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FILED
J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK

BEFORE THE BOARD OF COMMISSIONERS
FOR UMATILLA COUNTY 1987 OCT -7 A 10:40

In the matter of co-adopting)
City of Pendleton Ordinance)
#3384 (reduction and waiver of)
fees in Pendleton Enterprise)
Zone) for those areas within)
the Pendleton Urban Growth)
Boundary and included in the)
Pendleton Enterprise Zone)

ORDINANCE # 87-8

WHEREAS, The City of Pendleton has amended several of its ordinances to provide incentives to qualifying businesses who locate or expand in the Pendleton Enterprise Zone; and

WHEREAS, The City has requested the County co-adopt these amendments so that it will apply to those lands that are a part of the Pendleton Enterprise zone and within the Pendleton Urban Growth Boundary; and

WHEREAS, The County and the City have entered into an agreement to apply city planning and zoning regulations on county properties within the Urban Growth Area to carry out the requirements of ORS 197 and 227; and

WHEREAS, The County has endorsed the Pendleton Enterprise Zone and supports the efforts of the City's Enterprise Zone; and

WHEREAS, The County Board of Commissioners held a public hearing on Wednesday, October 7, 1987 after a legal notice appeared in the East Oregonian on September 26, 1987; and

WHEREAS, The Board received no opposition to the co-adoption of Pendleton Ordinance #3384;

NOW THEREORE BE IT ORDAINED that the Umatilla County Board of Commissioners co-adopt the City of Pendleton Ordinance #3384 (attached) to apply to those lands outside the city limits but inside the Pendleton Urban Growth Boundary and within the boundaries of the Pendleton Enterprise Zone.

DATED THIS 7th day of October, 1987.



UMATILLA COUNTY BOARD OF COMMISSIONERS

Glenn Youngman
Glenn Youngman, Chairman

Jeanne Hughes
Jeanne Hughes, Vice-Chairman

William S. Hansell
William S. Hansell, Commissioner

ATTESTED: J. Dean Fouquette Sr.
Dore Manders, Deputy
County Clerk



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ORDINANCE NO. 3384

FILED
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UMATILLA COUNTY CLERK
APR 30 1987

AN ORDINANCE ESTABLISHING LOCAL INCENTIVES FOR BUSINESSES QUALIFYING FOR TAX EXEMPTIONS UNDER ORS 284.110 - 284.260 (OREGON ENTERPRISE ZONE ACT), AMENDING ORDINANCES 2206, 2283, 2287, 2500, 2775, 3001, 3023, 3029, 3251, AND 3354 AND DECLARING AN EMERGENCY.

WHEREAS, by action of the Governor of the State of Oregon, on January 2, 1987, the Pendleton Enterprise Zone was established; and

WHEREAS, the Pendleton Enterprise Zone contains fee waivers, discounts and other incentives for qualified business firms locating or expanding within the zone; and

WHEREAS, said incentives must be legally adopted within one year of zone designation per state rules, but more timely adoption is desirable;

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

SECTION 1. Ordinance No. 2206, Section 3, is amended as follows:

"SECTION 3. Permit Fees and Applications. Applications for permits to construct such improvements shall be made to the Public Works Director on forms provided for that purpose. Fees for the issuance of permits provided for in this Ordinance shall be:

- For each residential driveway or curb cut \$ 11.00
- For each commercial driveway or curb cut \$ 11.00
- For each variance application \$ 61.00

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 2. Ordinance No. 2283, Section 14, is amended as follows:

"SECTION 14. All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer, as provided by ordinances of the City.

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

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SECTION 3. Ordinance No. 2287, Section 4, is amended as follows:

"SECTION 4. Application. No excavation permit shall be issued unless a written application for the issuance of an excavation permit is submitted to the City Manager. The written application shall state that the applicant agrees to comply with prescribed procedures for making and restoring cuts and to make the necessary payments for work performed by the City. The application, when approved and signed by the City Manager, or his duly appointed agent, shall constitute a permit.

