

ORDINANCE NO. 937

**AN ORDINANCE AMENDING THE REGULATION OF FLAGPOLES IN
STAYTON MUNICIPAL CODE, TITLE 17**

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, Title 17 of Stayton Municipal Code (SMC; Code), Section 17.20.140 establishes the regulations for signs within the City of Stayton;

WHEREAS, SMC Section 17.20.140.3.f.2) currently limits the height of flagpoles to 20 feet or 110% of the building height;

WHEREAS, there are a number of existing flagpoles that exceed the maximum height established in Section 17.20.140.3.f.2);

WHEREAS, the Stayton Planning Commission, following a public hearing has unanimously recommended that the Code be amended to allow flagpoles located in non-residential zones to be 35 feet in height; and,

WHEREAS, following a public hearing, the Stayton City Council deems that the proposed amendments set forth below comply with the City of Stayton Comprehensive Plan and are in the interests of the health, safety and general welfare of the citizens of the City of Stayton.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. Section 17.20.140.3.f. amended. Stayton Municipal Code, Title 17, Section 17.20.140.3.f. is hereby amended as follows:

- f. Official national, state, and local government flags on permanent flag poles designed to allow the raising and lowering of flags:
- 1) One flag or banner per property is exempt from the provisions of these regulations.
 - 2) In a residential zone, A flag structure shall not exceed 2035 feet or 110 percent of the maximum height of the primary structure on the property, whichever is greater.
 - 3) In a Commercial, Industrial or Downtown zone, a flag structure shall not exceed 35 feet or 110 percent of the maximum height of the primary structure on the property, whichever is greater.
 - 4) All structures over 10 feet in height supporting flags require a Building Permit and an inspection(s) of the footing and structure, as per the building code, prior to installation of the structure.

Section 2. Effective Date. This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor's signing.

Section 3. Notification to State. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

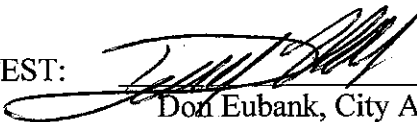
ADOPTED BY THE STAYTON CITY COUNCIL this 5th day of July, 2011.

CITY OF STAYTON

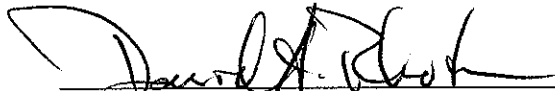
Signed: 7/8, 2011

BY: 
A. Scott Vigil, Mayor

Signed: 7/8, 2011

ATTEST: 
Don Eubank, City Administrator

APPROVED AS TO FORM:


David A. Rhoten, City Attorney