

**TITLE 2
BOARDS AND COMMISSIONS**

**CHAPTER 1
PLANNING COMMISSION**

2-1-1: COMMISSION CREATED:

The City Planning Commission for the City is hereby authorized and established by this Chapter. (Ord. 264, 3-18-1959)

2-1-2: MEMBERSHIP; COMPENSATION:

The Commission shall consist of the City Administrator and the Public Works Superintendent as ex officio members, and seven (7) other members to be appointed by the Mayor, with confirmation by the Council, not more than two (2) of whom shall be nonresidents of the City residing within the urban growth area. The Commission shall receive no compensation. (Ord. 652, 3-4-1997)

2-1-3: TERMS OF OFFICE; VACANCIES:

At the first meeting of the Commission, the seven (7) appointed members shall choose their term of office by lot as follows: one for one year, two (2) for two (2) years, two (2) for three (3) years and two (2) for four (4) years. Immediately thereafter, the members shall notify the Mayor and Council in writing of such allotment. The successors shall hold office for four (4) years. Any vacancy shall be filled by appointment of the Mayor with the approval of the Council for the unexpired term of the predecessor in the office. Any member(s) appointed prior to the effective date of Ordinance 652, adopted March 4, 1997, may serve out the remainder of his or her term of office. Subsequent appointments or reappointments of nonresidents of the City to the Commission must meet the residency requirement of Section 2-1-2 of this Chapter. (Ord. 666, 12-2-1997)

2-1-4: ORGANIZATION AND PROCEDURE:

- A. Officers: The Commission, at its first meeting, shall elect a president and vice president, who shall be members appointed by the Mayor and who shall hold office during the pleasure of the Commission.
- B. Records; Reports: The Commission shall elect a secretary who need not be a member of the Commission. The secretary shall keep an accurate record of all Commission proceedings. The Commission shall on October 1 of each year make and file a report of all its transactions to the City Council. (Ord. 264, 3-18-1959)

2-1-5: QUORUM; RULES AND REGULATIONS:

Four (4) members of the Commission shall constitute a quorum. The Commission may make and alter rules and regulations for its government and procedure consistent with laws of this State and with the City Charter and ordinances. It shall assign to the Commission an office or headquarters in the City Hall, if possible, in which to hold its meetings, transact the business and keep its records. (Ord. 619, 6-7-1994)

2-1-6: STAFF; TECHNICAL ADVISORS:

The Commission may employ consulting advice on Municipal problems, a secretary and such clerks as may be necessary; and pay for their services, and for such other expenses as the Commission may lawfully incur, including the necessary disbursements incurred by its members in the performance of duties as members of this Commission, as authorized by the City Council. (Ord. 264, 3-18-1959)

2-1-7: POWERS AND DUTIES:

Except as otherwise provided by law, the Commission may:

- A. Recommend and make suggestions to the City Council and to all other public authorities concerning laying out, widening, extending, parking and locating of streets, sidewalks and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of zones of districts limiting the use, height, area and bulk of buildings and structures.
- B. Recommend to the City Council and all other public authorities plans for regulation of the future growth, development and beautification of the Municipality in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service to all public utilities, harbor, shipping and transportation facilities.
- C. Recommend to the City Council and all other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged in industrial pursuits.
- D. Advertise the industrial advantages and opportunities of the Municipality and availability of real estate within the Municipality for industrial settlement.
- E. Encourage industrial settlement within the Municipality.
- F. Make an economic survey of present potential possibilities of the Municipality with a view to ascertaining its industrial needs.
- G. Study needs of existing local industries with a view to strengthening and developing local industries and stabilizing employment conditions.
- H. Do and perform all other acts and things necessary to carry out the provisions of ORS 227.010 to 227.120.
- I. Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and of the area six (6) miles adjacent thereto. (Ord. 264, 3-18-59; 1993 Code)

2-1-8: ITEMS SUBMITTED FOR COMMISSION APPROVAL:

