FUND


| <u>AMOUNT</u> | <u>FROM: "MATERIALS &amp; SERVICES"</u> | <u>TO: "PERSONAL SERVICES"</u> |
|---------------|---|--------------------------------|
| \$ 600.00     | Coastal Grant                           | ADMIN.....\$ 600.00            |

Ayes: 4      Nays: 0      Abstain: 0      Absent: 1  
*VACANCY: 1*

Dated this 12th day of December, 1996.

  
Philip J. Lapin, Mayor  
City of Dunes City

ATTEST:

  
Joyce Phillips, City Recorder