



City of Union

Agenda

Council Work Session Meeting

Monday, September 27, 2021 @ 6:00 PM

Leonard Almquist Council Chambers, 342 S. Main St,
Union, OR 97883

	Page
1. CALL TO ORDER, ROLL CALL:	
Mayor:	Flint
Councilors:	Denton, Farmer, Hawkins, Cox, Richter and McMillan
2. PRESENTATIONS:	
2.1. Meet at Well Yard on Beakman @ 6pm (Water Project walk through)	
3. UPCOMING BUSINESS DISCUSSIONS:	
4. COMMITTEE DISCUSSIONS:	
5. ORDINANCE/CHARTER REVIEW:	
5.1. Noxious Weed Ordinance Revisions	2 - 3
Noxious Weed Ordinance Change	
5.2. Lodging Tax Discussion	4 - 15
lodging-tax-program 604-401	
How transient lodging taxes work	
5.3. Meeting Guideline Ordinance Discussion	16 - 17
Code Meeting Guidance	
6. OTHER:	
6.1. Business Licenses discussion	
7. ADJOURNMENT:	

§ 98.01 NUISANCES PROHIBITED.

(A) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

NOXIOUS VEGETATION.

- (a) Weeds or grass, except ornamental grasses, more than ten inches high;
- (b) The plants listed on a list of noxious weeds to be adopted from time to time by the City Council by resolution, poison oak, and poison ivy; and
- (c) All trees, plants, shrubs, grass, brush, weeds, or other vegetation growing or which has grown and died or dried that are found upon any property which are a fire hazard and/or otherwise a menace to public health, safety and welfare.

NOXIOUS VEGETATION does not include vegetation that constitutes a commercial agricultural crop grown in accordance with all applicable laws, including zoning laws.

PERSON. Any natural person, firm, partnership, association, legal entity, or corporation.

PERSON IN CHARGE OF PROPERTY, PERSON IN CHARGE OF THE SUBJECT PROPERTY, or other similar phrase. Any one or more than one occupant, lessee, contract purchaser, owner, or person having possession of, control of, occupancy at, or title to, the subject property.

(B) *Nuisances.* Noxious vegetation existing anywhere within the city limits of the city is declared to be a public nuisance.

(C) *Responsibility.* A person in charge of property shall have responsibility for all vegetation on the subject property.

(D) *Enforcing authority.* The City Council shall have full authority of law to enforce the provisions of this chapter. The City Council may delegate any portion or all of this authority to its agents. Nothing herein shall limit the responsibility, authority, or powers of enforcement given under other city ordinances or other state law. The term ***COUNCIL*** as used in this chapter, shall mean the City Council or its agent.

(E) *Prohibition.* No person in charge of property may allow nuisances to be on the property. It shall be the duty of a person in charge of property to remove grass, shrubbery, brush, bushes, weeds, or other noxious vegetation in violation of this chapter as often as needed to prevent them from becoming unsightly, from becoming a fire or health hazard, or from going to seed. A breach of any of these stated duties shall be a violation of this chapter. Failure to abate a nuisance within the time required by this chapter shall also be a violation of this chapter.

(Ord. 544, passed 12-8-2014; Ord. 547, passed 4-13-2015) Penalty, see § [98.99](#)

§ 98.01 NUISANCES PROHIBITED.

- A. *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

NOXIOUS WEED:

A terrestrial, aquatic or marine plant designated by the Oregon State Weed Board under ORS 569.615 as among those representing the greatest public menace and as a top priority for action by weed control programs.

NUISANCE WEED:

All trees, plants, shrubs, grass, brush, weed, or other vegetation growing which has grown and died or dried found upon any property which has become a fire hazard and/or a menace to public health, safety and welfare or weeds or grass, except ornamental grasses, more than ten inches in height.

PERSON:

Any natural person, firm, partnership, association, legal entity, or corporation.

PERSON IN CHARGE OF PROPERTY, PERSON IN CHARGE OF THE SUBJECT PROPERTY, or other similar phrase:

Any one or more than one occupant, lessee, contract purchaser, owner, or person having possession of, control of, occupancy at, or title to, the subject property.

