

Dunes City Council ~ Regular Session



October 16, 2024 ~ 6:00 pm

The meeting will adjourn not later than 9:00 pm. If agenda items are not completed, they will be addressed at the next scheduled meeting.

AGENDA

1. **Call to Order**..... Mayor Ed McGuire
2. **Roll Call** City Administrator
3. **Pledge of Allegiance to the Flag**..... Mayor Ed McGuire
4. **Consideration of the Agenda**..... **Action Item**
5. **Consideration of the Consent Agenda**..... **Action Item**

All items listed here are considered to be routine by the Dunes City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered.

- A. Minutes of the September 18, 2024 City Council Regular Session
- B. Minutes of the October 2, 2024 City Council Work Session
- C. Bills of the Session from September 10, 2024 to October 9, 2024
- D. Receipts of the Session from September 10, 2024 to October 9, 2024
- E. Profit and Loss by Class from September 10, 2024 to October 9, 2024

6. **Announcements / Correspondence**

- A. Survey Presentation

7. **Citizen Input on Items Not Discussed in Public Hearing**

*The public comment period is an essential part of local government meetings. Each person has **three** minutes to speak. Our governing body takes the input into consideration. However, in observance of Oregon open meeting laws, this isn't the time for dialogue, but rather a time for us to **listen** to you. Our City Administrator is taking notes of action, as needed.*

8. **Reports**

- A. Mayor Report Mayor Ed McGuire
- B. Permit Report..... Pam Palmer

9. **Public Hearing**

- A. FEMA Ordinance..... **Discussion/Action Item**
- B. Water Ordinance..... **Discussion/Action Item**

10. **New Business**

- A. Deliberation and Discussion: FEMA Ordinance..... **Discussion/Action Item**
- B. Deliberation and Discussion: Water Ordinance..... **Discussion/Action Item**

11. Old Business

A. Soil Erosion and Control Plan..... **Discussion/Action Item**

12. Executive Session – None

13. For the Good of the Order

14. Adjournment



**DUNES CITY, OREGON
CITY COUNCIL
MEETING MINUTES**

REGULAR MEETING
SEPTEMBER 18, 2024
CITY HALL

- Call to Order** The meeting was called to order at 6:01 pm by Mayor McGuire.
- Pledge of Allegiance to the Flag** Mayor McGuire led the meeting in the Pledge of Allegiance.
- Roll Call** Roll call was answered by Mayor McGuire, Council President Susan Snow, and Councilors Melissa Stinson, Tom Mallen, and Chris Clemons. Councilors Joe Giammona and Rich Olson attended virtually.
Also present were City Administrator Lila Timmons, Permit Technician Pam Palmer, State Representative Boomer Wright, Dan Stinson, Ricky Watts, Jeanne Jackson, Paul Roberts, and other various citizens.
- Agenda** No agenda additions, deletions, or modifications.
MOTION MADE BY: Councilor Tom Mallen
MOTION: To approve the September 18, 2024 Regular Session Agenda.
SECONDED: Councilor Chris Clemons
IN FAVOR: Unanimous
OPPOSED: None
Motion Passed
- Consent Agenda** MOTION MADE BY: Councilor Tom Mallen
MOTION: To approve the Consent Agenda
SECONDED: Councilor Chris Clemons
IN FAVOR: Unanimous
OPPOSED: None
Motion Passed
- Announcements/Correspondence** Holidays – keep meetings as normal; close for Holidays from 12/25/2024 through 1/1/2025
Central Lincoln PUD – Contract will be on next Agenda
Newsletter Ideas
Codification – Proposals presented at next City Council meeting

Citizen Input

Jeanne Jackson spoke to citizens about disincorporating Dunes City
Dan Stinson stated that he wanted the City easements marked on Ford Way/Lake Drive
Ricky Watts commented that the City survey only allowed one voice per household.
Paul Roberts asked about the survey, septic inspections and Short-Term Rentals.

Reports

Mayor's Report – None
Water Quality – Council President Susan Snow stated that they had been watching the bloom in the Lakes and it is not an issue.
Road Report – City Administrator Lila Timmons stated that the City had one proposal for pothole repair and was waiting on another proposal.
Permit Report – In the packet for Councilor review

New Business

Fee Schedule for Short-Term Rentals
The fee schedule was discussed at the Work Session on September 4, 2024.
MOTION MADE BY: Councilor Chris Clemons
MOTION: To accept Option 1 as the Fee Schedule for Short-Term Rentals. Option 1 states that the Short-Term Rental application fee is \$500, the permit fee is \$1000 per year, and each month there will be a 5% of gross income paid to the City.
SECONDED: Councilor Joe Giammona
IN FAVOR: Councilor Chris Clemons, Councilor Joe Giammona and Councilor Rich Olson
OPPOSED: Council President Susan Snow
ABSTAIN: Councilor Melissa Stinson
Motion Passed

Audit Proposal
The audit proposal was discussed at the Work Session on September 4, 2024.
MOTION MADE BY: Chris Clemons
MOTION: To accept the bid proposal that the City did receive.
SECONDED: Councilor Joe Giammona
IN FAVOR: Councilor Joe Giammona, Council President Susan Snow, Councilor Tom Mallen, Councilor Chris Clemons and Councilor Rich Olson
OPPOSED: Councilor Melissa Stinson
Motion Passed

Meetings
Councilors decided that any meeting would be a regular meeting with one hour of the first meeting of the month to be

a work session.

Old Business

Septic Inspections

After much discussion, the City Council decided to delay this to another meeting.

Sign Contest

After much discussion, the City Council asked staff to take the “park” sign to some sign companies to create a proof and provide a proposal.

Survey

The Mayor will be presenting the results of the survey on the October 16, 2024 meeting.

Residents have until end of business on October 3, 2024 to complete the survey.

Soil Erosion and Control Plan

After much discussion, the City Council asked staff to reach out to the contractor that was willing to provide recommendations for a soil erosion and control plan.

Executive Session

There was none.

For the Good of the Order

Councilor Melissa Stinson thanked City Administrator Lila Timmons for reaching out to the Electric Company to fix the non-working street light.

Adjournment

MOTION MADE BY: Council President Susan Snow

MOTION: To adjourn.

SECONDED: Councilor Chris Clemons

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

APPROVED BY THE DUNES CITY COUNCIL ON THE 16TH DAY OF OCTOBER, 2024.

Ed McGuire, Mayor

ATTEST:

Lila Timmons, City Administrator

Jeanne Jackston stated that she was for disincorporating Dunes City for less oversight, and not as many fees.

Old Business

Pothole Repair – The Councilors discussed the bids presented.

MOTION MADE BY: Councilor Rich Olson

MOTION: To accept the Coast Pavement Maintenance bid for pothole repair.

SECONDED: Councilor Chris Clemons

IN FAVOR: Councilor Joe Giammona, Councilor Melissa Stinson, Councilor Tom Mallen, Councilor Chris Clemons and Councilor Rich Olson.

OPPOSED: NONE

Motion Passed

Codification – The Councilors discussed the bids presented.

MOTION MADE BY: Councilor Chris Clemons

MOTION: To accept the American Legal Publishing bid for codification.

SECONDED: Councilor Joe Giammona

IN FAVOR: Councilor Joe Giammona, Councilor Melissa Stinson, Councilor Tom Mallen, Councilor Chris Clemons and Councilor Rich Olson

OPPOSED: NONE

Motion Passed

Public Hearing

Conditional Use Permit Application (CUP)

Mayor Ed McGuire read from the script.

Public Hearing Opened at 6:27 pm

Mayor Ed McGuire asked for any testimony for the CUP. There were none.

Mayor Ed McGuire asked for any testimony against the CUP. There were none.

Mayor Ed McGuire asked if the Councilors had any questions. There were none.

Public Hearing Closed at 6:32 pm.

New Business

Deliberation and Decision: CUP Application

MOTION MADE BY: Councilor Chris Clemons

MOTION: To approve the Conditional Use Permit as recommended with conditions from the Planning Commission and to approve the staff report as presented.

SECONDED: Councilor Tom Mallen

IN FAVOR: Councilor Joe Giammona, Councilor Melissa Stinson, Councilor Tom Mallen, Councilor Chris Clemons and Councilor Rich Olson

OPPOSED: NONE

Motion Passed

CLPUD Franchise Agreement

The Councilors decided to continue this item until after the City Attorney and the CLPUD Attorney have had an opportunity to decide on agreeable language.

Work Session

Code Enforcement

The Councilors decided to continue this item until further investigation into other Cities' Code Enforcement Ordinances and Code Enforcement Officer Training has been considered. The Councilors also wanted to review Ordinance 252 which amends Chapter 91 of the Dunes City Code of Ordinances Entitled Nuisances.

Executive Session

There were none.

For the Good of the Order

Councilor Melissa Stinson stated she would like the Councilors to develop a pros/cons list to present to the Citizens to answer the question about disincorporating Dunes City for the next meeting.

Adjournment

MOTION MADE BY: Councilor Melissa Stinson

MOTION: To adjourn.

SECONDED: Councilor Tom Mallen

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

APPROVED BY THE DUNES CITY COUNCIL ON THE 16th OF OCTOBER, 2024.

Ed McGuire, Mayor

ATTEST:

Lila Timmons, City Administrator

Dunes City

Expense by Vendor for Bills of the Session (Mat'ls. & Serv.)

September 10 through October 9, 2024

Type	Date	Num	Name	Memo	Class	Amount
Campbell Productions						
Bill	09/23/2024	1219	Campbell Prod...		41 G...	390.00
Total Campbell Productions						390.00
Central Lincoln PUD						
Bill	10/02/2024	22061...	Central Lincoln ...		43 St...	2,142.85
Bill	10/02/2024	22061...	Central Lincoln ...		45 M...	101.23
Bill	10/02/2024	22061...	Central Lincoln ...		45 M...	35.50
Total Central Lincoln PUD						2,279.58
Government Ethics Commission						
Bill	09/16/2024	AIE20...	Government Et...	Annual Fee	41 G...	567.41
Total Government Ethics Commission						567.41
Holloway & Associates LLC CPA's						
Bill	10/02/2024	9339	Holloway & Ass...		41 G...	145.00
Total Holloway & Associates LLC CPA's						145.00
Northwest Code Professionals						
Bill	09/17/2024	APP	Northwest Cod...	New Build	42 B...	1,690.65
Total Northwest Code Professionals						1,690.65
Oregon Water Services, Inc.						
Bill	10/02/2024	133505	Oregon Water ...		46 W...	346.25
Total Oregon Water Services, Inc.						346.25
Pacific Office Automation						
Bill	09/18/2024	50313...	Pacific Office ...	Monthly ...	43 St...	593.00
Total Pacific Office Automation						593.00
Pest Tech						
Bill	09/16/2024	00133...	Pest Tech	Quarterly...	43 St...	85.00
Total Pest Tech						85.00
Schroeder Law Offices						
Bill	10/02/2024	1552	Schroeder Law ...		41 G...	436.22
Total Schroeder Law Offices						436.22
Siuslaw School District 97J						
Bill	09/17/2024	2024-...	Siuslaw School...	2024-62-...	42 B...	2,643.84
Total Siuslaw School District 97J						2,643.84
Tidy UP Florence						
Bill	10/02/2024	548818	Tidy UP Florence		41 G...	230.00
Total Tidy UP Florence						230.00
TOTAL						9,406.95