- A. All subdivision plats located within the City limits, and all plans or plats for vacating or laying out, widening, extending, parking and locating streets or plans for public buildings shall first be submitted to the Commission by the Public Works Superintendent or other proper Municipal officer, and a report thereon from the Commission secured in writing before approval is given by the proper Municipal official.
- B. All subdivision plats and all plats or deeds dedication land to public use in that portion of a county within six (6) miles outside the limits of any City shall first be submitted to the City Planning Commission, if no such Commission exists, to the Public Works Superintendent and approved by the Commission or Public Works Superintendent before they shall be recorded.
- C. It shall be unlawful to receive or record such plan, plat or replat or deed in any public office unless the same bears thereon the approval, by indorsement, of such Commission or Public Works Superintendent. However, the indorsement of the Commission or of the Public Works Superintendent of the City with boundaries nearest the land such document affects shall satisfy the requirements of this Section in case the boundaries of more than one City are within six (6) miles of the property so mapped or described. If the governing bodies of such cities mutually agree upon a boundary line establishing the limits of the jurisdiction of the cities other than the line equidistant between the cities and file the agreement with the recording officer of the County containing such boundary line, the boundary line mutually agreed upon shall become the limit of the jurisdiction of each City until superseded by a new agreement between the cities or until one of the cities files with such recording officer a written notification stating that the agreement shall no longer apply.
- D. Copies of all ordinances for establishment of boundaries of any zone or district provided by ORS 227.090, and all ordinances regulating or limiting the use, height, area, bulk and construction of buildings to be submitted to the Council before they are presented to the Council, shall be first submitted by the Auditor or City Recorder to the Commission to make its recommendation. The Auditor or City Clerk, shall immediately so notify the Council, and the Commission shall make its recommendation thereon in writing to the Council. The Commission shall first hold a public hearing at such time and place as may be directed by the Council, and make a careful and appropriate investigation thereon. Before final action is taken by the City Council, or any department of a City government, on the location or design of any public building, bridge, statue, park, parkway, boulevard, playground or public grounds the same shall be submitted to the Commission for consideration and report. Unless the City Council definitely names a longer period for the return of a report specified in ORS 227.090 to 227.120, the approval of the Commission to any matter so referred to it in accordance with the provisions of those sections shall be deemed to have been given at the end of thirty (30) days after the receipt of the matter in writing by its secretary unless the Commission submits a report thereon prior to that time. (Ord. 264, 3-18-59; 1993 Code)

2-1-9: RENAMING STREETS PROCEDURE:

- A. Within six (6) miles of the limits of any City, the Commission, if there is one, or if no such Commission legally exists, then the Public Works Superintendent, shall recommend to the City Council the renaming of any existing street, highway or road, other than a County road or State highway, if in the judgment of the Commission, or if no such Commission legally exists, then in the judgment of the Public Works Superintendent, such renaming is in the best interest of the City and the six (6) mile area.
- B. Upon receiving such recommendation, the Council shall afford persons particularly interested, in the general public, an opportunity to be heard at a time and place to be specified in a notice of hearing published in a newspaper of general circulation with the Municipality and the six (6) mile area not less than once within the week prior to the week within which the hearing is to be held. After such opportunity for hearing has been afforded, the City Council by ordinance shall rename the street or highway in accordance with the recommendation or by resolution shall reject the recommendation. A certified copy of each such ordinance shall be filed for record with the County Clerk or Recorder, and a like copy shall be filed with the County Assessor and County Surveyor. The County Surveyor shall enter the new names of such streets and roads in red ink on any filed plat and tracing thereof which may be affected, together with appropriate notations concerning the same. (Ord. 264, 3-18-59; 1993 Code)

2-1-10: COMMISSION RECOMMENDATIONS:

The Commission may make recommendations to any person, copartnership, corporation or public authority. However, such recommendation shall not have the force or effect of a law or ordinance, except when so prescribed by law or by City ordinance. Any person, copartnership or public authority having charge of the construction, placing or designing of buildings or other structures and improvements, or objects of art, may call upon the Commission for a report thereon. (Ord. 264, 3-18-59)

2-1-11: HEARINGS OFFICER:

The City Council may appoint one or more public hearings officers to conduct the public hearings of the Planning Commission and to serve at the pleasure of the appointing authority. Such hearings officer may or may not be a member of the Planning Commission. (Ord. 378, 12-6-76)

**CHAPTER 2
LOCAL CONTRACT REVIEW BOARD**

2-2-1: LOCAL CONTRACT REVIEW BOARD:

Pursuant to ORS 279.011 to 279.061, the City Council is designated as the Local Contract Review Board for all contracts concerns of the City. (Res. 8-84, 4-2-84)

2-2-2: RULES ADOPTED:

The City Council hereby adopts rules as the Local Contract Review Board Rules for the purpose of governing public contracts in the City. These rules shall remain in effect until such time as

they may be further amended by the Contract Review Board of the City. The Rules are available for inspection by the public in the office of the City Recorder. (Res. 8-84, 4-2-84; 1993 Code)

CHAPTER 3 LIBRARY BOARD

2-3-1: PURPOSE:

The City Public Library Board shall advise and make recommendations to the librarian, and when appropriate, the City Administrator, Mayor and City Council on all matters related to the management of the Library, and to formulate and adopt rules and regulations governing the use of the Library. (Ord. 571, 4-2-90)

2-3-2: BOARD MEMBERSHIP; RESIDENCY; COMPENSATION:

- A. Membership: The Board shall consist of five (5) members appointed by the Mayor with the approval of the City Council. The Board shall be responsible to the City Administrator, Mayor and City Council. Board members shall be appointed from resident voters within the urban growth boundary of the City. In addition to the appointed members to the Board, the Administrator, Mayor and librarian may serve on the Board as ex officio members. (Ord. 571, 4-2-90)
- B. Compensation: No Board member shall receive a salary or any payment for materials or services rendered the Board, but Board members may be reimbursed for expenses incurred in the performance of their duties. (1993 Code)

2-3-3: TERM OF OFFICE; REMOVAL:

- A. Term of Office: A full term of office shall be four (4) years from the date of appointment. When a vacancy exists, an appointment shall be made by the Mayor with the approval of the City Council to fill the unexpired term. The Board members in office at the time this Chapter is adopted shall continue in office, until the end of his/her office as fixed by ordinance.
- B. Removal:
 - 1. A Board member may be removed by the Mayor with the approval of the City Council before the expiration of member's term of office for three (3) unexcused absences, for other violations of the Board's bylaws or for a change of residence outside the City's urban growth boundary. (Ord. 571, 4-2-90)
 - 2. A member may request a hearing before the Mayor and Council when the Council acts on the Mayor's request for approval to remove the member. (1993 Code)

2-3-4: MEETINGS:

The Board shall meet at such times as the Board may determine are appropriate and necessary but no less than once every other month. All Board meetings shall be conducted in accordance

with the bylaws of the organization, the provisions of this Chapter and with State and local law. (Ord. 571, 4-2-90)

2-3-5: OFFICERS:

The Board shall, at its first meeting, elect a chairman and such other officers as the Board may deem appropriate. Officers shall have such duties and authority as the Board shall establish, consistent with its bylaws, other provisions of this Chapter and with law. (Ord. 571, 4-2-90)

2-3-6: RESPONSIBILITIES AND DUTIES:

- A. Advisory Capacity: The Board shall have the responsibility for advising and making recommendations to the librarian, and when appropriate, to the Administrator, Mayor and Council, on all matters pertaining to the planning, acquisition, development and management of the Library.
- B. Supervision of Direction: The City Administrator shall have the responsibility for the hiring, termination, discipline and any other personnel actions affecting the librarian. The Board shall act in an advisory capacity in the selection, discipline or termination of the Librarian.
- C. Rules and Regulations: The Board shall prepare and adopt reasonable rules and regulations governing the use of and proper conduct in the library in the City.
- D. Budget: The Board shall participate in the preparation of the annual budget and shall recommend to the Budget Officer a budget for the expenditure of all funds produced by tax or other means for the development, promotion and management of the library in the City.
- E. Annual Reports: The Board shall make a full and complete annual report to the City Council and make such other reports as may be required by the Mayor and Council. The librarian shall be responsible for the preparation of the report with Board input. (Ord. 571, 4-2-90)

2-3-7: ASSISTANCE TO THE BOARD:

The librarian shall assist the Board in the performance of its duties, and shall prepare reports as requested by the Board. (Ord. 571, 4-2-90)

2-3-8: INTERNAL ADMINISTRATIVE POLICIES AND PROCEDURES:

The City Administrator shall be the fiscal and internal administrative agent for the library and the department shall operate in conformance with City administrative procedures including those pertaining to the following:

- A. Personnel, including recruitment, selection, classification and pay for department staff;
- B. Personnel matters, including discipline and grievances;
- C. Receipt, disbursement and accounting for monies;

- D. Maintenance of general books, cost accounting records, and other financial documents;
- E. Purchasing;
- F. Budget administration; and
- G. Operation and maintenance of equipment and buildings. (Ord. 571, 4-2-90)

CHAPTER 4 PARKS AND RECREATION COMMITTEE

2-4-1: APPOINTMENT; TERM OF OFFICE; REMOVAL:

A commission of six (6) members shall be appointed by the city council to be known as the parks and recreation committee. The council shall initially appoint two (2) members to serve one year, two (2) members to serve two (2) years, and two (2) members to serve three (3) years, from July 1 in the year of their appointment. Thereafter, each appointed member shall serve for a term of three (3) years or until a resignation occurs or there is a removal for good cause by the council. A member being removed from the committee may request a hearing before the mayor and council¹². If a vacancy occurs, the governing body shall appoint a new member for the unexpired term. (Ord. 697, 3-7-2000)

2-4-2: MEMBERSHIP; RESIDENCY:

- A. Residency: The committee shall have at least four (4) members who shall reside within the city limits and no more than two (2) members who reside outside the city limits but within the urban growth boundary.
- B. Membership: One council member, the mayor and the city administrator are hereby made ex officio members of the committee. (Ord. 521, 5-21-1990)

2-4-3: DUTIES OF THE COMMITTEE:

The committee shall:

- A. Appoint one member to act as secretary, who shall keep accurate minutes of all discussions and decisions made. (Ord. 561, 8-28-1989)
- B. Act as an advisory committee to the city council concerning development and maintenance of parks, trails and recreational activities which shall be open to the general public.
- C. Recommend expenditures related to parks and recreation and submit them to the budget committee for their approval. (Ord. 697, 3-7-2000)

CHAPTER 5 TRANSIENT ROOM TAX REVIEW COMMITTEE

2-5-1: APPOINTMENT; MEMBERSHIP:

- A. Appointment, Membership, Qualifications: There shall be appointed by the City Council a five (5) member commission known as the Transient Room Tax Review Committee. The Committee shall be composed of two (2) lodging operators who operate motels or recreation parks within the City, one member of the Chamber of Commerce and two (2) members at large. Members at large shall reside within the City limits, shall not be lodging operators, and may be members of the Chamber of Commerce.
- B. Committee Officers; Minutes: The Committee shall appoint one member to act as chairman and one member to act as secretary, who shall keep accurate minutes of all discussions and decisions made. (Ord. 563, 10-2-89)
- C. Committee Size Reduction:
 - 1. On April 1, 1992, the membership of the Transient Room Tax Review Committee is reduced from five (5) members to four (4) members by eliminating the unfilled position for lodging operator which expired on December 31, 1992. Effective January 1, 1994, the membership of the Transient Room Tax Review Committee is reduced from four (4) members to three (3) members by eliminating the position for member at large which expires on December 31, 1993.
 - 2. The Committee members in office at the time this amendment is adopted may continue to serve out his or her term of office. (Ord. 596, 3-2-93)

2-5-2: TERM OF OFFICE; REMOVAL:

The Council shall initially appoint two (2) members to serve one year, two (2) members to serve two (2) years and one member to serve three (3) years. Thereafter, each appointed member shall serve for a term of three (3) years or until a resignation occurs or there is a removal for good cause by the Council. (Ord. 563, 10-2-89)

2-5-3: DUTIES AND RESPONSIBILITIES:

The Committee shall act as an advisory committee to the City Council and may recommend expenditures annually and submit them to Council for approval. Additionally, the Committee shall:

- A. Hear and determine appeals of orders or decisions of the Tax Administrator¹⁴ and prescribe the forms, rules and regulations relating to appeals. The Committee may affirm, modify or reverse a decision or dismiss an appeal. In reviewing a decision of the Tax Administrator the Committee may take evidence and make an investigation. It shall give notice of its determination in the manner prescribed for serving notice of a Tax Administrator's decision and shall file a certified copy of each determination with the Tax Administrator. A determination becomes final after twenty (20) days and becomes due, subject to interest and penalties, and enforceable by the Tax Administrator in the same manner as an order decision of the Tax Administrator.

- B. Approve, modify or disapprove all forms, rules and regulations prescribed by the Tax Administrator if the forms, rules and regulations are challenged in the administration and enforcement of this Chapter.
- C. Hear and determine protests made to a form, rule or regulation approved or prescribed by the Tax Administrator.
- D. Prescribe rules for extensions and, for good cause, grant extensions of time in excess of one month for filing a return or paying the tax.
- E. Make investigations regarding imposition and administration of the tax and report its findings to the City Council; act in an advisory capacity to the City Council on matters pertaining to the tax and enforcement problems; and recommend to the City Council the adoption, amendment or repeal of legislation pertaining to the tax.
- F. Any other duties as otherwise set out herein. (Ord. 563, 10-2-89)