- B. *Responsibility.* A person in charge of property shall have responsibility for all vegetation on the subject property.
- C. *Nuisances.* Noxious or nuisance weed existing anywhere within the city limits of the city is declared to be a public nuisance.
- D. *Enforcing authority.* The City Council shall have full authority of law to enforce the provisions of this chapter. The City Council may delegate any portion or all of this authority to its agents. Nothing herein shall limit the responsibility, authority, or powers of enforcement given under other city ordinances or other state law. The term **COUNCIL** as used in this chapter, shall mean the City Council or its agent.
- E. *Prohibition.* No person in charge of property may allow nuisances to be on the property. It shall be the duty of a person in charge of property to remove nuisance and noxious Weed in violation of this chapter as often as needed to prevent them from becoming unsightly, from becoming a fire or health hazard, or from going to seed. A breach of any of these stated duties shall be a violation of this chapter. Failure to abate a nuisance within the time required by this chapter shall also be a violation of this chapter.

State of Oregon Lodging Tax Program



www.oregon.gov/dor

How did this tax come about?

The 2003 Oregon Legislature passed House Bill (HB) 2267 to establish a state lodging tax. The revenue this tax generates funds Oregon Tourism Commission programs. HB 2197, passed in 2005, expanded the definition of “transient lodging” and the list of who must pay the tax.

HB 2656, passed in 2013, expanded the list of who must collect and pay the tax. HB 2656 took effect on October 7, 2013 and requires transient lodging providers **and transient lodging intermediaries** to collect and remit taxes computed on the **total retail price** paid for occupancy of transient lodging.

The 2016 legislature passed HB 4146, which included two changes to the state lodging tax rate. Beginning July 1, 2016, the tax rate will be 1.8 percent of the total price charged for lodging. The rate will drop to 1.5 percent on July 1, 2020.

Who must pay this tax?

Transient lodging providers and transient lodging intermediaries must collect and remit the tax. Under the law, *whoever collects payment* for occupancy of the transient lodging (“**transient lodging tax collector**”) is responsible for collecting and remitting the tax.

A person who furnishes temporary overnight lodging is considered a transient lodging provider. A transient lodging intermediary is a person, other than a provider, that facilitates the retail sale and charges for the occupancy of transient lodging. Transient lodging intermediaries include, but are not limited to, online travel companies, travel agents, and tour outfitter companies. Transient lodging includes:

- Hotels and motels;
 - Bed and breakfast facilities;
 - RV sites in RV parks or campgrounds;
 - Resorts and inns;
 - Lodges and guest ranches;
 - Cabins;
 - Condominiums;
 - Short-term rental apartments and duplexes;
 - Vacation rental houses;
 - Tent sites and yurts in private and public campgrounds;
- and**

- Any other dwelling unit, or portion of a dwelling unit, used for temporary overnight stays.

How much is this tax?

If you collect payment for transient lodging directly from customers, then you must collect and remit this tax. The tax rate is based on the date of payment:

Payment date	Tax rate
Before July 1, 2016	1%
On or after July 1, 2016	1.8%
On or after July 1, 2020	1.5%

You will hold this tax in trust and send it quarterly to the Oregon Department of Revenue. If you don’t pay this tax in a timely manner, we will charge you penalty and interest.

The law allows you to withhold 5 percent of the state lodging taxes you collect to cover your costs for record keeping, reporting, and collecting the tax.

How is this tax different from the city or county tax I’m already paying?

This tax promotes statewide tourism. City and county taxes fund local programs.

What lodging facilities are exempt from the tax?

- Health care facilities, hospitals, long-term care facilities, and residential care facilities that are licensed, registered, or certified by Oregon Department of Human Services.
- Drug or alcohol abuse treatment facilities and mental health treatment facilities.
- Facilities with less than 30 days of rentals in a calendar year.
- Emergency temporary shelter funded by a government agency.
- Nonprofit youth or church camps, nonprofit conference centers, and qualifying nonprofit facilities.

Are any lodgers exempt from the tax?

- Lodgers who spend 30 or more consecutive days at the same facility.
- Federal employees on federal business.

How and when do I pay the tax?

You must file a quarterly return and submit the tax on or before the last day of April, July, October, and January. You must file a zero return even if you didn't collect any tax for the reporting period.