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 4. Ordinance No. 2287, Section 6, is amended as follows:

"SECTION 6. Cash Deposits. The application for an excavation permit to perform excavation work on a paved surface under this Ordinance shall be accompanied with a cash deposit, of a sum equal to \$2.00 per square foot of paved surface on each excavation to be made in public places which have been paved. No deposit shall be less than \$100.00. Any person intending to make openings, or excavations in public places may make and maintain, with the City Recorder a general deposit in the sum of \$1,000.00 cash, and the person so depositing shall not be required to make the special deposits provided in this section but shall, however, be required to comply with all other applicable provisions of this Ordinance. Any special or general deposit made hereunder shall serve as security for the repair and performance of work necessary to put the public place in as good a condition as it was prior to the excavation if the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and the excavation work under the excavation permit.

The City may use any or all of any such deposit to pay the cost of resurfacing the street and to pay the cost of any work the City performs to restore or maintain the public place as herein provided in the event the permittee fails to perform such work. After these costs are met, the City shall refund the balance of the deposit to the permittee, provided that there shall be a minimum charge of \$100.00 for all pavement cuts.

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall receive a discount of the above fees as follows:

- a) New qualifying businesses shall be discounted at the rate of five percent (5%) per full time family wage job created.
- b) Expanding qualifying businesses shall be discounted at the rate of seven and one half percent (7.5%) per full time family wage job created.

Each discount rate noted in (a) and (b) above shall be reduced one percent (1%) per year over the first five (5) years of business operations."

This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 5. Ordinance No. 2500, Section 5, is amended as follows:

"SECTION 5. Moving Permit. Before any licensee shall be authorized to move any building a permit therefor shall be obtained from the Building Department, which permit shall include, but not be limited to: a description of the route to be taken; the approximate length of time which shall be consumed in the moving; and specifying the day on which the moving shall start. The licensee shall not deviate from the approved route. An inspection fee of Seventeen and No/100 (%17.00) Dollars shall be paid by the licensee upon application for each permit. All permits shall be issued only upon the personal application of the permittee.
Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 6. Ordinance No. 2775, Section 14.03, is amended as follows:

- "SECTION 14.03. FEES.
- A. Bond (for sign as designated herein): \$150.00
 - B. (Section 14.03 B, repealed by Ordinance No. 3232, passed August 3, 1982.)
 - C. Permits: Per square foot of sign face .15
 - With Minimum 11.00
 - and Maximum 39.00

The fee for a cut-out display or painted sign shall be based on the sign face area.

D. Penalties. The fee for any sign shall be doubled when the applicant begins work prior to obtaining the sign permit or the annual erector license or bonding, as required by this Ordinance.

E. Variance, Conditional Sign, or Appeal Fee. The following NONREFUNDABLE fees shall be paid to the City upon filing for an application.

- 1. Variance Application \$ 60.00
- 2. Conditional Sign Permit Application 60.00
- 3. Appeal (of Commission only) 90.00
- 4. Amendment 90.00

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 7. Ordinance No. 3101, Section 4, is amended as follows:

"SECTION 4. Deposit. One-fourth of the deposit indicated in this section, but not less than \$100.00, shall be submitted to City's Public Works Director upon request for review of plans under this Ordinance, and the remaining deposit shall be likewise submitted prior to start of construction of the subject improvements. The deposit amount shall be determined by the Public

Works Director as a percentage of the estimated construction cost of the affected public improvements, in light of actual construction costs on file with the City of Pendleton, according to the following schedule:

<u>Estimated Construction Cost</u>	<u>Deposit (\$ of estimated construction cost)</u>
Less than \$30,000	2%
\$30,000 - \$80,000	1½%
More than \$80,000	1%

The deposit shall be applied to the actual review or inspection cost once these services are complete and the actual costs of review or inspection are known, at which time the City will refund any part of the deposit representing an overpayment where the deposit exceeds actual costs. Where subdivisions are developed on an incremental basis, only those portions submitted for review or inspection shall be subject to such deposit. In consideration of the City not requiring deposits twice as large as those proposed herein, as well as making periodic billings as provided herein without billing costs, deposits shall not accrue any interest to the depositors.

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall receive a discount of the above fees as follows:"

(a) New qualifying businesses shall be discounted at the rate of five percent (5%) per full time family wage job created.

(b) Expanding qualifying businesses shall be discounted at the rate of seven and one half percent (7.5%) per full time family wage job created.

Each discount rate noted in (a) and (b) above shall be reduced one percent (1%) per year over the first five (5) years of business operations.

This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 8. Ordinance No. 3232, Section 19, is amended as follows:

"SECTION 19. Business Fee.

A. There is hereby imposed on businesses assessed under this Ordinance an annual fee of Twenty Five and No/100 (\$25.00) Dollars for businesses located in the City and Forty and No/100 (\$40.00) Dollars for businesses which are located outside the City but doing business in the City.

B. Nothing in this Ordinance shall be construed as vesting a right in persons under a contract obligation on the part of the City for the amount or character of a business fee. Such a fee may be increased or decreased at any time by action of the City Council.

C. The fee herein imposed shall not be subject to proration.

D. Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the third year of business operations.

This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 9. Ordinance No. 3250, Section 160, is amended as follows:

"SECTION 160. FILING FEES. The following fees shall be paid to the Building Department upon filing for an application. Such fees shall not be refundable:

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A. Variance	\$ 60.00
B. Conditional Use	60.00
C. Amendment (Text and/or Map)	90.00
D. Planned Unit Development	250.00
E. Temporary Use	60.00
F. Appeal (of any Planning Commission action)	60.00
G. Mixed Land Use Development	250.00
H. Parking Lot Permit	11.00, plus \$6.00 per catch basin

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date.

SECTION 10. Ordinance No. 3251, Section 56, is amended as follows:

"SECTION 56. Fees. The following fees are hereby established to allow for City review of land use requests set forth in this Ordinance:

Amendments - - - - -	\$ 90.00
Appeals - - - - -	60.00
Boundary Line Adjustments - - - - -	15.00
Creation of a Public Street - - - - -	90.00
Minor Partition	
With Public Hearing - - - - -	60.00
Without Public Hearing - - - - -	15.00
Subdivision and Major Partition	
Tentative Plan - - - - -	110.00 + \$6.00/lot
Final Plat - - - - -	110.00 + \$6.00/lot
Modification - - - - -	25.00
(With Hearing) - - - - -	60.00
Variances - - - - -	60.00

Other Fees and Charges Required by this Ordinance:

Inspection and Engineering Fees: See Section 48 of this Ordinance, and Ordinance No. 3101.

Parks and Recreation Fee in Lieu of Land Dedication: See Section 32 of this Ordinance.

Street Signs: See Section 39 (F) of this Ordinance.

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall not be required to pay the above fees from the time construction is approved by the City to the end of the first year of business operations. This local enterprise zone incentive subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date.

SECTION 11. Ordinance No. 3354, Section 2, is amended as follows:

"SECTION 2. City Code Administration. (A) The City shall provide for the administration of a plan checking, permit, and inspection program for structural and mechanical work. This City program is applicable to public buildings, including state buildings, as well as private buildings.

Local Enterprise Zone Incentive. A business which provides the City Manager with proof that it is a "qualified business firm," in accordance with the Oregon Enterprise Zone Act, prior to the time such fees are due, shall receive a discount of the above fees as follows:

(a) New qualifying business shall be discounted at the rate of five percent (5%) per full time family wage job created.

(b) Expanding qualifying businesses shall be discounted at the rate of seven and one half percent (7.5%) per full time family wage job created.

Each discount rate noted in (a) and (b) above shall be reduced one percent (1%) per year over the first five (5) years of business operations.

This local enterprise zone subsection shall automatically terminate on January 2, 1997, and be of no further force nor effect after that date."

SECTION 12. Severability: The Sections of this Ordinance are severable. The invalidity of a Section shall not affect the validity of the remaining Sections.

SECTION 13. Emergency Clause. Inasmuch as it is necessary for the preservation of the peace, health and safety of the City of Pendleton that this Ordinance shall have immediate effect, an emergency is declared to exist and this Ordinance shall be in full force and effect after March 17, 1987.

PASSED by the vote of the Council Members present and approved by the Mayor this 17th day of March, 1987.

APPROVED: Joe McLaughlin
Mayor

ATTEST: Jill Turner
City Recorder

APPROVED AS TO FORM: Rudy M. Murgu, City Attorney