Dunes City
Income by Fund for Receipts of the Session
September 10 through October 9, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
Ordinary Income/Expense						
Income						
40000 · Fund Revenue						
41000 · General Fund Revenue						
41107 · Business License Fees						
Sales R...	09/12/2024	DCBL0...	Florence Glass ...	Business Lic...	41 Gener...	85.00
Sales R...	09/23/2024	DCBL0...	Coastal Home ...	Business Lic...	41 Gener...	85.00
Sales R...	09/23/2024	DCBL0...	Chuck's Plumbi...	Business Lic...	41 Gener...	85.00
Sales R...	09/26/2024	DCBL0...	Wally's Septic T...	Business Lic...	41 Gener...	85.00
Sales R...	09/30/2024	DCBL0...	Travis Electric	Business Lic...	41 Gener...	85.00
Total 41107 · Business License Fees						425.00
41115 · Cigarette Tax						
Sales R...	09/19/2024	8312024	State Of Oregon	8/31/2024 Ci...	41 Gener...	90.16
Total 41115 · Cigarette Tax						90.16
41125 · Fines						
Invoice	09/25/2024	5606	Claycomb, Tho...	Fine \$500.00...	41 Gener...	400.00
Sales R...	09/25/2024	VP24-0...	Brew, Janis I	Lien on 5585 ...	41 Gener...	190.26
Total 41125 · Fines						590.26
41145 · Lien Search Fees						
Invoice	09/11/2024	06301	Cascade Escro...	19-12-14-10-...	41 Gener...	25.00
Sales R...	09/23/2024	719342...	First American ...	5364 Helkat ...	41 Gener...	50.00
Sales R...	09/30/2024	24-28444	Evergreen Land...	4844 Fish Mil...	41 Gener...	50.00
Total 41145 · Lien Search Fees						125.00
41150 · Liquor tax						
Sales R...	09/11/2024	090624	Oregon Liquor ...	September 2...	41 Gener...	1,899.11
Total 41150 · Liquor tax						1,899.11
41175 · PUD Franchise						
Sales R...	09/16/2024	9Franch...	Central Lincoln	September F...	41 Gener...	5,136.69
Total 41175 · PUD Franchise						5,136.69
41186 · Short Term Rentals-Application						
General ...	09/12/2024	AJE13 ...		Short Term R...	49 Short ...	3,500.00
Total 41186 · Short Term Rentals-Application						3,500.00
41000 · General Fund Revenue - Other						
Sales R...	09/10/2024	24-STR-8	Harris, Joseph ...	24-STR-8; 53...	49 Short ...	500.00
General ...	09/12/2024	AJE13 ...		Short Term R...	41 Gener...	-3,500.00
Sales R...	09/17/2024	24-STR...	Kubisch, Jessica	24-STR-10; 5...	49 Short ...	500.00
Sales R...	09/17/2024	24-STR...	Frost, Tim	24-STR-11; 8...	49 Short ...	500.00
Sales R...	09/19/2024	24-STR-1	Thomas, Jeff E...	Permit Fee	49 Short ...	1,000.00
Sales R...	09/19/2024	24-STR...	Fattal, Josh	Application F...	49 Short ...	500.00
Sales R...	09/19/2024	24-STR...	Masters, Irene	Application F...	49 Short ...	500.00
Sales R...	09/24/2024	24-STR...	Mulvihill Trust, ...	2024-2025 A...	49 Short ...	500.00
Sales R...	09/24/2024	24-STR...	Mitchell, Deena	2024-2025 A...	49 Short ...	500.00
Sales R...	09/24/2024	24-STR...	Mitchell, Deena	2024-2025 P...	49 Short ...	1,000.00
Sales R...	09/24/2024	24-STR...	Lane, Ronald & ...	2024-2025 A...	49 Short ...	500.00
Sales R...	09/24/2024	24-STR...	Lane, Ronald & ...	2024-2025 P...	49 Short ...	1,000.00
Sales R...	09/25/2024	24-STR...	Lazarow, Hadyn...	2024-2025 A...	49 Short ...	500.00
Sales R...	09/25/2024	24-STR...	Lazarow, Hadyn...	2024-2025 P...	49 Short ...	1,000.00
Sales R...	09/25/2024	24-STR...	Pacific Rental C...	2024-2025 A...	49 Short ...	500.00
Sales R...	09/25/2024	24-STR...	Altemus, Matt	Short-Term R...	49 Short ...	500.00
Sales R...	09/25/2024	24-STR...	Cournoyer, Joh...	Short-Term R...	49 Short ...	500.00
Sales R...	09/30/2024	24-STR...	Helmuth, Von	Short Term R...	49 Short ...	500.00
Sales R...	10/02/2024	24-STR...	Joy Lapping	Application F...	49 Short ...	500.00
Total 41000 · General Fund Revenue - Other						7,500.00
Total 41000 · General Fund Revenue						19,266.22

Dunes City
Income by Fund for Receipts of the Session
September 10 through October 9, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
42000 · Building Codes Fund Revenue						
42104 · Building Surcharge						
Sales R...	09/11/2024	2024-14...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	25.00
Sales R...	09/16/2024	2024-67...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	25.00
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	28.00
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	25.00
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	25.00
Sales R...	09/17/2024	2024-68...	Pacific Rental C...	19-12-11-40-...	42 Buildi...	25.00
Sales R...	09/19/2024	2024-69...	Dan Rankin Co...	19-12-22-10-...	42 Buildi...	25.00
Sales R...	09/23/2024	2024-70...	Lighthouse Elec...	83160 Clear ...	42 Buildi...	25.00
Sales R...	09/23/2024	2024-71...	Harvey and Pric...	2024-71-E; 6...	42 Buildi...	25.00
Sales R...	09/23/2024	2024-72...	Siuslaw Valley ...	82700 Maple ...	42 Buildi...	25.00
Sales R...	09/23/2024	2024-73...	T&S Plumbing I...	6018 Little W...	42 Buildi...	25.00
Sales R...	09/25/2024	2024-61...	Branscomb, Du...	2024-61-S; 8...	42 Buildi...	56.35
Total 42104 · Building Surcharge						334.35
42105 · City Admin Fees						
Sales R...	09/24/2024	Capsule	Dunes City	Time Capsul...	41 Gener...	5.00
Sales R...	10/01/2024	10012024	Danny & Meliss...	Copies	41 Gener...	5.00
Total 42105 · City Admin Fees						10.00
42115 · Electrical fees						
Sales R...	09/16/2024	2024-67...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	100.00
Sales R...	09/17/2024	2024-68...	Pacific Rental C...	19-12-11-40-...	42 Buildi...	95.00
Sales R...	09/23/2024	2024-70...	Lighthouse Elec...	83160 Clear ...	42 Buildi...	100.00
Sales R...	09/23/2024	2024-72...	Siuslaw Valley ...	82700 Maple ...	42 Buildi...	220.00
Total 42115 · Electrical fees						515.00
42120 · Excavating-Grading Fees						
42114 · Driveway Permit						
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	400.00
Total 42114 · Driveway Permit						400.00
42120 · Excavating-Grading Fees - Other						
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	60.50
Total 42120 · Excavating-Grading Fees - Other						60.50
Total 42120 · Excavating-Grading Fees						460.50
42131 · Inspection / Investigation Fee						
Sales R...	09/25/2024	2024-61...	Branscomb, Du...	2024-61-S; 8...	42 Buildi...	80.00
Total 42131 · Inspection / Investigation Fee						80.00
42135 · Manuf. Home fees						
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	400.00
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	50.00
Total 42135 · Manuf. Home fees						450.00
42140 · Mechanical Fees						
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	30.00
Sales R...	09/19/2024	2024-69...	Dan Rankin Co...	19-12-22-10-...	42 Buildi...	90.00
Total 42140 · Mechanical Fees						120.00
42145 · Plan Check/Review Fees						
Sales R...	09/11/2024	2024-14...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	142.35
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	100.00
Sales R...	09/23/2024	2024-73...	T&S Plumbing I...	6018 Little W...	42 Buildi...	142.35
Sales R...	09/25/2024	2024-61...	Branscomb, Du...	2024-61-S; 8...	42 Buildi...	523.25
Total 42145 · Plan Check/Review Fees						907.95

Dunes City Income by Fund for Receipts of the Session September 10 through October 9, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount	
42150 · Planning Fee & LUCS							
Sales R...	09/11/2024	2024-14...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	100.00	
Sales R...	09/17/2024	APP	Justin Kramer C...		42 Buildi...	100.00	
Sales R...	09/23/2024	2024-73...	T&S Plumbing I...	6018 Little W...	42 Buildi...	100.00	
Sales R...	09/25/2024	2024-61...	Branscomb, Du...	2024-61-S; 8...	42 Buildi...	100.00	
Total 42150 · Planning Fee & LUCS						400.00	
42155 · Plumbing fees							
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	92.00	
Sales R...	09/23/2024	2024-71...	Harvey and Pric...	2024-71-E; 6...	42 Buildi...	80.00	
Total 42155 · Plumbing fees						172.00	
42158 · School Tax							
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	2,754.00	
Credit M...	09/18/2024	5602	Justin Kramer C...	Refund for sc...	42 Buildi...	-4,040.55	
Credit M...	09/18/2024	5602	Justin Kramer C...	Refund for sc...	42 Buildi...	-3,059.10	
Total 42158 · School Tax						-4,345.65	
42165 · State Surcharge Fees							
Sales R...	09/11/2024	2024-14...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	26.28	
Sales R...	09/16/2024	2024-67...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	12.00	
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	65.04	
Sales R...	09/17/2024	2024-68...	Pacific Rental C...	19-12-11-40-...	42 Buildi...	11.40	
Sales R...	09/19/2024	2024-69...	Dan Rankin Co...	19-12-22-10-...	42 Buildi...	10.80	
Sales R...	09/23/2024	2024-70...	Lighthouse Elec...	83160 Clear ...	42 Buildi...	12.00	
Sales R...	09/23/2024	2024-71...	Harvey and Pric...	2024-71-E; 6...	42 Buildi...	9.60	
Sales R...	09/23/2024	2024-72...	Siuslaw Valley ...	82700 Maple ...	42 Buildi...	26.40	
Sales R...	09/23/2024	2024-73...	T&S Plumbing I...	6018 Little W...	42 Buildi...	26.28	
Sales R...	09/25/2024	2024-61...	Branscomb, Du...	2024-61-S; 8...	42 Buildi...	96.60	
Total 42165 · State Surcharge Fees						296.40	
42175 · Structural Fees & Demolition							
Sales R...	09/11/2024	2024-14...	Harvey and Pric...	19-12-11-40-...	42 Buildi...	219.00	
Sales R...	09/17/2024	APP	Justin Kramer C...		42 Buildi...	1,690.65	
Sales R...	09/23/2024	2024-73...	T&S Plumbing I...	6018 Little W...	42 Buildi...	219.00	
Sales R...	09/25/2024	2024-61...	Branscomb, Du...	2024-61-S; 8...	42 Buildi...	805.00	
Total 42175 · Structural Fees & Demolition						2,933.65	
42000 · Building Codes Fund Revenue - Other							
Sales R...	09/17/2024	2024-62-s	Stinger Excavati...	19-12-34-20-...	42 Buildi...	100.00	
Total 42000 · Building Codes Fund Revenue - Other						100.00	
Total 42000 · Building Codes Fund Revenue							2,434.20
43000 · State Street Fund Revenue							
43115 · State Hwy Apportionment							
Sales R...	09/18/2024	Septem...	ODOT Apportio...	September 2...	41 Gener...	8,495.28	
Total 43115 · State Hwy Apportionment						8,495.28	
Total 43000 · State Street Fund Revenue							8,495.28
46000 · Water Right Fund Revenue							
46104 · Fish Screens							
Invoice	09/10/2024	335456	John, Chris and...	Purchase of f...	46 Water...	76.29	
Invoice	09/10/2024	335456	John, Chris and...	Diver	46 Water...	82.48	
Invoice	09/12/2024	335440	Lakeshore RV ...	Purchase of ...	46 Water...	185.00	
Credit M...	09/12/2024	5598	Lakeshore RV ...	Purchase of ...	46 Water...	-185.00	
Total 46104 · Fish Screens						158.77	