You'll need to report your taxable gross receipts for each region in which you conduct business as a transient lodging tax collector. Include gross receipts from all regions on the same return. Do not file separate returns for each region or facility address. To determine the region in which a specific property is located, visit us at www.oregon.gov/dor/business. Look for the ZIP code/region directory.

File and pay electronically using Revenue Online at www.oregon.gov/dor. Revenue Online will calculate the tax you owe, allow for payment, and verify when we receive your filing and payment.

For more information on how to file and pay the state lodging tax, see our publication, *Filing State Lodging Tax Returns*, or contact us at spa.help@oregon.gov or (503) 945-8247.

Do you have questions or need help?

Lodging tax information www.oregon.gov/dor/business

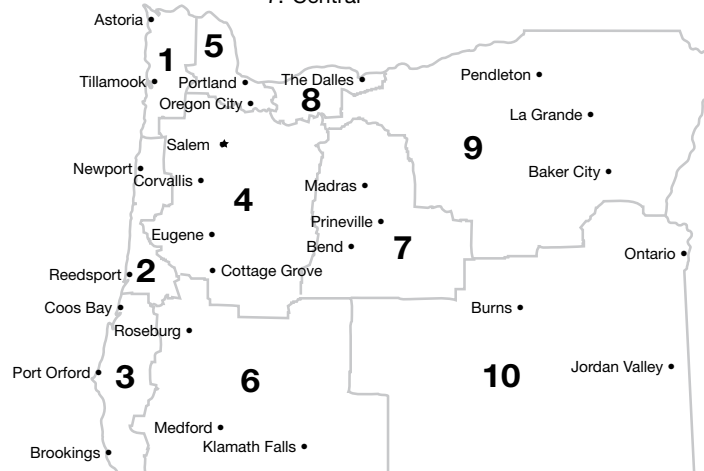
General tax information.....www.oregon.gov/dor
(503) 378-4988 or (800) 356-4222

questions.dor@oregon.gov

Contact us for ADA accommodations or assistance in other languages.

OREGON'S TEN REGIONS

- | | | |
|------------------|----------------------|---------------------|
| 1. North Coast | 4. Willamette Valley | 8. Mt. Hood / Gorge |
| 2. Central Coast | 5. Portland Metro | 9. Northeastern |
| 3. South Coast | 6. Southern | 10. Southeastern |
| | 7. Central | |



How transient lodging taxes work

Cities and counties may enter into an agreement that allows us to administer the local transient lodging tax on their behalf. The table below shows all the Oregon cities and counties with a local transient lodging tax and whether we collect the tax on their behalf or if it is done at the local level.

If the city or county where your facility is located has an agreement with us for tax administration, you would make your local tax payments the same way you make your state tax payments. You'll also include your local tax information on the quarterly return you file with us. For more information on your filing requirements, Read the [filing instructions](#) to see what you'll need to file and pay online.

If the municipality where your business is located doesn't have an agreement with us, you'll need to contact them directly to find out how to pay and file for the local tax. This doesn't change your payment and filing process and requirements for the state tax.

This list is current as of July 1, 2021. Local means you file with your local government. DOR means you file the local return here with us.

Union	La Grande	6% city tax	541-962-1313	541-963-3333
	County-wide	3% county tax	541-963-1001	541-963-1079

TLT Municipality	Administered	Rate
Albany	Local	9% city tax
Ashland	Local	10% city tax
Astoria	Local	11% city tax
Baker County	Local	7% city tax
Bandon	Local	6% city tax
Bay City	Local	9% city tax

Beaverton	Local	4% city tax
Bend	Local	10.4% city tax
Benton County	Local	3% county tax
Brookings	Local	6% city tax
Brownsville	Local	6% city tax
Burns	Local	9% city tax
Canby	Local	6% city tax
Cannon Beach	Local	8% city tax
Cascade Locks	Local	7% city tax
Central Point	Local	9% city tax
Clackamas County	Local	6% county tax
Clatsop County	Local	10.5% (9.5% county tax + 1%)
Coburg	Local	8% city tax
Condon	Local	5% city tax
Coos Bay	Local	9.5% city tax

Coquille	Local	7% city tax
Coquille Indian Tribe	Local	10.5% tribal tax
Corvallis	DOR	9% city tax
Cottage Grove	Local	9% city tax
Creswell	Local	8% city tax
Crook County	Local	8.5% county tax
Curry County unincorporated	Local	7% county tax
Dallas	Local	9% city tax
Depoe Bay	Local	8% city tax
Deschutes County Unincorporated	Local	8% county tax
Detroit	Local	8% city tax
Dundee	Local	10% city tax
Dunes City	Local	8% city tax
Eagle Point	Local	5% city tax
Enterprise	Local	3% city tax

Eugene	Local	9.5% city tax
Fairview	Local	6% city tax
Florence	Local	9% city tax
Forest Grove	Local	2.5% city tax
Garibaldi	Local	9% city tax
Gearhart	Local	7% city tax
Gladstone	Local	6% city tax
Gold Beach	Local	6% city tax
Grant County	Local	8% county tax
Grants Pass	Local	9% city tax
Gresham	Local	6% city tax
Heppner	Local	5% city tax
Hermiston	Local	2.5%–8% city tax
Hillsboro	Local	3% city tax
Hines	Local	8% city tax

Hood River	Local	8% city tax
Hood River County Unincorporated	Local	8% city tax
Independence	Local	9% city tax
Jacksonville	Local	9% city tax
Jefferson County	Local	6% county tax
Junction City	Local	8% city tax
Keizer	Local	6% city tax
Klamath County	Local	8% county tax
La Grande	Local	6% city tax
Lake County	Local	6% county tax
Lake Oswego	Local	6% city tax
Lakeside	Local	7.5% city tax
Lane County Unincorporated	Local	8% city tax
Lebanon	Local	9% city tax
Lincoln City	Local	9.5% city tax

Lincoln County Unincorporated	Local	10% county tax
Linn County	Local	3% county tax
Lowell	Local	8% city tax
Madras	Local	9% city tax
Manzanita	Local	9% city tax
McKenzie River	Local	8% city tax
McMinnville	Local	10% city tax
Medford	Local	11% city tax
Metolius	Local	6% city tax
Milton-Freewater	Local	8% city tax
Monmouth	Local	9% city tax
Multnomah County	Local	5.5% county tax
Nehalem	Local	9% city tax
Newberg	Local	9% city tax
Newport	Local	9.5% city tax

North Bend	Local	9.5% city tax
Oakridge	Local	8% city tax
Ontario	Local	9% city tax
Oregon City	Local	6% city tax
Pendleton	Local	8% city tax
Phoenix	Local	6% city tax
Port Orford	Local	7% city tax
Portland	Local	6% city tax plus 2% tourism tax
Prineville	Local	8.5% city tax
Redmond	Local	9% city tax
Reedsport	Local	7% city tax
Rockaway Beach	Local	10% city tax
Rogue River	Local	6% city tax
Roseburg	Local	8% city tax
Salem	Local	9% city tax

Sandy	Local	3% city tax
Seaside	Local	10% city tax
Shady Cove	Local	6% city tax
Sherwood	Local	3% city tax
Silverton	Local	9% city tax
Sisters	Local	8.99% city tax
Springfield	Local	9.5% city tax
St. Helens	Local	10% city tax
Stayton	Local	7% city tax
Sublimity	Local	7% city tax
Sutherlin	Local	8% city tax
Sweet Home	Local	6% city tax
Talent	Local	6% city tax
The Dalles	Local	8% city tax
Tigard	Local	2.5% city tax

Tillamook	Local	10% city tax
Tillamook County Incorporated	Local	1% county tax for all cities
Tillamook County Unincorporated	Local	10% city tax
Troutdale	Local	6.95% city tax
Umatilla	Local	3.5% city tax
Union County	Local	3% county tax
Veneta	Local	8% city tax
Waldport	Local	10% city tax
Wallowa County	Local	5% county tax
Warrenton	Local	12% city tax
Washington County	Local	9% county tax
Westfir	Local	8% city tax
Wheeler	Local	9% city tax
Wilsonville	Local	5% city tax
Winston	Local	7% city tax

Wood Village	Local	6% city tax
Woodburn	Local	9% city tax
Yachats	Local	7% city tax

FIXING REGULAR MEETING DATES; RULES AND REGULATIONS FOR PROCEEDINGS

§ 30.25 REGULAR CITY COUNCIL MEETINGS.

