



AGENDA STAYTON CITY COUNCIL MEETING

Monday, October 7, 2013

Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

6:00 p.m. Executive Session (Community Center Meeting Room) pursuant to ORS 192.660.1(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

7:00 p.m. Regular Meeting (Community Center – North End)

CALL TO ORDER

7:00 PM

Mayor Vigil

FLAG SALUTE

ROLL CALL/STAFF INTRODUCTIONS

PRESENTATIONS/COMMENTS FROM THE PUBLIC

- a. Donation to Park Fund from Car Show Committee by Chair Alan Kingsley
- b. Presentation by Marion County District Attorney Walt Beglau and Executive Director of Mid-Valley Women's Crisis Service Jayne Downing
- c. Proclamation by Mayor Vigil declaring October 2013 as Domestic Violence Awareness Month.

Request for Recognition: If you wish to address the Council, please fill out a green "Request for Recognition" form. Forms are on the table at the back of the room.

Recommended time for presentation is 10 minutes.

Recommended time for comments from the public is 3 minutes.

ANNOUNCEMENTS – PLEASE READ CAREFULLY

Items not on the agenda but relevant to City business may be discussed at this meeting. Citizens are encouraged to attend all meetings of the City Council to insure that they stay informed. Agenda items may be moved forward if a Public Hearing is scheduled.

- a. Additions to the agenda
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

CONSENT AGENDA

- a. September 16, 2013 City Council Action Minutes

Purpose of the Consent Agenda:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The Recorder to the Council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the consent Agenda is then voted on individually by roll call vote. Copies of the Council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at Stayton City Hall, 362 N. Third Avenue, Stayton, or the Stayton Public Library, 515 N. First Avenue, Stayton.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations please contact Alissa Angelo, Deputy City Recorder at (503) 769-3425.

PUBLIC HEARING – None

UNFINISHED BUSINESS

Ordinance No. 958, Amending Stayton Municipal Code Title 10, Chapters 10.04, 10.08, 10.12, 10.16, 10.36, and 10.40 Relating to Vehicles and Traffic **Action**

- a. Staff Report – Chief Rich Sebens
- b. Council Deliberation
- c. Council Decision

NEW BUSINESS – None

STAFF/COMMISSION REPORTS

Public Works Director’s Report – Dave Kinney

Informational

- a. Resolution No. 903, a Resolution Amending the Wastewater Systems Development Charge (SDC) to add a Mill Creek Sewer Project Reimbursement Fee

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Recommended time for presentations is 10 minutes.

Recommended time for comments from the public is 3 minutes.

BUSINESS FROM THE CITY ADMINISTRATOR

- a. Wave Broadband Rate Increase

Informational

BUSINESS FROM THE MAYOR

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS

- a. Oregon Department of Parks and Recreation Local Government Grant Agreement
- b. Review of City Charter

ADJOURN

CALENDAR OF EVENTS

OCTOBER 2013

Tuesday	October 1	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Monday	October 7	City Council Executive Session	6:00 p.m.	Community Center (north end)
Monday	October 7	City Council	7:00 p.m.	Community Center (north end)
Tuesday	October 8	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	October 14	City Council Work Session	6:00 p.m.	Community Center (north end)
Wednesday	October 16	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Friday	October 18	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	October 21	City Council	7:00 p.m.	Community Center (north end)
Monday	October 28	Planning Commission	7:00 p.m.	Community Center (north end)

NOVEMBER 2013

Monday	Nov 4	City Council	7:00 p.m.	Community Center (north end)
Tuesday	Nov 5	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Friday	Nov 8	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	Nov 11	CITY OFFICES CLOSED IN OBSERVANCE OF VETERANS DAY		
Tuesday	Nov 12	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Tuesday	Nov 12	Police Advisory Board	6:00 p.m.	City Hall Conference Room
Monday	Nov 18	City Council	7:00 p.m.	Community Center (north end)
Wednesday	Nov 20	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	Nov 25	Planning Commission	7:00 p.m.	Community Center (north end)
Thursday	Nov 28	CITY OFFICES CLOSED IN OBSERVANCE OF THANKSGIVING		
Friday	Nov 29			

DECEMBER 2013

Monday	Dec 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	Dec 3	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	Dec 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	Dec 13	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	Dec 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	Dec 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Wednesday	Dec 25	CITY OFFICES CLOSED IN OBSERVANCE OF CHRISTMAS		

**City of Stayton
City Council Meeting Action Minutes
September 16, 2013**

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

Time Start: 7:00 P.M.

Time End: 8:16 P.M.

ATTENDANCE LOG

COUNCIL	STAFF
Mayor Scott Vigil	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Dan Fleishman, Director of Planning & Development
Councilor Catherine Hemshorn (excused)	David Kinney, Public Works Director
Councilor Jennifer Niegel	Louise Meyers, Library Director
Councilor Henry Porter	Rich Sebens, Police Chief (excused)
Councilor Brian Quigley	Christine Shaffer, Finance Director
	David Rhoten, City Attorney (excused)

AGENDA	ACTIONS
REGULAR MEETING	
Presentations / Comments from the Public	
a. Stayton Family Memorial Pool Update by Santiam Family YMCA	Santiam Family YMCA Director Lisa Eckis updated the Council on the management transition of the Pool facility and the status of hiring a manager.
Announcements	
b. Additions to the Agenda	None
c. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None
Consent Agenda	
a. September 3, 2013 City Council Action Minutes	Motion from Councilor Gooch, seconded by Councilor Niegel, to approve the consent agenda. Motion passed 4:0.
b. OLCC Application – Kelly’s Café	
Public Hearings	
Resolution No. 903, amending the Wastewater Systems Development Charge (SDC) to add a Mill Creek Sewer Project Reimbursement Fee	
a. Commencement of Public Hearing	The hearing commenced at 7:09 p.m.
b. Staff Report – David Kinney	Mr. Kinney reviewed the staff report.
c. Questions from Council	Council offered questions
d. Proponents’ Testimony	None
e. Opponents’ Testimony	None

<p>f. General Testimony</p> <p>g. Questions from the Public</p> <p>h. Questions from the Council</p> <p>i. Staff Summary</p> <p>j. Close of Hearing</p>	<p>Bill Martinak, 15556 Coon Hollow Road, Stayton asked about notifications for this proposal. He stated he should have spoke during the opponents' testimony as he is opposed to this additional fee. He feels property owners should have been individually notified.</p> <p>None</p> <p>Discussion of recommendation by the Comprehensive Plan Committee to begin review of the current SDC's. There was concern about notification of vacant property owners that would be affected.</p> <p>Mr. Kinney briefly summarized the Council's choices.</p> <p>Mayor Vigil closed the hearing at 7:34 p.m.</p>
<p>New Business</p> <p>a. Resolution No. 903, Amending the Wastewater Systems Development Charge (SDC) to add a Mill Creek Sewer Project Reimbursement Fee</p>	<p>After some discussion, the Council requested staff provide further information on how Stayton's SDC's compares to other cities.</p> <p>Resolution No. 903 will be brought back with additional information at the next Council meeting. No further notifications will be made to vacant land owners.</p>
<p>Unfinished Business</p> <p>a. Resolution No. 902, Proposed Rate Increase for Solid Waste Management</p>	<p>Brief discussion between the Council and Republic Services General Manager Derek Ruckman about similar rate increase requests in Sublimity and Aumsville.</p> <p>Councilor Quigley requested the franchise agreement be reopened for a Request for Proposal prior to the next renewal. He also would like to see the perpetual renewal removed from the agreement.</p> <p>Motion from Councilor Niegel, seconded by Councilor Quigley, to approve Resolution No. 902, Establishing Rates for Solid Waste Management Services in the City of Stayton. Motion 4:0.</p>
<p>Staff / Commission Reports</p> <p>a. Finance Director's Report – Christine Shaffer</p> <p>b. Police Chief's Report – Rich Sebens</p>	<p>No discussion.</p> <p>Councilor Quigley inquired about the current year</p>

<p>c. Public Works Director's Report – Dave Kinney</p> <p>d. Planning & Development Director's Report – Dan Fleishman</p> <p>e. Library Director's Report – Louise Meyers</p>	<p>Police Activity. Ms. Shaffer will have Chief Sebens update the Council as to whether this number is correct or not.</p> <p>Mr. Kinney briefly reviewed his informational public works update report.</p> <p>No discussion.</p> <p>No discussion.</p>
<p>Presentations / Comments From the Public</p>	<p>None</p>
<p>Business from the City Administrator</p>	<p>Ms. Shaffer briefly updated the Council on the heating and air conditioning system at the Pool facility which was funded by the Santiam Community Endowment.</p> <p>Councilor Quigley expressed concern about filling the management position. Ms. Shaffer plans to speak with Paul Manning of the YMCA about these concerns.</p>
<p>Business from the Mayor</p>	<p>None</p>
<p>Business from the Council</p>	<p>Councilor Gooch updated the Council on the most recent Santiam Regional Transportation Authority Committee meeting.</p> <p>Councilor Quigley inquired about the status of the E. Marion County Justice Court. Ms. Shaffer stated the County had not officially voted on this yet but has indicated the City will need to implement its own Municipal Court. At this time, that is the direction the staff is moving in.</p>
<p>Future Agenda Items</p> <p>a. Ordinance No. 958, Amends Stayton Municipal Code Title 10 Revisions to Stayton Municipal Code Title 10, Chapters 10.04, 10.08, 10.12, and 10.16 Relating to Vehicles and Traffic</p> <p>b. Review of City Charter</p>	

APPROVED BY THE STAYTON CITY COUNCIL THIS 7TH DAY OF OCTOBER 2013, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____

A. Scott Vigil, Mayor

Date: _____

Attest: _____

Christine Shaffer, Interim City Administrator

Date: _____

Transcribed by: _____

Alissa Angelo, Deputy City Recorder



MEMORANDUM

TO: Mayor Vigil and the Stayton City Council

FROM: Rich Sebens, Chief of Police

SUBJECT: An Ordinance Amending the Stayton Municipal Code Title 10 Chapters 10.04, 10.08, 10.12, and 10.16, 10.36, and 10.40 Relating to Vehicles and Traffic

DATE: October 7, 2013

ISSUE:

Whether or not to adopt an ordinance to amend the Stayton Municipal Code (SMC) Title 10 Chapters 10.04, 10.08, 10.12, 10.16, 10.36, and 10.40 Relating to Vehicles and Traffic.

STAFF RECOMMENDATION:

Council approval.

BACKGROUND INFORMATION:

Council requested staff find a solution to the issues related to parking trailers on the street. In updating Title 10 to reflect the parking changes, staff found several other issues that were out of date and needed to be updated. The following updates were made:

- **SMC Title 10, Section 10.04:** Amended to fix out of date or unneeded definitions. The changes made to definitions were done to reflect other uses in the SMC or in the Oregon Revised Statutes (ORS).
- **SMC Title 10, Section 10.08:** This section was amended to update a reference manual used in the Planning and Development Department. It was also amended to allow staff to establish parking zones and install signage when needed.

- **SMC Title 10, Section 10.12:** Amended to simplify and reflect language to assist with parking enforcement. Also, unused sections were removed. Vehicle parking size was changed to reflect newer, larger vehicle styles due to auto manufacturing changes in recent years. The issue of trailers being left on the street for long periods of time was fixed by not allowing unattached trailers to be left on the street. A few exceptions were also included.
- **SMC Title 10, Section 10.16:** This section was updated to bring the SMC into compliance with the ORS. A section was added to allow the City to have vehicles and property removed with notice from the public right of way if the street is temporarily closed for reasons such as maintenance and events.
- **SMC Title 10, Section 10.36:** This section was updated to change the SMC to differentiate the difference between an event and a parade. It also grants the organizer of an event exclusive rights to location where the event is being held. This allows the Stayton Police to trespass and remove persons who are a disruption to the event. The changes also allow for the Chief of Police to require the organizer of the event to have certain items in place before the event is permitted.
- **SMC Title 10, Section 10.40:** This section was updated by moving 10.40.1050 to 10.12.320. The Stayton Truck Route was also added to the code versus having it in the City Master Plan.
- **Additional Changes:** Each section of SMC Title 10 was updated to remove any reference to specific ORS sections because these change from time to time. Specific fee amounts were also removed as they are submitted each year to City Council as part of the Fees Resolution.

FISCAL/RESOURCE IMPACT:

N/A

FACTS AND FINDINGS:

N/A

OPTIONS:

1. Move to enact Ordinance No. 958 relating to Stayton Municipal Code Title 10, sections 10.04, 10.08, 10.12, 10.16, 10.36, and 10.40 as presented.
2. Move to enact Ordinance No. 958 relating to Stayton Municipal Code Title 10, sections 10.04, 10.08, 10.12, 10.16, 10.36, and 10.40 as amended.
3. Modify the proposed Ordinance to be brought back for consideration
4. Reject the proposed Ordinance.

ORDINANCE NO. 958

AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE TITLE 10, CHAPTERS 10.04, 10.08, 10.12, 10.16, 10.36, 10.40 RELATING TO VEHICLES AND TRAFFIC.

WHEREAS, the City of Stayton City Council presently requested staff amend Title 10 to address issues related to parking on the City Streets and while amending Title 10, City staff found numerous housekeeping clarifications that needed to be addressed in the Stayton Municipal Code (“SMC”);

WHEREAS, SMC Title 10.04 General Provisions had several definitions that were outdated and needed to be updated;

WHEREAS, SMC Title 10.08 needed several “housekeeping” language issues revised and the ability for staff to make traffic control changes in regards to parking and signage;

WHEREAS, SMC Title 10.12 Stopping, Standing, and Parking regulates parking on the city streets. The Stayton City Council requested this SMC be revised to address concerns regarding citizens leaving trailers on the street;

WHEREAS, SMC Title 10.12 sets size limits for on street parking. These size limits were out of date for current passenger vehicle sizes;

WHEREAS, SMC Title 10.12 needed several “housekeeping” language issues revised;

WHEREAS, SMC Title 10.16 needed several “housekeeping” language issues resolved and updates to allow vehicles to be removed from the public right of way for maintenance issues and events;

WHEREAS, SMC Title 10.36 needed several “housekeeping” language issues resolved, language to designate events and parades, language giving exclusive rights to the organizer and language to protect the City’s interests;

WHEREAS, SMC Title 10.40 needed several “housekeeping” language issues resolved; and

WHEREAS, it is the City’s desire to amend Title 10.

NOW THEREFORE, the City of Stayton ordains:

SECTION 1. Stayton Municipal Code 10 Chapter .04, .08, .12, .16, .36, .40 relating to Vehicles and Traffic is amended to read as set forth in Exhibit A., attached hereto as incorporated herein; replacing and superseding the current text of SMC Title 10 Chapter .04, .08, .12, .16, .36, .40.

SECTION 2. Non-emergency. Upon enactment by the Stayton City Council and the Mayor’s signature, the Ordinance shall become effective 30 days after enactment.

ADOPTED BY THE STAYTON CITY COUNCIL this _____ day of _____, 2013.

CITY OF STAYTON

Signed: _____

By: _____
A. Scott Vigil, Mayor

ATTEST

Signed: _____

By: _____
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

David A. Rhoten, City Attorney

CHAPTER 10.04
GENERAL PROVISIONS

SECTIONS

- 10.04.010 ~~Citing Title~~
- 10.04.020 Definitions
- 10.04.030 Oregon Vehicle Code Adopted: Applicability

10.04.010 CITATION

This ~~Title~~ may be cited ~~and referred to as~~ the City of Stayton Traffic Code.

10.04.020 DEFINITIONS

~~The words and phrases defined and used in the Oregon Revised Statutes are hereby adopted and shall be so defined and used in this code unless defined differently below.~~
~~Except where the context clearly indicates a different meaning, the following words or phrases mean:~~

1. **BUS STOP:** A roadway space designated by sign for use by buses to load or unload passengers.

3. **COSTS:** The expense of removing, storing, and selling an impounded vehicle.

5. **LOADING ZONE:** A roadway space designated by sign for loading or unloading passengers or materials during specified hours or specified days.

6. **PARK:** To stand, stop, or to cause or permit to remain stopped any vehicle or combination of vehicles, or any portion thereof, whether occupied or not, on any public street, public off-street parking facility, or other public right-of-way, including sidewalks, except such stops as are made in response to legal controls or requirements, conditions created by other traffic, emergencies related to the operation of the vehicle during the actual period of such emergency, or temporary stops for the purpose of and while actually engaged in loading or unloading property or passengers.

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- Deleted: 2. **BUSINESS DISTRICT:**
- Deleted: The territory contiguous to a street when fifty (50) percent or more of the frontage thereon for a distance of 600 feet or more on one side or 300 or more on both sides, is occupied by buildings used for business.
- Deleted: An area designated as a Commercial Zone pursuant to Section 17.16.020 of th.
- Deleted: 4. **HOLIDAY:** New Year's Day, Independence Day, Labor Day, Memorial Day, Thanksgiving Day, Christmas Day, and any other day proclaimed by the governing body to be a holiday.¶
- Deleted: 6. **MOTOR TRUCK:** A motor vehicle that is primarily designed or used for carrying loads other than passengers.¶
- Deleted: 8. **MOTOR VEHICLE:** A vehicle that is self-propelled or designed for self-propulsion.¶
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- Deleted: 9. **OWNER:** When referring to the owner of a vehicle means:¶
¶ a. The person who holds the certificate of title and the registration of a vehicle and who is entitled to possession and use of the vehicle; or¶
¶
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b. If the certificate of title, registration and right to possession and use of a vehicle belong to different persons, the person, other than a security interest holder or lessor, entitled to possess and use the vehicle under a security ... [1]
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- Deleted: 11. **PERSON:** A natural person, firm, partnership, associati ... [2]

7. **PUBLIC PROPERTY:** Includes any property in the city owned by or dedicated to the city, and shall also include areas commonly used for public parking, whether owned by the city or not.

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8. **STREET:** Alley, highway, roadway, or throughway, including the entire width of the right-of-way.

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9. **TAXICAB STAND:** A roadway space designated by sign for taxicab use.

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10. **TRAFFIC LANE:** That area of the roadway used for a single line of traffic movement.

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11. **VEHICLE:** Any device in upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means including bicycles.

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Deleted: As used in chapters 10.12, 10.16, 10.20, 10.24, and 10.40 of this Title, includes bicycles. (Ord. 667, section 1[part], 1989)

10.04.030

OREGON VEHICLE CODE ADOPTED: APPLICABILITY

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1. The statutes and regulations of the State of Oregon and Marion County, Oregon, shall apply. