

# Agenda

## Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber  
22451 Highway 62, Shady Cove, Oregon  
Thursday, April 2, 2015  
6:00 p.m.

### I. Call to Order

- A. Roll call
- B. Pledge of Allegiance
- C. Announcements by Presiding Officer

1. This meeting is being digitally recorded.
2. The Planning Commission will hold a public hearing related to Medical Marijuana Facilities as a Permitted Use in the General Commercial District on April 9 at 6:30 p.m. in the City Council Chamber.
3. The next regular City Council meeting is scheduled for April 16 at 6:00 p.m. in the City Council Chamber.
4. There will be a park clean-up day at Aunt Caroline's Park on April 18 from 10:00 a.m. to 1:00 p.m.

### II. Public Comment

The public may comment on agenda items as they come up for discussion, but before deliberation by the Council.

### III. Presentation

None

### IV. Consent Calendar

- A. Accounts Payable, \$11,102.56 (pg. 3)
- B. Regular Meeting Minutes of March 19, 2015 (pg. 4-6)

### V. Written Communications

None

## **VI. Staff Reports**

None

## **VII. Unfinished Business**

- A. Ordinance 270 – Medical Marijuana Business License – Second Reading and Adoption (pg. 7-13)

## **VIII. Public Hearing**

None

## **IX. New Business**

- A. Resolution 15-13 – Establishing Fees and Charges, and Adding a Supplemental Fee for Medical Marijuana Facility Business Licenses (pg. 14-18)
- B. Resolution 15-14 – Authorizing the City Council to Determine Fees Charged to Medical Marijuana Facilities Each Fiscal Year (pg. 19)
- C. Resolution 15-15 – Applying a Supplemental Medical Marijuana Facility Fee for Fiscal Year 2015-2016 (pg. 20)

## **X. Public Comment on Non-Agenda Items**

Public must state name and address and standing to discuss issue. Issues must have city-wide impact and not be personal issues.

## **XI. Council Comments**

## **XII. Adjournment**

**City of Shady Cove  
Unpaid Bills Report  
March 20, 2015 to March 30 , 2015**

<u>Payee</u>	<u>Amount</u>	<u>Description</u>
Anderson, Tom	\$288.65	Training
Avista	\$85.11	Natural Gas
CenturyLink LD	\$36.39	Long Distance
CenturyLink Svcs	\$710.56	Phone Services
Chinook Institute for Civic Leadership	\$225.00	Training
Crystal Fresh	\$33.00	Bottled Water
David Christian	\$180.00	Radio Station Programming
FCS Group	\$4,819.70	SDC Study
KAS & Associates	\$160.96	Aunt Carolines
Pacific Power	\$805.42	Utilities
Perfection Cleaning	\$280.00	Janitorial
Postmaster	\$297.11	Postage
Reagles, Mitchell	\$376.74	Training
RVCOG	\$2,366.50	Computers & Support
Southern Oregon Sanitation	\$98.50	Sanitation
Stales Advantage	\$246.92	Office Supplies
Stewards Porta Potties	\$75.00	Porta Pottie
Superior Stamp & Sign Co.	\$17.00	Name Plaque
Total:	\$11,102.56	

**Total Amount of Unpaid Bills:      \$11,102.56**

City of Shady Cove  
**City Council Regular Meeting Minutes**  
Thursday, March 19, 2015

**CALL TO ORDER**

Mayor Anderson called the Regular City Council Meeting to order at 6:00 p.m. in the City Council Chamber.

Council Present: Mayor Anderson, Councilor Ulrich, Councilor Burgess and Councilor Mitchell and Councilor Sanderson.

Staff Present: Aaron Prunty, City Administrator; and Bonnie Pickett, Administrative Assistant

**ANNOUNCEMENTS**

The mayor led the audience in the Pledge of Allegiance, and read the announcements listed on the agenda.

**PUBLIC COMMENT**

The public may comment on agenda items as they come up for discussion, but before deliberation by the Council.

**CONSENT CALENDAR**

Revised Accounts Payable, \$109,102.35  
Regular Meeting Minutes of March 5, 2015

Motion to Approve the Consent Calendar.

Motion: Councilor Sanderson    Second: Councilor Ulrich  
All ayes. Motion carried 5-0

**STAFF REPORT**

**City Administrator- Monthly Budget**

The City Administrator gave brief summary of the monthly budget.

Mayor Anderson commented on the streets budget. He noted that there will be seven total streets that will be paved.

City Council and Media (Christy Pitto) asked clarifying questions regarding when the street paving will be performed

**NEW BUSINESS**

**A. Approve Budget Calendar.**

Motion to approve Budget Calendar for 2015-2016

Motion: Councilor Ulrich    Second: Councilor Mitchell  
All ayes. Motion carried 5-0

**B. Resolution 15-10 – Council Directives**

Councilor Ulrich asked clarifying question on the RVSS contract.

Motion to approve Resolution 15-10 Council Directives.

Motion: Councilor Ulrich Second: Councilor Sanderson

All ayes. Motion carried 5-0

**C. Resolution 15-11 – Authorizing the City Administrator to Negotiate a Contract for Attorney Services**

The City Administrator noted that he met with the proposed candidates for the contract of City Attorney. He performed extensive research into the Attorney firms, enabling a recommendation to the council.

Council Mitchell and Council Sanderson concurred with the City Administrators recommendation for Attorney Services. Council Ulrich questioned the importance of having a City Attorney. The City Administrator stated that having a City Attorney has been very beneficial for the City. The recommended Attorney Firm is offering a point person along with having a pool of Attorneys to assist the City with its needs instead of having to go to another Attorney firm to answer questions.

The City Administrator read the Resolution in its entirety

Motion to approve Resolution 15-11- Authorizing the City Administrator to Negotiate a Contract for Attorney Services

Motion: Councilor Sanderson Second: Councilor Burgess

All ayes. Motion carried 5-0

**D. Ordinance 270 – Medical Marijuana Business License – First Reading**

The City Administrator read Ordinance 270 by title only.

Mayor Anderson summarized the changes the City Council requested to be in Ordinance 270

Councilor Mitchell thanked the Council for addressing his questions regarding the Medical Marijuana facilities while he was absent from the last Council meeting. Councilor Burgess questioned edible restrictions. Councilor Sanderson questioned when the Business License fee will go into effect. The City Administrator noted the fee will be added to the Fee Schedule. The Fee Schedule can be changed at any time.

Mayor Anderson noted that the Medical Marijuana facilities will be paying a prorated and then flat fee for their business license cover 14 months.

**E. Resolution 15-12- Council Goals**

The Mayor read the short and long term goals for the City Council. Councilor Burgess suggested an introductory package for emergency management, the Insider Newsletter

etc. The City Administrator noted there is a packet in place that could be modified. Council discussed the size of water line to be used for fire hydrants.

Motion to approve Resolution 15-12 Council Goals

Motion: Councilor Mitchell Second: Councilor Sanderson  
All ayes. Motion carried 5-0

**COUNCIL COMMENTS**

Council Ulrich noted April 18<sup>th</sup> will be Aunt Caroline's Park clean-up day. Council Burgess noted continuation of the Town Hall meetings would be beneficial. Council Sanderson suggested the area in front of City Hall should also be addressed when the landscaping is done in the park.

**ADJOURNMENT**

The mayor adjourned the regular meeting at 7:07 p.m.

Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

**Council Vote:**

Mayor Anderson \_\_\_\_\_  
Councilor Ulrich \_\_\_\_\_  
Councilor Sanderson \_\_\_\_\_  
Councilor Burgess \_\_\_\_\_  
Councilor Mitchell \_\_\_\_\_

City of Shady Cove

Ordinance No. 270

**AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON  
ESTABLISHING MEDICAL MARIJUANA FACILITY  
BUSINESS LICENSES**

**WHEREAS**, the Oregon Health Authority (OHA) established a registration system for medical marijuana facilities for transferring usable marijuana and immature plants from registry cardholders, caregivers, or growers to medical marijuana facilities and from medical marijuana facilities to registry identification cardholders or designated primary caregivers of registry identification cardholders; and

**WHEREAS**, the OHA adopted rules to prohibit the establishment of medical marijuana facilities within 1,000 feet of the real property comprising a public or private elementary, secondary or career school attended primarily by minors, outlines background check requirements, describes the security requirements, recordkeeping requirements, identifies a mechanism for enforcement of violations, describes the process for quality assurance testing, the requirements for packaging and labeling, explains the process for licensing suspension, revocation and penalties for violations; and

**WHEREAS**, Oregon SB1531 section 2, which became effective March 1, 2014, allows governing bodies of a city to adopt ordinances that impose reasonable regulations on the operation of medical marijuana facilities registered, or applying for registration, under ORS 475.314 that are located in the area subject to the jurisdiction of the city.

**NOW THEREFORE,**

**THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:**

Section 1. A new chapter 116 is hereby added to the Shady Cove Municipal Code as an ordinance for issuing business licenses to medical marijuana facilities, which shall read as follows:

**CHAPTER 116 MEDICAL MARIJUANA FACILITY BUSINESS LICENSE**

- 116.01 Findings and Purpose**
- 116.02 Definitions**
- 116.03 Business License Required**
- 116.04 Approval of Application**
- 116.05 Medical Marijuana Use Allowed**
- 116.06 Signs and Advertising**
- 116.07 Parking**

<b>116.08</b>	<b>Hours and Rules of Operation</b>
<b>116.09</b>	<b>Security Requirements</b>
<b>116.10</b>	<b>Report of Disturbances and Unlawful Activity</b>
<b>116.11</b>	<b>Visibility of Activities; Control of Emissions and Odor</b>
<b>116.12</b>	<b>No City Liability – Indemnification</b>
<b>116.13</b>	<b>City Administrator Rules and Regulations</b>
<b>116.14</b>	<b>Reporting Requirements</b>
<b>116.15</b>	<b>Appeal Process</b>
<b>116.16</b>	<b>Violations and Penalties</b>
<b>116.17</b>	<b>Repeal</b>

### **116.01 Findings and Purpose**

A. The Council adopts all of the “whereas” sections of this Ordinance as findings to support this Ordinance.

B. The purpose of this Ordinance is to license medical marijuana facilities and to describe the restrictions upon such uses. In addition to compliance with this Ordinance, every medical marijuana facility shall be compliant and follow all existing rules and regulations as outlined in the City business license under Chapter 116 of the Shady Cove Municipal Code.

C. No part of this Ordinance is intended to or shall be deemed to conflict with federal law, including but not limited to, the Controlled Substances Act, 21 U.S.C. Section 800 *et seq.*, the Uniform Controlled Substances Act (chapter 69.50 RCW) nor to otherwise permit any activity that is prohibited under either Act, or any other local, state or federal law, statute, rule or regulation. Nothing in this Ordinance shall be construed to supersede Oregon state law prohibiting the acquisition, possession, manufacture, sale or use of medical marijuana in any manner not authorized by city code. Nothing in this Ordinance shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or that creates a nuisance, as defined herein. It is the intention of the City Council that this Ordinance be interpreted to be compatible with state enactments and in furtherance of the public purposes that those enactments encompass.

**116.02 Definitions** The City adopts the definitions in ORS 475.300 to 475.346 and OAR 333-008-1000 through 333-008-1290

A. “Employee” means any supervised volunteers, paid associates, agents, business owners, managers, and coordinators that work any hours per week in the medical marijuana facility.

### **116.03 Medical Marijuana Facility Business License**

A. A valid, current license is required from the Oregon Health Authority for operation of a medical marijuana facility. A copy of this license shall be submitted to the City as part of the complete application for a business license.

B. A medical marijuana facility business license is required from the City for operation of any Medical Marijuana Facility.

C. Licenses are non-transferable and shall only apply to the person listed on the license at the address listed on the application.

D. Licenses shall be valid for a period of one year, from July 1 to June 30.

E. A license shall be issued or renewed upon payment of the required fee, as set by resolution, and submission of a completed application in compliance with the provisions of this ordinance, and compliance with all provisions and requirements of this ordinance. Application to renew a license to operate a medical marijuana facility shall be filed at least 30 days prior to the date of expiration. Such renewal shall be annual and shall be accompanied by the annual fee(s).

F. Every applicant shall pay fees, as set by resolution, at the time of the application for an initial or renewal license, which shall be set by council resolution. Said fee is non-refundable if the application is approved.

G. The license requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or local law.

#### **116.04 Approval of Application**

A. The City Administrator or designee may issue a license for a medical marijuana facility if inspections for safety, zoning compliance, criminal history background checks, and all other information available to the City verify that the applicant has submitted a full and complete application, paid the appropriate fee, and has made improvements to the business location consistent with the application and is prepared to operate the business in compliance with this ordinance and any other applicable law, rule or regulation. The City Administrator or designee will deny any application that does not meet the requirements of this chapter or any other applicable law, rule or regulation or that contains any false or incomplete information.

#### **116.05 Medical Marijuana Use Allowed in Identified Zones**

A. Medical Marijuana Facilities as retail stores are allowed uses in the General Commercial Zone, G-C.

B. Location of all licensed facilities shall comply with the requirements of OAR 333-008-1110 (and all applicable rules and regulations promulgated thereunder), except as further limited by Section 116.05 (C) of this ordinance.

C. Licensed facilities shall not be closer than 2,500 feet of another medical marijuana facility; there shall be no more than two medical marijuana facilities within the city limits of the City of Shady Cove; and there shall be no more than one medical marijuana facility on either side of the Rogue River Bridge.

#### **116.06 Signs and Advertising**

A. All signage and advertising for a Medical Marijuana Facility shall comply with the applicable provisions of this Code, the Sign Code, and Zoning Code.

B. Violations of this Section relating to the Sign Code or Zoning Code shall result in a fine as determined by city code or municipal judge and/or revocation or suspension of business license.

C. All signage for a medical marijuana facility shall comply with all applicable provisions of the Code. In addition, no signage shall use the word "marijuana" or "cannabis" or any other word, phrase, or symbol commonly understood to refer to marijuana unless such word, phrase, or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols. Such signage must clearly indicate that the products and services are offered only for medical marijuana uses permitted by law.

#### **116.07 Parking**

A. Parking requirements for a medical marijuana facility shall comply with all applicable provisions of the Code. In addition, a medical marijuana facility shall provide no less than two ADA accessible parking spaces.

#### **116.08 Hours and Rules of Operation**

A. The maximum operating hours for the medical marijuana facility shall be as follows: 7:01a.m. to 7:59 p.m. daily. The facility is prohibited from operating between the hours of 8:00 p.m. and 7:00 a.m. the next ensuing day, except that patients who have entered the premises prior to closing time may complete their transactions and must be escorted out of the premises immediately upon completion of transaction.

B. No minors under the age of 18 are allowed within the premises of the licensed business.

#### **116.09 Security Requirements**

A. Security measures at all licensed facilities shall comply with the requirements of OAR 333-008-1140 (and all applicable rules and regulations promulgated thereunder).

B. The person responsible for the facility must conduct a criminal background check on all employees. The person responsible for the facility must include background check information to the City for every employee at the time of business license renewal each year.

#### **116.10 Report of Disturbances and Unlawful Activity**

A. All licensees and any agent, manager or employee thereof shall immediately report to the Jackson County Sheriff's Department any disorderly act, conduct or disturbance and any unlawful activity committed in or on the licensed and permitted premises, including, but not limited to, any unlawful resale of marijuana, and shall also immediately report any such activity in the immediate vicinity of the business.

B. Each licensee shall post and keep at all times visible to the public in a conspicuous place on the premises a sign with a minimum height of fourteen (14) inches and a minimum width of eleven (11) inches with each letter to be a minimum of one-half (1/2) inch in height, which shall read as follows:

**WARNING:**

The Jackson County Sheriff's Department and City Administrator must be notified

of all disorderly acts, conduct or disturbances and all unlawful activities which occur on or within the premises of this licensed establishment.

C. It shall not be a defense to a prosecution of a code enforcement action under this section that the licensee was not personally present on the premises at the time such unlawful activity, disorderly act, conduct or disturbance was committed; however, no agent or employee of the licensee shall be personally responsible for failing to report any disorderly act, conduct or disturbance and any unlawful activity hereunder if such agent, servant or employee was absent from the premises at the time such activity was committed.

**116.11 Visibility of Activities; Control of Emissions**

A. No marijuana or paraphernalia shall be displayed or kept in a business so as to be visible from outside the licensed premises.

B. Sufficient measures and means of preventing odors, debris, fluids and other substances from exiting the medical marijuana facility must be in effect at all times. In the event that any odors, dust, fluids or other substances exit a medical marijuana facility, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for the immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations.

**116.12 No City Liability – Indemnification**

A. By accepting a medical marijuana facility business license issued pursuant to this Chapter, the licensee waives and releases the City, its officers, elected officials, employees, volunteers and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of business owners, operators, employees, clients or customers for a violation of federal, state or local laws and regulations.

B. By accepting a license issued pursuant to this Chapter, all licensees, jointly and severally, if more than one, agree to indemnify, defend and hold harmless the City, its officers, elected officials, employees, volunteers and agents, insurers and self-insurance pool against all liability, claims and demands on account of any injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of the medical marijuana facility that is the subject of the license.

**116.13 City Administrator Rules and Regulations**

A. The City Administrator may adopt, with approval from the City Council, rules and regulations that the City Administrator determines are reasonably necessary to implement and administer the requirements of this business license.

B. The City Administrator may choose to not renew or revoke a license based on any of the following:

- (1) A failure to meet the conditions or maintain compliance with the standards established

by this division in reference to applications for a new license or the renewal of an existing license; or

- (2) One or more violations of any city ordinance on the premises; or
- (3) Maintenance of a nuisance on the premises; or
- (4) A demonstrated history of excessive calls for public safety (police, fire, and EMS) originating from the premises, being three or more calls in any 30 day period, or
- (5) Nonpayment of real and/or personal property taxes, other taxes, fines, fees or liens owed to the City.

#### **116.14 Reporting Requirements**

A. Every medical marijuana facility shall, on or before the fifteenth (15th) day of each month, make a report to the City Administrator, on forms provided by the City, specifying the total gross sales of marijuana, and marijuana-infused, products for the previous month. A report shall not be considered filed until it is actually received by the City Administrator.

#### **116.15 Appeal Process**

A. If an applicant or licensee chooses to appeal denial of a license or revocation of a license, the applicant or licensee can enter in a written appeal to the administrator's office using a city generated form including the appellants signature, the requirement or decision from which the appeal is made, and shall state the specific grounds on which the appeal is based. The applicable fee shall be submitted with the notice of the appeal; such fee shall be nonrefundable. Appeals shall be filed within 30 days of the decision in question. City Council shall consider the appeal within 45 days of receipt of the appeal.

#### **116.16 Violations and Penalties**

A. Any person who is found to be in violation of this Chapter and fined per Municipal Code Section 10.99 General Penalty.

B. Failure to comply with the requirements of this chapter shall be considered by the City in any action relating to the issuance or revocation of a business license.

#### **116.17 Repeal**

A. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

Section 1. Adoption by Reference. The City hereby adopts ORS 475.300 to 475.346 by reference, as well as OAR 333-008-1000 through 333-008-1290. A copy of these rules and the statute adopted by reference has been on file in the office of the City Administrator for use and examination by the public. A copy of these rules and statutes has also been on file while this Ordinance has been under consideration by the council and after adoption.

Section 2. Severability. If any Section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other Section, sentence, clause or phrase of this Ordinance.

Section 3.     Effective Date. This ordinance shall be effective 30 days after adoption.

Adopted by the City Council of the City of Shady Cove this 2nd day of April 2015.

Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

Council Vote:

Mayor Anderson     \_\_\_\_\_  
Councilor Ulrich     \_\_\_\_\_  
Councilor Sanderson \_\_\_\_\_  
Councilor Burgess    \_\_\_\_\_  
Councilor Mitchell    \_\_\_\_\_

City of Shady Cove

Resolution No. 15-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON ESTABLISHING FEES AND CHARGES, AND ADDING A SUPPLEMENTAL FEE FOR MEDICAL MARIJUANA FACILITY BUSINESS LICENSES**

**Whereas**, it is the policy of the City of Shady Cove to require the recovery of certain City costs from fees and charges levied therefore in providing City services, products and regulations; and

**Whereas**, the City of Shady Cove wishes to add to the Fee Schedule, a supplemental fee for Medical Marijuana Facility Business Licenses.

**THE CITY COUNCIL RESOLVES AS FOLLOWS:**

**SECTION 1: Fees Established**

Fees and charges for certain City services, products and regulations are established and set as enumerated in the attached Exhibit "A" incorporated by reference as though fully set forth herein.

**SECTION 2: Rates Not Enumerated**

Rates for any category, not enumerated in this Resolution, may, from time to time, be set by the City Council.

**SECTION 3: Resolutions Repealed**

All previous Fee Resolutions are hereby repealed.

**SECTION 4: Effective Date**

This Resolution shall be effective April 2, 2015.

**Adopted** by the Shady Cove City Council this 2nd day of April, 2015.

Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

**Council Vote:**

Mayor Anderson \_\_\_\_\_  
Councilor Ulrich \_\_\_\_\_  
Councilor Sanderson \_\_\_\_\_  
Councilor Burgess \_\_\_\_\_  
Councilor Mitchell \_\_\_\_\_

Exhibit "A"  
Attachment to City of Shady Cove Fee Resolution No. 15-13  
Effective Date: April 2, 2015

<b>Administration</b>		
Administrative Fee	45.00	Per hour, per person, after first 15 minutes.
Copies	.30	Per page
Audio Recording (CD)	5.00	Actual cost of CD and staff time to reproduce CD.
Retuned Check Fee	30.00	
<b>Business Licenses</b>		
Business License	85.00	All business Licenses. Businesses located in the city, out of City or Home Occupation, etc.
Duplicate Business License	10.00	
1 to 30 Day License	10.00	
License Reinstatement Fee	25.00	
Prorated Business License	7.00/mo. + Next Fiscal Yr.	For a new business beginning after Dec 31 through the end of the fiscal year + full rate of next fiscal year.
<b>Medical Marijuana License</b>	25,000/yr	Supplemental license, per location, in addition to the business license fee. License is prorated after Dec 31 through the end of the fiscal year + full rate of next fiscal year.
<b>Liquor Licenses</b>		
Change of Ownership	35.00	
Renewal	35.00	
Temporary/Special Event	15.00	
<b>Taxes and Fees</b>		
Raft Rental Tax	3.00	Per raft rental (Ord. 199 & 232)
Transient Occupancy Tax	6%	(Ord. 140, 140-01, & 171)

<b>Planning</b>		
Access Permit	75.00	Road access
Ancillary – up to 100 sq. ft.	75.00	Applies to small outdoor improvements ancillary to existing structures such as decks and stairs.
Appeal	300.00	
Conditional Use Permit	600.00	
Consulting, Legal and Professional Charges	Actual Costs	
Extensions	25.00	
Fence Permits (Non-Floodplain) (Floodplain)	25.00 100.00	
Final Plat	Half Original Fee	
Floodplain – Additional Inspections	100.00	
Floodplain Application: Minor	175.00	Minor includes one inspection.
Floodplain Application : Major	700.00	Includes up to three inspections.
Floodplain Minor File Review	75.00	No on-site inspection, includes tree removal
Lot Line Adjustment	300.00	
Land Partition Minor	600.00	No road creation
Land Partition Major	1200.00	Extension or creation of a road
Other Inspection Services	Actual Costs	
Planned Unit Development	2000.00	Plus \$50.00 per lot
Pre-application Conference	400.00	\$100 Credit on land use approval application

Revision to Prior Approval	Half Original Fee	
Sign Permits	25.00	Per property
Land Use Approval	175.00	
Site Development Review	175.00	Resident, Non Floodplain
Site Design Review	450.00	Resident, Floodplain & Commercial
Subdivision or Mobile Home Park	2000.00	Plus \$50.00 per lot
Variance	500.00	
Zone Change Application	1500.00	
Zone Change & Annexation	3000.00	
<b>System Development Charges</b>		
Ordinance No. 209, 230 & *per residential living limit		
Parks:	Single Family	1176.00* Methodology established by Ord. No. 209
Storm Water:	Single Family	1320.00* Methodology established by Ord. No. 209
Transportation:	Single Family	1169.00* Methodology established by Ord. No. 209
Wastewater:	Single Family	3073.00* Methodology established by Ord. No. 209
<b>Police</b>		
Driver License Reinstatement	20.00	
Public Safety Surcharge	15.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties

<b>Sewer Monthly Rates</b>		
<b>Residential</b>		
<b>Equivalent Dwelling Unit (EDU)</b>		
Single Family	46.00	
Multiple Family	46.00	Per Unit

Mobile Home Park	46.00	Per Space
<b>Lodging</b>		
Motel	46.00	Plus \$10.00 per unit (21.7% of EDU)*
R.V. Park	46.00	Plus \$10.00 per space (21.7% of EDU). * If rented for more than 30 days the full EDU rate (46.00) applies
<b>Restaurants &amp; Bars</b>		
Restaurants & Bars	46.00	Plus \$1.75 per seat (3.8% of EDU)*
<b>Other Commercial</b>		
Car Wash	46.00	Per stall
Laundromat	46.00	Plus 23.00 per washing machine (50% of EDU)*
Business/Building with 1-5 employees	46.00	
Business/Building with 6 + employees	92.00	
<b>Other</b>		
Churches, Other Non-Profit	46.00	
Recreation Vehicle Dumping Station	92.00	
Service Outside the City	69.00	
School	46.00	Plus \$0.35 per student and employee (307)**
Vacated Buildings Sewer Connection Maintenance fee	46.00	Full months only

\*Percentage will be applied to any subsequent change in EDU rate.

\*\*Number of students and employees will be validated each year

**New fee(s) are highlighted in yellow**

City of Shady Cove

Resolution No. 15-14

**A RESOLUTION AUTHORIZING THE CITY COUNCIL TO DETERMINE FEES CHARGED TO MEDICAL MARIJUANA FACILITIES EACH FISCAL YEAR**

**Whereas**, Ordinance 268, approved on September 4, 2014 authorizes the City to impose a 5% tax on sales of all medicinal marijuana and marijuana-infused products; and

**Whereas**, Ordinance 270, approved on April 2, 2015, authorizes the City to charge a medical marijuana facility business license fee, in addition to the standard business license fee; and

**Whereas**, the City Council wishes to choose either a sales tax or supplemental medical marijuana facility business license fee for each fiscal year; and

**Whereas**, the City Council will at no time charge both fees concurrently.

**Now, therefore be it resolved**, by the City Council of the City of Shady Cove, Oregon, that each year prior to budget preparation, the City Council shall determine by resolution to charge the sales tax established by Ordinance 268, or the supplemental medical marijuana business license fee as established by Ordinance 270.

**Adopted** by the City Council of the City of Shady Cove, Oregon this 2nd day of April, 2015.

Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

**Council Vote:**

Mayor Anderson \_\_\_\_\_  
Councilor Ulrich \_\_\_\_\_  
Councilor Sanderson \_\_\_\_\_  
Councilor Burgess \_\_\_\_\_  
Councilor Mitchell \_\_\_\_\_

City of Shady Cove

Resolution No. 15-15

**A RESOLUTION APPLYING A SUPPLEMENTAL MEDICAL MARIJUANA FACILITY BUSINESS LICENSE FEE FOR FISCAL YEAR 2015-2016**

**Whereas**, Resolution 15-13, adopted on April 2, 2015, establishes a supplemental medical marijuana facility business license fee, in addition to the basic business license fee; and

**Whereas**, Resolution 15-14, adopted on April 2, 2015, authorizes the City Council to determine by resolution whether to charge a sales tax or a supplemental medical marijuana business license fee for the following fiscal year.

**Now, therefore be it resolved**, by the City Council of the City of Shady Cove, Oregon, that a supplemental medical marijuana facility license fee, per Resolution 15-13, will be charged for fiscal year 2015-2016.

**Adopted** by the City Council of the City of Shady Cove, Oregon this 2nd day of April, 2015.

Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

**Council Vote:**

Mayor Anderson \_\_\_\_\_  
Councilor Ulrich \_\_\_\_\_  
Councilor Sanderson \_\_\_\_\_  
Councilor Burgess \_\_\_\_\_  
Councilor Mitchell \_\_\_\_\_