The regular meeting date of the City Council of the City of Union shall be on the second Monday of each month, unless the Monday falls on a holiday as that term is defined by Oregon Revised Statutes. If the second Monday falls upon a holiday, the regular meeting of the City Council shall be held on the next succeeding Monday. The City Council, by resolution, may change the regular meeting date as it deems necessary. The Council shall, by resolution, establish the time and place of the regular meeting.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.26 SPECIAL COUNCIL MEETINGS.

Special meetings of the Council may be called by the Mayor, or, in his or her absence or inability to act, by the President of the Council by giving 24 hours previous written notice to each member of the Council of the time of the meeting and the purpose of same. Special meetings may also be called upon the request of three or more members of the Council by giving 24 hours notice of the meeting to all members of the Council then in the city. Special meetings of the Council may also be held by common consent of all the members of the Council.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.27 EXECUTIVE SESSIONS.

Executive sessions may be held during regular or special meetings, so long as appropriate statutory limitations are met.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.28 AGENDA.

The City Administrator shall prepare an agenda of the business to be presented at a regular Council meeting. The Council shall consider at the meeting only matters that appear on the agenda for that meeting or the items as are introduced by a Council member or the Mayor. Council members and the Mayor shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.29 CONSENT CALENDAR.

In order to make more efficient use of meeting time, the Administrator shall place all ordinances, resolutions, approvals of minutes and expenditures, approvals of Planning Committee actions and such other matters which are routine in nature and concerning which no debate is expected on a consent calendar. Any item placed on the consent calendar shall be removed at the request of the Mayor or any Council member prior to the time a vote is taken on the consent calendar. All remaining items on the consent calendar shall be disposed of by a single motion to adopt the consent calendar, which shall not be debatable. Adoption of the consent calendar shall be by the affirmative vote of all Council members present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item on the consent agenda shall be voted upon separately in the usual manner.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.30 ORDER OF BUSINESS; REGULAR MEETING.

The order of business for each regular meeting of the Council shall be as follows:

- (A) Roll call and taking of attendance;
- (B) Hearings and appointments;
- (C) Public comments and communications;
- (D) Old business;
- (E) New business;
- (F) Consent agenda;
- (G) Reports of officers and committees;
- (H) Suggestions for future agendas; and
- (I) Adjournment.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.31 BUSINESS; SPECIAL MEETINGS.

At the special meetings of the Council, only the specified matters which prompted the call of the meeting shall be brought

up for discussion. The order of business for special meetings shall always include provision for public comment.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.32 ALTERING ORDER OF AGENDA.

With consent of the Council, the Mayor may alter the order of the agenda.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.33 ORDER OF DELIBERATIONS.

In all matters to be heard by the Council, the City Administrator may introduce the subject, after which the Mayor will first invite those persons and parties who are proponents of any matter to be considered by the Council to speak thereon. Then, the opponents of the proposal will next be afforded an opportunity to speak thereon. Then, the City Administrator or members of the staff of the city may speak thereon or answer questions from members of the Council or the public. Then, the members of the Council shall discuss the matters and act thereon.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.34 RULES OF CONDUCT AND DECORUM.

(A) *Presiding officer.* The Mayor, as presiding officer, shall preserve decorum and shall decide all points of order, subject to appeal to the Council.

(B) *Councilors.* Councilors shall preserve order and decorum during Council meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules. Councilors shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

(C) *Staff and public.* Members of the administrative staff, employees of the city and other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council.

(D) *Removal of any person.* Any person who makes personal, impertinent, slanderous or inappropriate remarks or who becomes boisterous while addressing the Council or attending a Council meeting, when the behavior disrupts or delays the meeting, may be removed from the room if the Sergeant-at-Arms is so directed by the presiding officer. Any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, the Sergeant-at-Arms shall be authorized to remove the person or persons, as if the presiding officer so directed.

(E) *Enforcement of decorum.* The City Administrator, or such member or members of the Union Police Department as the City Administrator shall designate, shall serve as the Sergeant-at-Arms of the Council meetings and shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.35 ORDINANCE PROCEDURE.

The Council shall follow the regular procedure as set out in Chapter VIII of the City Charter when considering and passing any and all ordinances brought before it.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)