Dunes City

Income by Fund for Receipts of the Session

September 10 through October 9, 2024

Type	Date	Num	Name	Memo	Class	Paid Amount
46105 - Administrative Fees						
Invoice	09/10/2024	335456	John, Chris and...	2022-2023 A...	46 Water...	41.23
Invoice	09/11/2024	06314	Lakeshore RV ...	2023-2024 W...	46 Water...	100.00
Invoice	09/11/2024	06314	Lakeshore RV ...	2024-2025 W...	46 Water...	100.00
Invoice	09/12/2024	335440	Lakeshore RV ...	2022-2023 A...	46 Water...	100.00
Credit M...	09/12/2024	5598	Lakeshore RV ...	2022-2023 A...	46 Water...	-100.00
Sales R...	09/12/2024	1000	Pacific Rental C...	Meter Installa...	46 Water...	650.00
Sales R...	09/12/2024	1000	Pacific Rental C...	Water Admini...	46 Water...	100.00
Invoice	09/16/2024	2024-25...	Hunt, Daren & ...	2023-2024 W...	46 Water...	50.00
Invoice	09/16/2024	2024-25...	Hunt, Daren & ...	2024-2025 W...	46 Water...	50.00
Invoice	09/16/2024	5721	Stewart, Elaine ...	2023-2024 ...	46 Water...	50.00
Invoice	09/16/2024	5721	Stewart, Elaine ...	2024-2025 ...	46 Water...	50.00
Invoice	09/16/2024	06315	Lopez, Catherin...	11/30/2022 in...	46 Water...	9.61
Invoice	09/16/2024	06315	Lopez, Catherin...	Installation a...	46 Water...	10.39
Invoice	09/17/2024	335404	Starkey, Bill	2022-2023 A...	46 Water...	100.00
Invoice	09/17/2024	2023-24...	Starkey, Bill	2023-2024 A...	46 Water...	100.00
Invoice	09/17/2024	5732	Ziegler, Eric	2023-2024 ...	46 Water...	100.00
Invoice	09/17/2024	5732	Ziegler, Eric	2024-2025 ...	46 Water...	100.00
Invoice	09/17/2024	5596	Richardson, Gu...	2023-2024 W...	46 Water...	100.00
Invoice	09/17/2024	5596	Richardson, Gu...	2024-2025 W...	46 Water...	100.00
Invoice	09/24/2024	2024-25...	Holbrook, Adam...	2023-2024 W...	46 Water...	100.00
Invoice	09/24/2024	2024-25...	Holbrook, Adam...	2024-2025 W...	46 Water...	100.00
Invoice	09/24/2024	5677	Levenson, Alber...	2023-2024 W...	46 Water...	100.00
Invoice	09/24/2024	5677	Levenson, Alber...	2024-2025 W...	46 Water...	100.00
Invoice	09/24/2024	06304	Mulvihill Trust, ...	2024-2025 W...	46 Water...	100.00
Invoice	09/25/2024	5680	Bolander Trust	2022-2023 W...	46 Water...	100.00
Invoice	09/25/2024	5680	Bolander Trust	2023-2024 W...	46 Water...	100.00
Invoice	09/25/2024	5680	Bolander Trust	2024-2025 W...	46 Water...	100.00
Invoice	09/25/2024	06305	Kibitt Trust	2023-2024 W...	46 Water...	100.00
Invoice	09/25/2024	06305	Kibitt Trust	2024-2025 W...	46 Water...	100.00
Invoice	09/25/2024	5597	Kibitt, Richard	2023-2024 W...	46 Water...	100.00
Invoice	09/25/2024	5597	Kibitt, Richard	2024-2025 W...	46 Water...	100.00
Invoice	09/26/2024	5704	Perry, Max W. ...	2022-2023 W...	46 Water...	100.00
Invoice	09/26/2024	5704	Perry, Max W. ...	2023-2024 W...	46 Water...	100.00
Invoice	09/26/2024	5704	Perry, Max W. ...	2024-2025 W...	46 Water...	100.00
Invoice	09/30/2024	335524	Head, Robert & ...	2022-2023 A...	46 Water...	100.00
Invoice	09/30/2024	23-0318	Puttman Infrastr...	Additional Ho...	46 Water...	2,211.54
Invoice	09/30/2024	23-0318	Puttman Infrastr...	Additional Ho...	46 Water...	288.46
Invoice	09/30/2024	5696	Navarro, Shirley...	2023-2024 W...	46 Water...	50.00
Invoice	09/30/2024	5696	Navarro, Shirley...	2024-2025 W...	46 Water...	50.00
Invoice	09/30/2024	23-0318	Puttman Infrastr...	2024-2025 w...	46 Water...	88.46
Invoice	09/30/2024	23-0318	Puttman Infrastr...	2024-2025 w...	46 Water...	11.54
Invoice	09/30/2024	06311	Head, Robert & ...	2023-2024 W...	46 Water...	100.00
Invoice	09/30/2024	06311	Head, Robert & ...	2024-2025 W...	46 Water...	100.00
Invoice	09/30/2024	5595	Pesnell, Kennet...	2023-2024 W...	46 Water...	100.00
Invoice	09/30/2024	5595	Pesnell, Kennet...	2024-2025 W...	46 Water...	100.00
Credit M...	09/30/2024	5612	Puttman Infrastr...	Actually put i...	46 Water...	-300.00
Invoice	10/01/2024	5665	Johnson, Christ...	2023-2024 W...	46 Water...	100.00
Invoice	10/01/2024	5665	Johnson, Christ...	2024-2025 W...	46 Water...	100.00
Invoice	10/02/2024	2024-25...	Briggs, Richard ...	2023-2024 W...	46 Water...	50.00
Invoice	10/02/2024	2024-25...	Briggs, Richard ...	2024-2025 W...	46 Water...	50.00
Invoice	10/02/2024	5672	Kollmorgen, M....	2018-2019 W...	46 Water...	100.00
Invoice	10/02/2024	5672	Kollmorgen, M....	2019-2020 W...	46 Water...	100.00
Invoice	10/02/2024	5672	Kollmorgen, M....	2024-2025 W...	46 Water...	100.00
Total 46105 - Administrative Fees						6,811.23
Total 46000 - Water Right Fund Revenue						6,970.00
Total 40000 - Fund Revenue						37,165.70
Total Income						37,165.70
Gross Profit						37,165.70
Net Ordinary Income						37,165.70
Net Income						37,165.70

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

		41 General Fund
Ordinary Income/Expense		
Income		
40000 · Fund Revenue		
41000 · General Fund Revenue		
41107 · Business License Fees	425.00	
41115 · Cigarette Tax	90.16	
41125 · Fines	590.26	
41145 · Lien Search Fees	125.00	
41150 · Liquor tax	1,899.11	
41175 · PUD Franchise	5,136.69	
41186 · Short Term Rentals-Application	0.00	
41000 · General Fund Revenue - Other	-3,500.00	
Total 41000 · General Fund Revenue		4,766.22
42000 · Building Codes Fund Revenue		
42104 · Building Surcharge	0.00	
42105 · City Admin Fees	10.00	
42115 · Electrical fees	0.00	
42120 · Excavating-Grading Fees		
42114 · Driveway Permit	0.00	
42120 · Excavating-Grading Fees - Other	0.00	
Total 42120 · Excavating-Grading Fees		0.00
42131 · Inspection / Investigation Fee	0.00	
42135 · Manuf. Home fees	0.00	
42140 · Mechanical Fees	0.00	
42145 · Plan Check/Review Fees	0.00	
42150 · Planning Fee & LUCS	0.00	
42155 · Plumbing fees	0.00	
42158 · School Tax	0.00	
42165 · State Surcharge Fees	0.00	
42175 · Structural Fees & Demolition	0.00	
42000 · Building Codes Fund Revenue - Other	0.00	
Total 42000 · Building Codes Fund Revenue		10.00
43000 · State Street Fund Revenue		
43115 · State Hwy Apportionment	0.00	
Total 43000 · State Street Fund Revenue		0.00
46000 · Water Right Fund Revenue		
46104 · Fish Screens	0.00	
46105 · Administrative Fees	0.00	
Total 46000 · Water Right Fund Revenue		0.00
Total 40000 · Fund Revenue		4,776.22
Total Income		4,776.22
Gross Profit		4,776.22
Expense		
51000 · Fund Expenses		
51100 · Personal Services		
Administrative Wages	6,313.33	
FUTA	0.00	
Medicare	26.51	
Oregon Unemployment	87.78	
PERS-City Contrib	0.00	
PERS-Employee	0.00	
Social Security	113.38	
Worker Comp Hourly	0.00	
Total 51100 · Personal Services		6,541.00

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

41 General Fund

51300 · Materials & Services	
Building Dept Svs	0.00
Community Center Maint/Repair	0.00
Consulting - Contracted	145.00
Custodial	230.00
Dues	567.41
Meter Readings	0.00
Office Equipment lease-copier	0.00
School Excise Tax	0.00
Street Lighting	0.00
Utilities	0.00
Video Programming	390.00
Water Right Preservation	436.22
Total 51300 · Materials & Services	<u>1,768.63</u>
Total 51000 · Fund Expenses	8,309.63
66000 · Payroll Expenses	4.62
Total Expense	<u>8,314.25</u>
Net Ordinary Income	<u>-3,538.03</u>
Net Income	<u><u>-3,538.03</u></u>

Dunes City
Profit & Loss by Class
 September 10 through October 9, 2024

		42 Building Codes Fund
Ordinary Income/Expense		
Income		
40000 · Fund Revenue		
41000 · General Fund Revenue		
41107 · Business License Fees	0.00	
41115 · Cigarette Tax	0.00	
41125 · Fines	0.00	
41145 · Lien Search Fees	0.00	
41150 · Liquor tax	0.00	
41175 · PUD Franchise	0.00	
41186 · Short Term Rentals-Application	0.00	
41000 · General Fund Revenue - Other	0.00	
Total 41000 · General Fund Revenue		0.00
42000 · Building Codes Fund Revenue		
42104 · Building Surcharge	334.35	
42105 · City Admin Fees	0.00	
42115 · Electrical fees	515.00	
42120 · Excavating-Grading Fees		
42114 · Driveway Permit	400.00	
42120 · Excavating-Grading Fees - Other	60.50	
Total 42120 · Excavating-Grading Fees	460.50	
42131 · Inspection / Investigation Fee	80.00	
42135 · Manuf: Home fees	450.00	
42140 · Mechanical Fees	120.00	
42145 · Plan Check/Review Fees	907.95	
42150 · Planning Fee & LUCS	400.00	
42155 · Plumbing fees	172.00	
42158 · School Tax	-4,345.65	
42165 · State Surcharge Fees	296.40	
42175 · Structural Fees & Demolition	2,933.65	
42000 · Building Codes Fund Revenue - Other	100.00	
Total 42000 · Building Codes Fund Revenue		2,424.20
43000 · State Street Fund Revenue		
43115 · State Hwy Apportionment	0.00	
Total 43000 · State Street Fund Revenue		0.00
46000 · Water Right Fund Revenue		
46104 · Fish Screens	0.00	
46105 · Administrative Fees	0.00	
Total 46000 · Water Right Fund Revenue		0.00
Total 40000 · Fund Revenue		2,424.20
Total Income		2,424.20
Gross Profit		2,424.20
Expense		
51000 · Fund Expenses		
51100 · Personal Services		
Administrative Wages	2,180.00	
FUTA	0.00	
Medicare	0.00	
Oregon Unemployment	0.00	
PERS-City Contrib	0.00	
PERS-Employee	0.00	
Social Security	0.00	
Worker Comp Hourly	0.00	
Total 51100 · Personal Services		2,180.00

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

42 Building Codes Fund

51300 · Materials & Services	
Building Dept Svs	1,690.65
Community Center Maint/Repair	0.00
Consulting - Contracted	0.00
Custodial	0.00
Dues	0.00
Meter Readings	0.00
Office Equipment lease-copier	0.00
School Excise Tax	2,643.84
Street Lighting	0.00
Utilities	0.00
Video Programming	0.00
Water Right Preservation	0.00
	<hr/>
Total 51300 · Materials & Services	4,334.49
	<hr/>
Total 51000 · Fund Expenses	6,514.49
	<hr/>
66000 · Payroll Expenses	0.00
	<hr/>
Total Expense	6,514.49
	<hr/>
Net Ordinary Income	-4,090.29
	<hr/>
Net Income	-4,090.29
	<hr/> <hr/>

Dunes City
Profit & Loss by Class
 September 10 through October 9, 2024

	43 Street Fund
Ordinary Income/Expense	
Income	
40000 · Fund Revenue	
41000 · General Fund Revenue	
41107 · Business License Fees	0.00
41115 · Cigarette Tax	0.00
41125 · Fines	0.00
41145 · Lien Search Fees	0.00
41150 · Liquor tax	0.00
41175 · PUD Franchise	0.00
41186 · Short Term Rentals-Application	0.00
41000 · General Fund Revenue - Other	0.00
Total 41000 · General Fund Revenue	0.00
42000 · Building Codes Fund Revenue	
42104 · Building Surcharge	0.00
42105 · City Admin Fees	0.00
42115 · Electrical fees	0.00
42120 · Excavating-Grading Fees	
42114 · Driveway Permit	0.00
42120 · Excavating-Grading Fees - Other	0.00
Total 42120 · Excavating-Grading Fees	0.00
42131 · Inspection / Investigation Fee	0.00
42135 · Manuf. Home fees	0.00
42140 · Mechanical Fees	0.00
42145 · Plan Check/Review Fees	0.00
42150 · Planning Fee & LUCS	0.00
42155 · Plumbing fees	0.00
42158 · School Tax	0.00
42165 · State Surcharge Fees	0.00
42175 · Structural Fees & Demolition	0.00
42000 · Building Codes Fund Revenue - Other	0.00
Total 42000 · Building Codes Fund Revenue	0.00
43000 · State Street Fund Revenue	
43115 · State Hwy Apportionment	8,495.28
Total 43000 · State Street Fund Revenue	8,495.28
46000 · Water Right Fund Revenue	
46104 · Fish Screens	0.00
46105 · Administrative Fees	0.00
Total 46000 · Water Right Fund Revenue	0.00
Total 40000 · Fund Revenue	8,495.28
Total Income	8,495.28
Gross Profit	8,495.28
Expense	
51000 · Fund Expenses	
51100 · Personal Services	
Administrative Wages	0.00
FUTA	0.00
Medicare	0.00
Oregon Unemployment	0.00
PERS-City Contrib	0.00
PERS-Employee	0.00
Social Security	0.00
Worker Comp Hourly	0.00
Total 51100 · Personal Services	0.00

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

	<u>43 Street Fund</u>
51300 · Materials & Services	
Building Dept Svs	0.00
Community Center Maint/Repair	85.00
Consulting - Contracted	0.00
Custodial	0.00
Dues	0.00
Meter Readings	0.00
Office Equipment lease-copier	593.00
School Excise Tax	0.00
Street Lighting	2,142.85
Utilities	0.00
Video Programming	0.00
Water Right Preservation	0.00
Total 51300 · Materials & Services	<u>2,820.85</u>
Total 51000 · Fund Expenses	2,820.85
66000 · Payroll Expenses	<u>0.00</u>
Total Expense	<u>2,820.85</u>
Net Ordinary Income	<u>5,674.43</u>
Net Income	<u><u>5,674.43</u></u>

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

45 Motel Fund

Ordinary Income/Expense

Income :

40000 · Fund Revenue

41000 · General Fund Revenue

41107 · Business License Fees	0.00
41115 · Cigarette Tax	0.00
41125 · Fines	0.00
41145 · Lien Search Fees	0.00
41150 · Liquor tax	0.00
41175 · PUD Franchise	0.00
41186 · Short Term Rentals-Application	0.00
41000 · General Fund Revenue - Other	0.00

Total 41000 · General Fund Revenue 0.00

42000 · Building Codes Fund Revenue

42104 · Building Surcharge	0.00
42105 · City Admin Fees	0.00
42115 · Electrical fees	0.00
42120 · Excavating-Grading Fees	
42114 · Driveway Permit	0.00
42120 · Excavating-Grading Fees - Other	0.00

Total 42120 · Excavating-Grading Fees 0.00

42131 · Inspection / Investigation Fee	0.00
42135 · Manuf. Home fees	0.00
42140 · Mechanical Fees	0.00
42145 · Plan Check/Review Fees	0.00
42150 · Planning Fee & LUCS	0.00
42155 · Plumbing fees	0.00
42158 · School Tax	0.00
42165 · State Surcharge Fees	0.00
42175 · Structural Fees & Demolition	0.00
42000 · Building Codes Fund Revenue - Other	0.00

Total 42000 · Building Codes Fund Revenue 0.00

43000 · State Street Fund Revenue

43115 · State Hwy Apportionment	0.00
---------------------------------	------

Total 43000 · State Street Fund Revenue 0.00

46000 · Water Right Fund Revenue

46104 · Fish Screens	0.00
46105 · Administrative Fees	0.00

Total 46000 · Water Right Fund Revenue 0.00

Total 40000 · Fund Revenue 0.00

Total Income 0.00

Gross Profit 0.00

Expense

51000 · Fund Expenses

51100 · Personal Services

Administrative Wages	0.00
FUTA	0.00
Medicare	0.00
Oregon Unemployment	0.00
PERS-City Contrib	0.00
PERS-Employee	0.00
Social Security	0.00
Worker Comp Hourly	0.00

Total 51100 · Personal Services 0.00

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

45 Motel Fund

51300 · Materials & Services	
Building Dept Svs	0.00
Community Center Maint/Repair	0.00
Consulting - Contracted	0.00
Custodial	0.00
Dues	0.00
Meter Readings	0.00
Office Equipment lease-copier	0.00
School Excise Tax	0.00
Street Lighting	0.00
Utilities	136.73
Video Programming	0.00
Water Right Preservation	0.00
	<hr/>
Total 51300 · Materials & Services	136.73
	<hr/>
Total 51000 · Fund Expenses	136.73
	<hr/>
66000 · Payroll Expenses	0.00
	<hr/>
Total Expense	136.73
	<hr/>
Net Ordinary Income	-136.73
	<hr/>
Net Income	-136.73
	<hr/> <hr/>

Dunes City
Profit & Loss by Class
 September 10 through October 9, 2024

	46 Water Fund
Ordinary Income/Expense	
Income	
40000 · Fund Revenue	
41000 · General Fund Revenue	
41107 · Business License Fees	0.00
41115 · Cigarette Tax	0.00
41125 · Fines	0.00
41145 · Lien Search Fees	0.00
41150 · Liquor tax	0.00
41175 · PUD Franchise	0.00
41186 · Short Term Rentals-Application	0.00
41000 · General Fund Revenue - Other	0.00
Total 41000 · General Fund Revenue	0.00
42000 · Building Codes Fund Revenue	
42104 · Building Surcharge	0.00
42105 · City Admin Fees	0.00
42115 · Electrical fees	0.00
42120 · Excavating-Grading Fees	
42114 · Driveway Permit	0.00
42120 · Excavating-Grading Fees - Other	0.00
Total 42120 · Excavating-Grading Fees	0.00
42131 · Inspection / Investigation Fee	0.00
42135 · Manuf. Home fees	0.00
42140 · Mechanical Fees	0.00
42145 · Plan Check/Review Fees	0.00
42150 · Planning Fee & LUCS	0.00
42155 · Plumbing fees	0.00
42158 · School Tax	0.00
42165 · State Surcharge Fees	0.00
42175 · Structural Fees & Demolition	0.00
42000 · Building Codes Fund Revenue - Other	0.00
Total 42000 · Building Codes Fund Revenue	0.00
43000 · State Street Fund Revenue	
43115 · State Hwy Apportionment	0.00
Total 43000 · State Street Fund Revenue	0.00
46000 · Water Right Fund Revenue	
46104 · Fish Screens	158.77
46105 · Administrative Fees	6,811.23
Total 46000 · Water Right Fund Revenue	6,970.00
Total 40000 · Fund Revenue	6,970.00
Total Income	6,970.00
Gross Profit	6,970.00
Expense	
51000 · Fund Expenses	
51100 · Personal Services	
Administrative Wages	4,915.83
FUTA	0.00
Medicare	110.59
Oregon Unemployment	366.08
PERS-City Contrib	0.00
PERS-Employee	0.00
Social Security	472.85
Worker Comp Hourly	0.00
Total 51100 · Personal Services	5,865.35

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

46 Water Fund

51300 · Materials & Services	
Building Dept Svs	0.00
Community Center Maint/Repair	0.00
Consulting - Contracted	0.00
Custodial	0.00
Dues	0.00
Meter Readings	346.25
Office Equipment lease-copier	0.00
School Excise Tax	0.00
Street Lighting	0.00
Utilities	0.00
Video Programming	0.00
Water Right Preservation	0.00
Total 51300 · Materials & Services	346.25
Total 51000 · Fund Expenses	6,211.60
66000 · Payroll Expenses	0.00
Total Expense	6,211.60
Net Ordinary Income	758.40
Net Income	758.40

Dunes City
Profit & Loss by Class
 September 10 through October 9, 2024

	49 Short Term Rental
Ordinary Income/Expense	
Income	
40000 · Fund Revenue	
41000 · General Fund Revenue	
41107 · Business License Fees	0.00
41115 · Cigarette Tax	0.00
41125 · Fines	0.00
41145 · Lien Search Fees	0.00
41150 · Liquor tax	0.00
41175 · PUD Franchise	0.00
41186 · Short Term Rentals-Application	3,500.00
41000 · General Fund Revenue - Other	11,000.00
Total 41000 · General Fund Revenue	14,500.00
42000 · Building Codes Fund Revenue	
42104 · Building Surcharge	0.00
42105 · City Admin Fees	0.00
42115 · Electrical fees	0.00
42120 · Excavating-Grading Fees	
42114 · Driveway Permit	0.00
42120 · Excavating-Grading Fees - Other	0.00
Total 42120 · Excavating-Grading Fees	0.00
42131 · Inspection / Investigation Fee	0.00
42135 · Manuf. Home fees	0.00
42140 · Mechanical Fees	0.00
42145 · Plan Check/Review Fees	0.00
42150 · Planning Fee & LUCS	0.00
42155 · Plumbing fees	0.00
42158 · School Tax	0.00
42165 · State Surcharge Fees	0.00
42175 · Structural Fees & Demolition	0.00
42000 · Building Codes Fund Revenue - Other	0.00
Total 42000 · Building Codes Fund Revenue	0.00
43000 · State Street Fund Revenue	
43115 · State Hwy Apportionment	0.00
Total 43000 · State Street Fund Revenue	0.00
46000 · Water Right Fund Revenue	
46104 · Fish Screens	0.00
46105 · Administrative Fees	0.00
Total 46000 · Water Right Fund Revenue	0.00
Total 40000 · Fund Revenue	14,500.00
Total Income	14,500.00
Gross Profit	14,500.00
Expense	
51000 · Fund Expenses	
51100 · Personal Services	
Administrative Wages	2,415.00
FUTA	0.00
Medicare	66.63
Oregon Unemployment	220.56
PERS-City Contrib	0.00
PERS-Employee	0.00
Social Security	284.89
Worker Comp Hourly	1.69
Total 51100 · Personal Services	2,988.77

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

49 Short Term Rental

51300 · Materials & Services	
Building Dept Svs	0.00
Community Center Maint/Repair	0.00
Consulting - Contracted	0.00
Custodial	0.00
Dues	0.00
Meter Readings	0.00
Office Equipment lease-copier	0.00
School Excise Tax	0.00
Street Lighting	0.00
Utilities	0.00
Video Programming	0.00
Water Right Preservation	0.00
	<hr/>
Total 51300 · Materials & Services	0.00
	<hr/>
Total 51000 · Fund Expenses	2,988.77
	<hr/>
66000 · Payroll Expenses	0.00
	<hr/>
Total Expense	2,988.77
	<hr/>
Net Ordinary Income	11,511.23
	<hr/>
Net Income	11,511.23
	<hr/> <hr/>

Dunes City
Profit & Loss by Class
 September 10 through October 9, 2024

	Unclassified
Ordinary Income/Expense	
Income	
40000 · Fund Revenue	
41000 · General Fund Revenue	
41107 · Business License Fees	0.00
41115 · Cigarette Tax	0.00
41125 · Fines	0.00
41145 · Lien Search Fees	0.00
41150 · Liquor tax	0.00
41175 · PUD Franchise	0.00
41186 · Short Term Rentals-Application	0.00
41000 · General Fund Revenue - Other	0.00
Total 41000 · General Fund Revenue	0.00
42000 · Building Codes Fund Revenue	
42104 · Building Surcharge	0.00
42105 · City Admin Fees	0.00
42115 · Electrical fees	0.00
42120 · Excavating-Grading Fees	
42114 · Driveway Permit	0.00
42120 · Excavating-Grading Fees - Other	0.00
Total 42120 · Excavating-Grading Fees	0.00
42131 · Inspection / Investigation Fee	0.00
42135 · Manuf. Home fees	0.00
42140 · Mechanical Fees	0.00
42145 · Plan Check/Review Fees	0.00
42150 · Planning Fee & LUCS	0.00
42155 · Plumbing fees	0.00
42158 · School Tax	0.00
42165 · State Surcharge Fees	0.00
42175 · Structural Fees & Demolition	0.00
42000 · Building Codes Fund Revenue - Other	0.00
Total 42000 · Building Codes Fund Revenue	0.00
43000 · State Street Fund Revenue	
43115 · State Hwy Apportionment	0.00
Total 43000 · State Street Fund Revenue	0.00
46000 · Water Right Fund Revenue	
46104 · Fish Screens	0.00
46105 · Administrative Fees	0.00
Total 46000 · Water Right Fund Revenue	0.00
Total 40000 · Fund Revenue	0.00
Total Income	0.00
Gross Profit	0.00
Expense	
51000 · Fund Expenses	
51100 · Personal Services	
Administrative Wages	0.00
FUTA	0.00
Medicare	0.00
Oregon Unemployment	0.00
PERS-City Contrib	107.28
PERS-Employee	0.00
Social Security	0.00
Worker Comp Hourly	0.00
Total 51100 · Personal Services	107.28

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

	<u>Unclassified</u>	
51300 · Materials & Services		
Building Dept Svs	0.00	
Community Center Maint/Repair	0.00	
Consulting - Contracted	0.00	
Custodial	0.00	
Dues	0.00	
Meter Readings	0.00	
Office Equipment lease-copier	0.00	
School Excise Tax	0.00	
Street Lighting	0.00	
Utilities	0.00	
Video Programming	0.00	
Water Right Preservation	0.00	
	<hr/>	
Total 51300 · Materials & Services	0.00	
	<hr/>	
Total 51000 · Fund Expenses		107.28
		<hr/>
66000 · Payroll Expenses		0.00
		<hr/>
Total Expense		107.28
		<hr/>
Net Ordinary Income		-107.28
		<hr/>
Net Income		<u><u>-107.28</u></u>

Dunes City
Profit & Loss by Class
 September 10 through October 9, 2024

	TOTAL
Ordinary Income/Expense	
Income	
40000 · Fund Revenue	
41000 · General Fund Revenue	
41107 · Business License Fees	425.00
41115 · Cigarette Tax	90.16
41125 · Fines	590.26
41145 · Lien Search Fees	125.00
41150 · Liquor tax	1,899.11
41175 · PUD Franchise	5,136.69
41186 · Short Term Rentals-Application	3,500.00
41000 · General Fund Revenue - Other	7,500.00
Total 41000 · General Fund Revenue	19,266.22
42000 · Building Codes Fund Revenue	
42104 · Building Surcharge	334.35
42105 · City Admin Fees	10.00
42115 · Electrical fees	515.00
42120 · Excavating-Grading Fees	
42114 · Driveway Permit	400.00
42120 · Excavating-Grading Fees - Other	60.50
Total 42120 · Excavating-Grading Fees	460.50
42131 · Inspection / Investigation Fee	80.00
42135 · Manuf. Home fees	450.00
42140 · Mechanical Fees	120.00
42145 · Plan Check/Review Fees	907.95
42150 · Planning Fee & LUCS	400.00
42155 · Plumbing fees	172.00
42158 · School Tax	-4,345.65
42165 · State Surcharge Fees	296.40
42175 · Structural Fees & Demolition	2,933.65
42000 · Building Codes Fund Revenue - Other	100.00
Total 42000 · Building Codes Fund Revenue	2,434.20
43000 · State Street Fund Revenue	
43115 · State Hwy Apportionment	8,495.28
Total 43000 · State Street Fund Revenue	8,495.28
46000 · Water Right Fund Revenue	
46104 · Fish Screens	158.77
46105 · Administrative Fees	6,811.23
Total 46000 · Water Right Fund Revenue	6,970.00
Total 40000 · Fund Revenue	37,165.70
Total Income	37,165.70
Gross Profit	37,165.70
Expense	
51000 · Fund Expenses	
51100 · Personal Services	
Administrative Wages	15,824.16
FUTA	0.00
Medicare	203.73
Oregon Unemployment	674.42
PERS-City Contrib	107.28
PERS-Employee	0.00
Social Security	871.12
Worker Comp Hourly	1.69
Total 51100 · Personal Services	17,682.40

3:56 PM
10/03/24
Cash Basis

Dunes City
Profit & Loss by Class
September 10 through October 9, 2024

	<u>TOTAL</u>
51300 · Materials & Services	
Building Dept Svs	1,690.65
Community Center Maint/Repair	85.00
Consulting - Contracted	145.00
Custodial	230.00
Dues	567.41
Meter Readings	346.25
Office Equipment lease-copier	593.00
School Excise Tax	2,643.84
Street Lighting	2,142.85
Utilities	136.73
Video Programming	390.00
Water Right Preservation	436.22
	<hr/>
Total 51300 · Materials & Services	9,406.95
	<hr/>
Total 51000 · Fund Expenses	27,089.35
	<hr/>
66000 · Payroll Expenses	4.62
	<hr/>
Total Expense	27,093.97
	<hr/>
Net Ordinary Income	10,071.73
	<hr/>
Net Income	<u><u>10,071.73</u></u>

CITY OF DUNES CITY
LANE COUNTY, OREGON
ORDINANCE NO. 270

**AN ORDINANCE REPEALING PREVIOUS FLOOD PLAIN ORDINANCES,
ADOPTING NO NET LOSS FLOOD HAZARD REGULATIONS IF APPROVED
AND ADOPTED BY FEMA AND THE STATE OF OREGON.**

The City of Dunes City ordains as follows:

**Section 1 – Statutory Authorization, Findings of Fact, Purpose, and Objectives, and
General Provisions**

CHAPTER 153: FLOOD DAMAGE PREVENTION

Section

General Provisions

153.01	Statutory authorization
153.02	Findings
153.03	Purpose
153.04	Methods of reducing flood losses
153.05	Definitions
153.06	Applicability of provisions
153.07	Basis for establishing areas of special flood hazard; Flood Insurance Rate Map
153.08	Abrogation and Severability
153.09	Interpretation
153.10	Warning and disclaimer of liability

Provisions for Flood Hazard Reduction

153.20	General standards
153.21	Specific standards
153.22	Manufactured Dwellings
153.23	Recreation Vehicles
153.24	Small Accessory Structures
153.25	Below Grade Crawl Spaces
153.26	Before Regulatory Floodway
153.27	Floodways
153.28	Standards for Shallow Flooding Areas (AO Zones)
153.29	Standards for Protection of SFHA Floodplain Functions

153.30 through 153.34 *Reserved*

Permits; Administration

153.35	Permit for development required
153.36	Permit application

- 153.37 Designation of the Local Floodplain Administrator
- 153.38 Duties and Responsibilities of the Local Floodplain Administrator
- 153.39 Use of other base flood data
- 153.40 Information to be obtained and maintained by Floodplain Administrator
- 153.41 Alteration of water courses
- 153.42 Requirement to Submit New Technical Data
- 153.43 Interpretation of FIRM Boundaries
- 153.44 Critical Facilities

153.45 through 153.49 *Reserved.*

VARIANCE PROCEDURES

- 153.50 Appeal Board
- 153.51 Conditions for Variances

153.52 through 153.98 *Reserved*

- 153.99 Penalties for Noncompliance

GENERAL PROVISIONS

§ 153.01 STATUTORY AUTHORIZATION

The legislature of the State has in O.R.S. 221.410 (1) delegated the responsibility to local government units to take all action necessary or convenient for the government of their local affairs, and in O.R.S. 227.010 *et seq.*, delegated the responsibility to cities to enact zoning ordinances and regulations pertaining to the development of land.

§ 153.02 FINDINGS

A The flood hazard areas of the City preserve the natural and beneficial values served by floodplains but are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

B These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

§ 153.03 PURPOSE

The purpose of this Chapter 153 is to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditures of public money and costly flood control projects;
- C. Preserve natural and beneficial floodplain functions;
- D. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- E. Minimize prolonged business interruptions;
- F. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in areas of special flood hazard;
- G. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- H. Ensure that potential buyers are notified that property is in an area of special flood hazard; and,
- I. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 153.04 METHODS OF REDUCING FLOOD LOSSES

In Order to accomplish its purposes, this Chapter 153 includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural flood plains, stream channels and natural protective barriers which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging and other development which may increase flood damage;
- E. Preventing or regulating the construction of flood barriers which unnaturally divert flood waters or may increase flood hazards in other areas;

- F. Coordinating and supplementing the provisions of the State Building Code and local land use and development codes.
- G. Employing a standard of “no net loss” of natural and beneficial floodplain functions.

§ 153.05 DEFINITIONS

For the purpose of this Chapter 153, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPEAL. A request for a review of the interpretation of any provision of this Chapter 153 or a request for a variance.

AREA OF SHALLOW FLOODING. A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD. The land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AE, AO, and AH. “Special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard.”

ASCE. American Society of Civil Engineers.

BASE FLOOD. The flood having a one percent (1%) chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters “A” or “V”.

BASE FLOOD ELEVATION (BFE). The elevation to which floodwater is anticipated to rise during the base flood.

BASEMENT. Any area of the building having its floor subgrade (below ground level) on all sides.

BELOW-GRADE CRAWL SPACE. An enclosed area below the base flood elevation in which the interior grade is not more than two (2) feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawl space to the top of the crawl space foundation, does not exceed four (4) feet at any point.

CRITICAL FACILITY. A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, including evacuation centers, and installations which produce, use or store hazardous materials or hazardous waste.

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

ELEVATED BUILDING. For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

FILL. Placement of any materials such as soil, gravel, crushed stone, or other materials that change the elevation of the floodplain. The placement of fill is considered “development.”

FISH ACCESSIBLE SPACE. The volumetric space available to fish to access.

FISH EGRESS-ABLE SPACE. The volumetric space available to fish to exit or leave from.

FLOOD or FLOODING.

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters;

(2) The unusual and rapid accumulation or runoff of surface waters from any source;

(3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph A(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph A(1) of this definition.

FLOOD ELEVATION STUDY. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD INSURANCE RATE MAP (FIRM). The official map of a community on which the Federal Insurance Administrator has delineated both special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

FLOOD INSURANCE STUDY. See “Flood Elevation Study”.

FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. Also referred to as “Regulatory Floodway”.

GREEN INFRASTRUCTURE. Use of natural or human-made hydrologic features to manage water and provide environmental and community benefits. Green infrastructure uses management approaches and technologies that use, enhance, and/or mimic the natural hydrologic cycle processes on infiltration, evapotranspiration, and reuse. At a large scale, it is an interconnected network of green space that conserves natural systems and provides assorted benefits to human populations. At a local scale, it manages stormwater by infiltrating it into the ground where it is generated using vegetation or porous surfaces, or by capturing it for later reuse. Green infrastructure practices can be used to achieve no net loss of pervious surface by creating infiltration of stormwater in an amount equal to or greater than the infiltration lost by the placement of new impervious surface.

HABITAT RESTORATION ACTIVITIES. Activities with the sole purpose of restoring habitats that have only temporary impacts and long-term benefits to habitat. Such projects cannot include ancillary structures such as a storage shed for maintenance equipment, must demonstrate that no rise in the BFE would occur as a result of the project and obtain a CLOMR and LOMR, and have obtained any other required permits.

HAZARD TREES. Standing dead, dying, or diseased trees or ones with a structural defect that makes it likely to fail in whole or in part and that present a potential hazard to a structure or as defined by the community.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE. Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- a. By an approved State program as determined by the Secretary of Interior; or
- b. Directly by the Secretary of the Interior in states without approved programs.

HYDRAULICALLY EQUIVALENT ELEVATION. A location (e.g., a site where no net loss standards are implemented) that is approximately equivalent to another (e.g., the impacted site) relative to the same 100-year water surface elevation contour or base flood elevation. This may be estimated based on a point that is along the same approximate line perpendicular to the direction of flow.

HYDROLOGICALLY CONNECTED. The interconnection of groundwater and surface water such that they constitute one water supply and use of either result in an impact to both.

IMPERVIOUS SURFACE. A surface that cannot be penetrated by water and thereby prevents infiltration and increases the amount and rate of surface water runoff, leading to erosion of stream banks, degradation of habitat, and increased sediment loads in streams. Such surfaces can accumulate large amounts of pollutants that are then “flushed” into local water bodies during storms and can also interfere with recharge of groundwater and the base flows to water bodies.

LOW IMPACT DEVELOPMENT (LID). An approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. It employs principles such as preserving and recreating natural landscape features and minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product. LID refers to designing and implementing practices that can be employed at the site level to control stormwater and help replicate the predevelopment hydrology of the site. LID helps achieve no net loss of pervious surface by infiltrating stormwater in an amount equal to or greater than the infiltration lost by the placement of new impervious surface. LID is a subset of green infrastructure.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter 153 found at §153.21(A)(2).

MANUFACTURED DWELLING. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term **MANUFACTURED DWELLING** does not include a recreational vehicle.

MANUFACTURED HOME PARK OR SUBDIVISION. A parcel (or contiguous parcels) of land divided into two (2) or more manufactured dwelling lots for rent or sale.

MEAN HIGHER-HIGH WATER. The average of the higher-high water height of each tidal day observed over the National Tidal Datum Epoch.

MEAN SEA LEVEL. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NG29) or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION. Structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation, this Chapter 153 adopted by the City, and includes any subsequent improvements to such structures.

NO NET LOSS. A standard where adverse impacts must be avoided or offset through adherence to certain requirements so that there is no net change in the function from the existing condition when a development application is submitted to the state, tribal, or local jurisdiction. The floodplain functions of floodplain storage, water quality, and vegetation must be maintained.

OFFSITE. Mitigation occurring outside of the project area.

ONSITE. Mitigation occurring within the project area.

ORDINARY HIGH-WATER MARK. The line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas.

QUALIFIED PROFESSIONAL. Appropriate subject matter expert that is defined by the community.

REACH. A section of a stream or river along which similar hydrologic conditions exist, such as discharge, depth, area, and slope. It can also be the length of a stream or river (with varying conditions) between major tributaries or two stream gages, or a length of river for which the characteristics are well described by readings at a single stream gage.

RECREATIONAL VEHICLE. A vehicle which is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

RIPARIAN. Of, adjacent to, or living on, the bank of a river, lake, pond, or other water body.

RIPARIAN BUFFER ZONE (RBZ). The outer boundary of the riparian buffer zone is measured from the ordinary high-water line of a fresh waterbody (lake; pond; ephemeral; intermittent, or perennial stream) or mean higher-high water line of a marine shoreline or tidally influenced river reach to 170 feet

horizontally on each side of the stream or 170 feet inland from the MHHW. The riparian buffer zone includes the area between these outer boundaries on each side of the stream, including the stream channel. Where the RBZ is larger than the special flood hazard area, the no net loss standards shall only apply to the area within the special flood hazard area.

RIPARIAN BUFFER ZONE FRINGE. The area outside of the RBZ and floodway but still within the SFHA.

SILVICULTURE. The art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands.

SPECIAL FLOOD HAZARD AREA. See “area of special flood hazard.”

START OF CONSTRUCTION. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, addition placement or other improvement was within one hundred and eighty (180) days of the permit date. The **ACTUAL START** means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not a part of the main structure. For a SUBSTANTIAL IMPROVEMENT, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. A walled and roofed building including a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure at the START OF CONSTRUCTION of the improvement. This term includes structures which have incurred SUBSTANTIAL DAMAGE, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local Code Enforcement Official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a HISTORIC STRUCTURE, provided that the alteration will not preclude the structure's continued designation as a HISTORIC STRUCTURE.

UNDEVELOPED SPACE. The volume of flood capacity and fish-accessible/egress-able habitat from the existing ground to the Base Flood Elevation that is undeveloped. Any form of development including, but not limited to, the addition of fill, structures, concrete structures (vaults or tanks), pilings, levees and dikes, or any other development that reduces flood storage volume and fish accessible/egress-able habitat must achieve no net loss.

VARIANCE. A grant of relief from the requirements of a floodplain management regulation contained within this Chapter 153.

VIOLATION. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Chapter 153 is presumed to be in violation until such time as the documentation is provided.

WATER-DEPENDENT. A structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

§ 153.06 APPLICABILITY OF PROVISIONS

This Chapter 153 shall apply to all areas of special flood hazards within the jurisdiction of Dunes City.

§ 153.07 BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD; FLOOD INSURANCE RATE MAP

The areas of special flood hazard identified by the Federal Insurance and Mitigation Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Dunes City, dated December 5, 2019, with accompanying Flood Insurance Maps are hereby adopted by reference and declared to be a part of this Chapter 153. The Flood Insurance Study is on file at the Dunes City Hall. The best available information for flood hazard area identification as outlined in §153.39 shall be the basis for regulation until a new FIRM is issued which incorporated the data utilized under §153.39.

§ 153.08 ABROGATION AND SEVERABILITY

This Chapter 153 is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter 153 and another Code provision, ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

This Chapter 153 and the various parts thereof are hereby declared to be severable. If any section, clause, sentence, or phrase of this Chapter 153 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Chapter 153.

§ 153.09 INTERPRETATION.

In the interpretation and application of this Chapter 153, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and,
- C. Deemed neither to limit nor repeal any other powers granted under State statutes.

§ 153.10 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this Chapter 153 is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Chapter 153 does not imply the land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter 153 shall not create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this Chapter 153 or any administrative decision lawfully made hereunder.

PROVISIONS FOR FLOOD HAZARD REDUCTION

§ 153.20 GENERAL STANDARDS

In all areas of special flood hazards, the no net loss standards (§153.29) and the following standards are required:

- A. *Anchoring.*
 - 1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - 2. All manufactured dwellings must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Protecting Manufactured Homes from Floods and other Hazards" guidebook for additional techniques).
- B. *Construction materials and methods.*
 - 1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

2. Electrical, heating, ventilation, plumbing, and air-conditioning equipment, duct systems, and other equipment and service facilities shall be elevated above the base flood level or shall be designed and installed so as to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyance, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall meet all the requirements of this Section 153.20(B) when replaced as part of a substantial improvement and shall not be mounted on or penetrate through breakaway walls.

C. *Utilities*

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

D. *Subdivision proposals.*

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
4. All subdivision proposals shall comply with no net loss standards in section §153.29
5. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty (50) lots or five (5) acres (whichever is less).

- E. *Review of building permits.* Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (§153.39), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two (2) feet above grade in these zones may result in higher insurance rates.
- F. *AH and AO Zone Drainage.* Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

§ 153.21 SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided (Zones A1-A30, AH, and AE) as set forth in §153.07, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or §153.39 USE OF OTHER BASE FLOOD DATA (in A Zones), no net loss standards section §153.29 and the following provisions are required:

- A. *Residential construction.*
 - 1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation.
 - 2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters and shall be used solely for parking, storage, or building access. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - (a) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (b) The bottom of all openings shall be no higher than one (1) foot above grade.
 - (c) Openings may be equipped with screens, louvers, or other coverings or devices provided they permit the automatic entry and exit of floodwaters and shall be accounted for in the determination of the net open area.
 - (d) If a building has more than one (1) enclosed area below the lowest floor, each area shall be equipped with adequate flood openings.

- (e) Openings shall not be less than three (3) inches in any direction in the plane of the wall.

B. *Nonresidential construction.*

1. New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated above the Base Flood Elevation or, together with attendant utility and sanitary facilities, shall:
 - (a) Be floodproofed so that below the based flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - (b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - (c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this §153.21(B) based on their development and/or review of the structural design, specifications, and plans. Such certifications shall be provided to the official as set forth in §153.40(B).
2. Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in §153.21(A)(2).
3. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one (1) foot below).
4. Applicants shall supply a Maintenance Plan for the entire structure to include, but not limited to: exterior envelope of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields gates, barriers, or components; and, the location of all shields, gates, barriers, and components as well as all associated hardware, and any materials or specialized tools necessary to seal the structure.
5. Applicants shall supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.

§ 153.22 MANUFACTURED DWELLINGS

- A. New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with §153.20 GENERAL STANDARDS of this Chapter 153;
- B. The bottom of the longitudinal chassis frame beam in A zones shall be at or above the Base Flood Elevation;
- C. New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA’s “Protecting Manufactured Homes from Floods and Other Hazards guidebook for additional techniques); and
- D. Electrical crossover connections shall be a minimum of twelve inches (12”) above Base Flood Elevation.

§ 153.23 RECREATIONAL VEHICLES

Recreational vehicles placed on sites are required to:

- A. Be on the site for fewer than one hundred and eighty (180) consecutive days, and
- B. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- C. Meet the requirements of §153.22 Manufactured Dwellings as found in this Chapter 153 and the elevation and anchoring requirements for manufactured dwellings.

§ 153.24 SMALL ACCESSORY STRUCTURES

Relief from elevation or floodproofing as required in §153.21(A) or §153.21(B) may be granted for small accessory structures that are:

- A. In compliance with the State of Oregon Specialty Codes, if located on a property zoned residential the accessory building shall be less than two hundred (200) square feet, or four hundred (400) square feet if the property is greater than two (2) acres in area and the proposed accessory structure will be located a minimum of twenty-five (25) feet from all property lines. If located on a property zoned nonresidential, the accessory structure shall be less than one hundred and twenty (120) square feet. The accessory structure shall not exceed one (1) story;

- B. Not temperature controlled;
- C. Not used for human habitation and are used solely for parking of vehicles or storage of items having low damage potential when submerged;
- D. Not used to store toxic material, oil or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality, unless confined in a tank installed in compliance with this Chapter 153 or is stored at least one (1) foot above Base Flood Elevation;
- E. Located and constructed to have low damage potential;
- F. Constructed with materials resistant to flood damage;
- G. Anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood;
- H. Constructed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater. Designs for complying with this requirement must be certified by a licensed professional engineer or architect, or meet the requirements of 153.21(A(2)).
- I. Constructed with electrical and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

§ 153.25 BELOW GRADE CRAWL SPACES

Below grade crawl spaces are allowed subject to the following standards as found in FEMA Technical Bulletin 11-01, *Crawlspace Construction for Buildings Located in Special Flood Hazard Areas*:

- A. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required openings stated in §153.25(B) below. Because of hydrodynamic loads, crawl space construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
- B. The crawl space is an enclosed area below the Base Flood Elevation and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.

