

ORDINANCE NO. 1036

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLES 8 AND 15
REGARDING MAINTENANCE OF COMMERCIAL PROPERTIES

WHEREAS, in June 2018 the Stayton City Council enacted Ordinance 1019 restricting smoking of tobacco in the Downtown area and establishing standards for the maintenance of commercial properties;

WHEREAS, following comments about the impact of the smoking restrictions on certain businesses, In September 2018 the City Council voted to suspend enforcement of the Ordinance 1019;

WHEREAS, the City Council held a public hearing in November of 2018 on the provisions in Ordinance 1019;

WHEREAS, following the public hearing the City Council appointed a committee to review the provisions enacted by Ordinance 2019;

WHEREAS, the committee appointed by the City Council recommended changes to smoking restrictions and to the property maintenance standards; and

WHEREAS, the City of Stayton City Council held a public hearing on the proposed Code amendments on August 19, 2019.

NOW THEREFORE, the City of Stayton ordains:

Section 1. Stayton Municipal Code Section 15.12.010 is hereby amended as follows:

15.12.010 PURPOSE

This Chapter is intended to protect the ~~Downtown Core~~ City of Stayton from blight, deterioration, and decay as a result of properties in a condition or state that potentially would have an adverse effect on the value, utility, and habitability of property within the City. Such properties may:

1. Pose hazards to the public health, safety, and welfare.
2. Cause potential damage to adjoining and nearby properties. A property which is merely unkempt or vacant for long periods may reduce the value of adjoining and nearby property, and the habitability and economic well-being of the City may be materially and adversely affected.
3. Be a cause and source of blight in both residential and non-residential neighborhoods, especially when the person in charge of the building fails to actively maintain and manage the building to ensure that it does not become a liability to the neighborhood.
4. Discourage economic development and retard appreciation of property values.
5. Serve as a potential fire hazards and can jeopardize the ability of owners of neighboring property from securing or maintaining affordable fire insurance.
6. Potentially cause increased need for police protection due to misuse of the property by persons not having permission or right to use the property.

7. Be the core and cause of spreading blight

It is the responsibility of property ownership to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare. It is also in the community's best interest not to lose unique buildings, and in the best interest of the owner to maintain their investment.

Section 2. Stayton Municipal Code Section 15.12.020 is hereby amended as follows:

15.12.020 SCOPE OF REGULATIONS

The regulations included in this Chapter shall be in effect and control the use of property used for business and mixed business/residential purposes and public places ~~only~~ within the ~~Downtown Core of the City. The Downtown Core is defined as that area designated Downtown on the Stayton Comprehensive Plan Map and both sides of N First Ave from Water St to Washington St.~~

Section 3. Stayton Municipal Code Section 15.12.040 is hereby amended as follows:

15.12.040 WEEDS AND PLANTS TO BE CONTROLLED

Plant material shall be cut down or destroyed between the building facade and the street unless planted in a container or tree well by the building owner, occupant, or city. Plant material shall be removed between buildings, and in alleyways. Planted materials in landscape beds and planters shall be maintained to keep them healthy and ~~attractive~~weed free.

Section 4. Stayton Municipal Code Section 15.12.050 is hereby amended as follows:

15.12.050 ~~ILLUMINATION AND~~ MAINTENANCE OF AWNINGS

1. Awnings shall ~~be in good repair and free of moss or algae~~not be torn, frayed, ripped, faded, or stained, soiled, or dirty.
2. ~~Awnings shall not be internally illuminated. However, lighting which provides illumination to the sidewalk and signage is required from dusk to midnight. If an awning cover is removed, the building owner shall remove the frame and any supports for the awning.~~

Section 5. Stayton Municipal Code Section 15.12.055 is hereby enacted:

15.12.055 ILLUMINATION OF BUILDINGS

The purpose of this section is to provide uniformity of lighting of building exterior and interior retail areas in the downtown area in order to provide an inviting atmosphere within the pedestrian-oriented portion of the City.

1. Buildings along N Third Avenue, between E Water Street and E Burnett Street shall provide illumination visible from the exterior of the building. Illumination shall be provided by:
 - a. Light fixtures on or in an awning or canopy overhanging the sidewalk;
 - b. Light fixtures attached to the exterior of the building;
 - c. Lights attached around the perimeter of a window frame; or

d. Interior lighting within a window.

2. Lighting shall be white light, a minimum of 1,000 lumens, with temperature rating of 5000K or less.

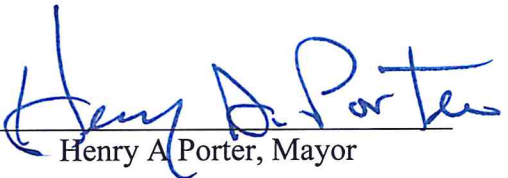
3. Illumination shall be provided between dusk and 11:00 pm.

Section 6. Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

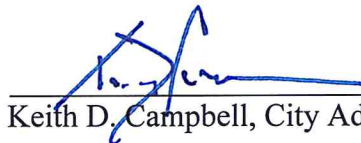
ADOPTED BY THE CITY COUNCIL this 16th day of September, 2019.

CITY OF STAYTON

Signed: 9/16, 2019

BY: 
Henry A. Porter, Mayor

Signed: 9/16, 2019

ATTEST: 
Keith D. Campbell, City Administrator