- C. Portions of the building below the Base Flood Elevation must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawl space used to elevate the building, but also any joists, insulation, or other materials that extend below the Base Flood Elevation. The recommended construction practice is to elevate the bottom of joists and all insulation above the Base Flood Elevation.
- D. Any building utility systems within the crawl space must be elevated above Base Flood Elevation or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions, Ductwork, in particular, must either be placed above the Base Flood Elevation or sealed from floodwaters.
- E. The interior grade of a crawl space below the Base Flood Elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
- F. The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation, must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.
- G. There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone, drainage by gravity or mechanical means.
- H. The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawl space. For velocities in excess of five (5) feet per second, other foundation types should be used.

For more detailed information, refer to FEMA Technical Bulletin 11-01.

§ 153.26 BEFORE REGULATORY FLOODWAY

In areas where a regulatory floodway has not been designated, and where the Flood Insurance Study indicates that it is possible to calculate a floodway, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on Dunes City's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within Dunes City and will not result in the net loss of flood storage volume. When determined that structural elevation is not possible and where the placement of fill cannot meet the above standard, impacts to undeveloped space must adhere to the no net loss standards in section §153.29.

§ 153.27 FLOODWAYS

Located within areas of special flood hazard established in §153.07 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:

- A. Except as provided in paragraph (C) of this §153.27, encroachments shall be prohibited, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional civil engineer demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in levels within the community during the occurrence of the base flood discharge; or
- B. A Conditional Letter of Map Revision (CLOMR) is applied for and approved by the Federal Insurance Administrator, and the requirements for such revision as established under Volume 44 of the Code of Federal Regulations, Section 65.12 are fulfilled and the encroachment(s) comply with the no net loss standards in section §153.29.
- C. If division A. of this §153.27 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of §153.20 through and including §153.29 of this Chapter 153 or ASCE 24, whichever is more stringent.
- D. Temporary structures placed in the floodway. Relief from no-rise elevation, elevation or dry flood-proofing standards may be granted for a non-residential structure placed during the dry season (June through October) and for a period of less than ninety (90) days. A plan for the removal of the temporary structure after the dry season or when a flood event threatens shall be provided. The plan shall include disconnecting and protecting from water infiltration and damage to all utilities servicing the temporary structure.

§ 153.28 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)

Shallow flooding areas appear on FIRMS as AO Zones with depth designations. The base flood depths in these zones range from one (1) to three (3) feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

- A. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, a minimum of one (1) foot above the depth number specified on the FIRM (at least two (2) feet if no depth number is specified).
- B. New construction and substantial improvements of nonresidential structures within AO zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one (1) foot or more above the depth number specified on the FIRM (at least two (2) feet if no depth number is specified); or
 2. Together with attendant utility and sanitary facilities, be completely flood proofed to or above two [2] feet above the highest adjacent grade so that any space below that level is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in §153.21B(1)(c).
- C. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- D. Recreational vehicles placed on sites within AO Zones on Dunes City's FIRM must either:
1. Be on the site for fewer than one hundred and eighty (180) consecutive days, and
 2. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
 3. Meet the requirements of this §153.28 and the elevation and anchoring requirements for manufactured homes as set forth in §153.22 of this Chapter 153.
- E. In AO zones, new and substantially improved accessory structures must comply with the standards of §153.24.
- F. Enclosed areas beneath elevated structures shall comply with the requirements of §153.21(A)(2).

§ 153.29 STANDARDS FOR PROTECTION OF SFHA FLOODPLAIN FUNCTIONS

NO NET LOSS STANDARDS

A. No net loss of the three proxies for the floodplain functions mentioned in Section § 153.03 is required for development in the special flood hazard area that would reduce undeveloped space, increase impervious surface, or result in a loss of trees that are 6-inches dbh or greater. No net loss can be achieved by first avoiding negative effects to floodplain functions to the degree possible, then minimizing remaining effects, then replacing and/or otherwise compensating for, offsetting, or rectifying the residual adverse effects to the three floodplain functions. Prior to the issuance of any development authorization, the applicant shall:

1. Demonstrate a legal right by the project proponent to implement the proposed activities to achieve no net loss (e.g., property owner agreement):
2. Demonstrate that financial assurances are in place for the long-term maintenance and monitoring of all projects to achieve no net loss;
3. Include a management plan that identifies the responsible site manager, stipulates what activities are allowed on site, and requires the posting of signage identifying the site as a mitigation area.

B. Compliance with no net loss for undeveloped space or impervious surface is preferred to occur prior to the loss of habitat function but, at a minimum, shall occur concurrent with the loss. To offset the impacts of delay in implementing no net loss, a 25 percent increase in the required minimum area is added for each year no net loss implementation is delayed.

C. No net loss must be provided within, in order of preference: 1) the lot or parcel that flood plain functions were removed from, 2) the same reach of the waterbody where the development is proposed, or 3) the special flood hazard area within the same hydrologically connected area as the proposed development. Table 1 presents the no net loss ratios, which increase based on the preferences listed above.

UNDEVELOPED SPACE

A. Development proposals shall not reduce the fish-accessible and egress-able undeveloped space within the special flood zone hazard area.

B. A development proposal with an activity that would impact undeveloped space shall achieve no net loss of fish-accessible and egress-able space.

C. Lost undeveloped space must be replaced with fish-accessible and egress-able compensatory volume based on the ratio in Table 1 and at the same flood level at which the development causes an impact (i.e., plus or minus 1 foot of the hydraulically equivalent elevation).

1. Hydraulically equivalent sites must be found within either the equivalent 1-foot elevations or the same flood elevation bands of the development proposal. The flood elevation bands are identified as follows:

- a. Ordinary High Water Mark to 10-year,
- b. 10-year to 25-year,
- c. 25-year to 50-year,
- d. And 50-year to 100-year

2. Hydrologically connected to the waterbody that is the flooding source;

3. Designed so that there is no increase in velocity; and
4. Designed to fill and drain in a manner that minimizes anadromous fish stranding to the greatest extent possible.

IMPERVIOUS SURFACES

Impervious surface mitigation shall be mitigated through any of the following options:

- A. Development proposals shall not result in a net increase in impervious surface area within the SFHA, or
- B. Use low impact development or green infrastructure to infiltrate and treat stormwater produced by the new impervious surface, as documented by a qualified professional, or
- C. If prior methods are not feasible and documented by a qualified professional stormwater retention is required to ensure no increase in peak volume or flow and to maximize infiltration, and treatment is required to minimize pollutant loading.

TREES.

- A. Development proposals shall result in no net loss of trees 61-inches dbh or greater within the special flood hazard area. This requirement does not apply to silviculture where there is no development.
 - a. Trees of or exceeding 6-inches dbh that are removed from the RBZ, Floodway, or RBZ-fringe must be replaced at the ratios in Table 1.
 - b. Replacement trees must be native species that would occur naturally in the Level III ecoregion of the impacted area.

ACTIVITIES EXEMPT FROM NO NET LOSS STANDARDS

The following activities are not subject to the no net loss standards section above; however, they may not be exempt from floodplain development permit requirements.

- A. Normal maintenance of structures, such as re-roofing and replacing siding, provided there is no change in the footprint or expansion of the roof of the structure;

B. Normal street, sidewalk, and road maintenance, including filling potholes, repaving, and installing signs and traffic signals, that does not alter contours, use, or alter culverts. Activities exempt do not include expansion of paved areas;

C. Routine maintenance of landscaping that does not involve grading, excavation, or filling;

D. Routine agricultural practices such as tilling, plowing, harvesting, soil amendments, and ditch cleaning that does not alter the ditch configuration provided the spoils are removed from special flood hazard area or tilled into fields as a soil amendment;

E. Routine silviculture practices that do not meet the definition of development, including harvesting of trees as long as root balls are left in place and forest road construction or maintenance that does not alter contours, use, or alter culverts;

F. Removal of noxious weeds and hazard trees, and replacement of non-native vegetation with native vegetation;

G. Normal maintenance of above ground utilities and facilities, such as replacing downed power lines and utility poles provided there is no net change in footprint;

H. Normal maintenance of a levee or other flood control facility prescribed in the operations and maintenance plan for the levee or flood control facility. Normal maintenance does not include repair from flood damage, expansion of the prism, expansion of the face or toe or addition of protection on the face or toe with rock armor.

I. Habitat restoration activities.

RIPARIAN BUFFER ZONE (RBZ)

A. The Riparian Buffer Zone is measured from the ordinary high-water line of a fresh waterbody (lake; pond; ephemeral, intermittent, or perennial stream) or mean higher-high water of a marine shoreline or tidally influenced river reach to 170 feet horizontally on each side of the stream or inland of the MHHW. The riparian buffer zone includes the area between these outer boundaries on each side of the stream, including the stream channel.

B. Habitat restoration activities in the RBZ are considered self-mitigating and are not subject to the no net loss standards described above.

C. Functionally dependent uses are only subject to the no net loss standards for development in the RBZ. Ancillary features that are associated with but do not directly impact the functionally dependent use in the RBZ (including manufacturing support facilities and restrooms) are subject to the beneficial gain standard in addition to no net loss standards.

D. Any other use of the RBZ requires a greater offset to achieve no net loss of floodplain functions, on top of the no net loss standards described above, through the beneficial gain standard.

E. Under FEMA’s beneficial gain standard, an area within the same reach of the project and equivalent to 5% of the total project area within the RBZ shall be planted with native herbaceous and shrub vegetation and designated as open space.

Table 1 No Net Loss Standards

Basic Mitigate Ratios	Undeveloped Space (ft ³)	Impervious Surface (ft ²)	Trees (6”<dbh h≤20”)	Trees (20”<dbh h≤39”)	Trees (39”<dbh)
RBZ and Floodway	2:1*	1:1	3:1*	5:1	6:1
RBZ-Fringe	1.5:1*	1:1	2:1*	4:1	5:1
Mitigation multipliers					
Mitigation one to onsite to Mitigation offsite, same reach	100%	100%	100%	100%	100%
Mitigation onsite to Mitigation offsite, different reach, same watershed (5th field)	200%*	200%*	200%*	200%	200%

Notes:

1. Ratios with asterisks are indicated in the BiOp
2. Mitigation multipliers of 100% result in the required mitigation occurring at the same value described by the ratios above, while multipliers of 200% result in the required mitigation being doubled.
 - a. For example, if only 500 ft² of the total 1000 ft² of required pervious surface mitigation can be conducted onsite and in the same reach, the remaining 500 ft² of required pervious surface mitigation occurring offsite at a different reach would double because of the 200% multiplier.
3. RBZ impacts must be offset in the RBZ, on-site or off-site.
4. Additional standards may apply in the RBZ (See 6.4 Riparian Buffer Zone)

PERMITS; ADMINISTRATION

§ 153.35 PERMIT FOR DEVELOPMENT REQUIRED.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in §153.07. The permit shall be for all structures, including manufactured dwellings, as defined in §153.05, and for all development including fill and other activities, also as defined in §153.05.

§ 153.36 PERMIT APPLICATION.

Application for a development permit shall be made on forms furnished by the City Administrator and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- A. Elevation, in relation to mean sea level, of the lowest floor (including basement) of all structures and all attendant utilities of all new and substantially improved structures;
- B. Elevation, in relation to mean sea level, of floodproofing in any structure;
- C. Certification by a registered professional engineer or architect that the floodproofing methods of any nonresidential structure meet the floodproofing criteria in §153.21(B); and
- D. A description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
- E. Base Flood Elevation data for subdivision proposals or other development proposals when required in 153.20(D).
- F. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
- G. The amount and location of any fill or excavation activities proposed.
- H. Determine whether the proposed development activity complies with the no net loss standards in section §153.29.

§ 153.37 DESIGNATION OF THE LOCAL FLOODPLAIN ADMINISTRATOR

The City Administrator is hereby appointed to administer, implement and enforce this Chapter 153 by granting or denying development permit applications in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

§ 153.38 DUTIES AND RESPONSIBILITIES OF THE LOCAL FLOODPLAIN ADMINISTRATOR

PERMIT REVIEW

Duties of the Local Floodplain Administrator shall include, but not be limited to:

- A. Review all development permits to determine that the permit requirements of this Chapter 153 have been satisfied;
- B. Review all development permits to determine that all necessary permits have been obtained from those federal, State, or local governmental agencies from which prior approval is required;
- C. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachments provisions of §153.27(A) are met.
- D. Identify and note the base flood elevation and freeboard applicable to any building requiring a building permit.
- E. Review all development permit applications to determine if the proposed development qualifies as a SUBSTANTIAL IMPROVEMENT.
- F. Review all development permits to determine if the proposed development activity is a water course alteration.
- G. Review all development permits to determine the location and volume of any proposed fill or excavation.

§ 153.39 USE OF OTHER BASE FLOOD DATA

When base flood elevation data has not been provided (A Zones) in accordance with §153.07, the Local Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from other source(s) in order to administer §§ 153.21 and 153.22.

§ 153.40 INFORMATION TO BE OBTAINED AND MAINTAINED

The Local Floodplain Administrator shall:

- A. Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in §153.39, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basements and below-grade crawl spaces) and all attendant utilities of all new or substantially improved structures, whether or not the structure contains a basement;

- B. For all new or substantially improved floodproofed structures where base flood elevation data is provided through the Flood Insurance Study, FIRM, or as required in §153.39:
 - 1. Verify and record the actual elevation (in relation to mean sea level); and
 - 2. Maintain the floodproofing certifications required in §153.36(C);
- C. Maintain for public inspection all records pertaining to the provisions of this Chapter 153.
- D. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain and record the actual elevation (in relation to mean seal level) of the lowest floor (including basement), all attendant utilities in place, and the location and height of all flood openings for the structure.
- E. Obtain and record the actual as-built elevation (in relation to mean sea level) of the lowest floor (including basement), all attendant utilities, and the location and height of all flood openings, prior to the final inspection.
- F. Obtain and maintain all hydrologic and hydraulic analyses performed as required in Section 153.27 of this Chapter.
- G. Record and maintain all SUBSTANTIAL IMPROVEMENT and SUBSTANTIAL DAMAGE calculations and determinations required.
- H. Documentation of how no net loss standards have been met (see Section §153.21)
- I. Record and maintain all variance actions, including justification for their issuance.

§ 153.41 ALTERATION OF WATERCOURSES

The Local Floodplain Administrator shall:

- A. Notify adjacent communities and the Department of Land Conservation and Development, and other appropriate State and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator as required in §153.42 of this Chapter;
- B. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

§ 153.42 REQUIREMENT TO SUBMIT NEW TECHNICAL DATA

The Local Floodplain Administrator shall:

- A. Notify FEMA within six (6) months of project completion when an applicant has obtained a Conditional Letter of Map Revision (CLOMR) from FEMA, or when development altered a watercourse, modified floodplain boundaries, or modified Base Flood Elevations. This notification shall be provided as a Letter of Map Revision (LOMR).
- B. The property owner shall be responsible for preparing technical data to support the LOMR application and paying any processing or application fees to FEMA.
- C. The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirement of the Dunes City Code and all applicable State and federal laws.
- D. The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area. To ensure that all Flood Insurance Rate Maps accurately represent the community's boundaries. Include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

§ 153.43 INTERPRETATION OF FIRM BOUNDARIES

The Floodplain Administrator shall make interpretations where needed as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in §153.50.

§ 153.44 CRITICAL FACILITIES

Construction of new critical facilities, also known as essential and special occupancy structures, shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three (3) feet above base flood elevation (BFE) or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation should be provided to all critical facilities to the extent possible.

VARIANCE PROCEDURE

§ 153.50 APPEAL BOARD

- A. The Planning Commission, as established by §32.50 of the Dunes City Code of Ordinances shall hear and decide appeals and requests for variances from the requirements of this Chapter 153.
- B. The City Council shall decide appeals when it is alleged there is an error in any requirement, decision or determination by the Planning Commission in the enforcement or administration of this Chapter 153.
- C. Those aggrieved by the decision of the Planning Commission, or any taxpayer, may appeal such decision to the City Council as provided in §32.54 of the Dunes City Code.
- D. In deliberating upon such applications, the Planning Commission and the City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Chapter 153 and:
 - 1. The danger that materials may be swept onto other lands to the injury of others;
 - 2. The danger to life and property due to flooding or erosion damage;
 - 3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - 4. The importance of the services provided by the proposed facility to the community;
 - 5. The necessity to the facility of a waterfront location, where applicable;
 - 6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - 7. The compatibility of the proposed use with existing and anticipated development;
 - 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - 9. The safety of access to the property in times of flood for ordinary and emergency vehicles;

10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- E. Upon consideration of the factors of §153.50(D) and the purposes of this Chapter 153, the Planning Commission and/or the City Council, may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Chapter 153.
- F. The City Administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

§ 153.51 CONDITIONS FOR VARIANCES

- A. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 1 through 11 in §153.50(D) have been fully considered. As the lot size increases, the technical justification required for issuing the variance increases.
- B. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- D. Variances shall only be issued upon:
1. A showing of good and sufficient cause,
 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant,
 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- E. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants,

economic or finance circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

- F. Variances may be issued by the City for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of section §153.51 B-D are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- G. Variances shall not be issued unless it is demonstrated that the development will not result in net loss of the following proxies for the three floodplain functions in the SFHA: undeveloped space; pervious surface; or trees 6 inches dbh or greater (see Section §153.29 and associated options in Table 1).
- F. Variances may be issued for nonresidential building in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other criteria except §153.51(A), and otherwise complies with §§ 153.20 through 153.29 of the GENERAL STANDARDS found in this Chapter 153.
- G. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation and that such construction below the base flood elevation increases risks to life and property. Such notification shall be permanently maintained with the floodplain development permit.

§ 153.99 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter 153 and other applicable regulations. Violations of the provisions of this Chapter 153 by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this Chapter 153 or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than One Thousand Dollars (\$1,000) for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City from taking such other lawful action as necessary to prevent or remedy any violation.

Section 2 – Emergency Clause

It is hereby adjudged that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety; therefore, an emergency is declared

to exist and this ordinance shall take effect and be in full force and effect from and after its passage and execution by the Mayor.

Section 3 – Severability

If any article, section, subsection, sentence, clause, phrase, term, provision, condition, covenant or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, or superseded by State or federal legislation, rules, regulations or decisions, the remainder of this Ordinance shall not be affected thereby but shall be deemed as a separate, distinct and independent provisions, and such holding shall not affect the validity of the remaining portions of this Ordinance, and each remaining section, subsection, sentence, clause, phrase, term, provision, condition, covenant and portion of this Ordinance shall be valid and enforceable to the fullest extent permitted by law. In the event that federal or State laws, rules or regulations preempt a provision or limit the enforceability of a provision of this Ordinance, then the provision shall be read to be preempted only to the extent required by law. In the event such federal or State law, rule, or regulation is subsequently repealed, rescinded, amended or otherwise changed so that the provision hereof that had been preempted is no longer preempted, such provision shall thereupon return to full force and effect and shall thereafter be binding, without the requirement of further action on the part of the City.

Section 4 – Other Remedies

Nothing in this Ordinance shall be construed as limiting any judicial remedies that the City may have, at law or in equity, for enforcement of this Ordinance. Non-exclusive remedies for enforcement are all those available under State and County laws including seizure of property, civil and criminal penalties.

Section 5 – Captions

The captions to sections throughout this Ordinance are intended solely to facilitate reading and reference to the sections and provisions contained herein. Such captions shall not affect the meaning or interpretation of this Ordinance.

Section 6 – Scrivener’s Errors

Any scrivener’s errors in this Ordinance may be corrected by Resolution of the City Council.

Section 7 – Repeal

Chapter 153, Title XV, of the Dunes City Code of Ordinances, also found as Ordinance No. 118, adopted June 11, 1987, is hereby repealed and replaced by this Ordinance 253. The repeal of Ordinance No. 118 and Chapter 153 shall not affect any action occurring before the repeal takes effect.

Section 8 – Administrative Fees

The City Council shall, by resolution, establish and amend fees to cover all or a portion of the expense of implementing and administering this Ordinance.

The first reading of this Ordinance Number 253 was conducted in a regular meeting of the City Council of Dunes City, Oregon, on the _____ day of _____, 20_____.

The second reading of this Ordinance Number 253 was conducted in a regular meeting and adopted by the City Council of Dunes City, Oregon, on this _____ day of _____, 20_____.

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____ Vacant: _____

DATED THIS _____ DAY OF _____, 2024.

Ed McGuire, Mayor

ATTEST:

Lila Timmons, City Administrator

ORDINANCE NO. 271

AN ORDINANCE CORRECTING ORDINANCE NO. 231-A, AND SPECIFICALLY SECTION 51.20 ENTITLED “DEFINITIONS” BY ADDING THE DEFINITION OF WOAHINK LAKE TO COMPLY WITH THE OREGON WATER RESOURCES DEPARTMENT PERMIT NO. S33923 (APPLICATION NO. 45456), SECTION 51.45 AMENDING THE REQUIREMENTS OF A NEW PROPERTY OWNER AND THE ELIMINATION OF SECTION 51.50.

WHEREAS, the Dunes City Council adopted Ordinance No. 231-A on February 11, 2016 which authorized the sharing of the City’s domestic water right and establishing requirements, applications, fees, costs and penalties associated therewith; and

WHEREAS, language contained in Ordinance No. 231-A which refers to the diversion of water from Woahink Lake; and

WHEREAS, language contained in Ordinance No. 231-A which refers the requirements of a new property owner’s participation in the Dunes City Shared Domestic Water Supply.

WHEREAS, Dunes City desires to ensure its Code provisions are compatible with State law, rules and regulations;

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

Section 1. Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.20, a definition of “Woahink Lake” is added to read as follows:

“WOAHINK LAKE. A water source which includes Woahink Lake, Woahink Creek and Siltcoos Lake.”

Section 2. Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.45, is amended to read as follows:

“Any approved Applicant for participation in the Dunes City Shared Domestic Water Supply must sign an Agreement with the City for use of the Dunes City water right under the terms of the City’s state permit.”

Section 3. Title V, entitled Public Works, of the Dunes City Code of Ordinances, §51.50 is to be eliminated.

Section 4. Effective Date

An emergency exists in that the error contained in Ordinance 231-A is not in the best interests of the residents of Dunes City and should not be allowed to continue.

Consequently, the provisions of this ordinance will become effective immediately to correct the errata found in Ordinance No. 231-A.

Passed at the first reading in regular meeting of the City Council of Dunes City, Oregon, on this _____ day of _____, 2_____.

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____ Vacant _____

Passed at the second reading and placed on final passage, and adopted by the City Council of Dunes City, Oregon, on this _____ day of _____, 2_____.

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____ Vacant _____

ADOPTED BY THE DUNES CITY COUNCIL, THIS _____ DAY OF _____, 2_____.

Ed McGuire, Mayor

ATTEST:

Lila Timmons, City Administrator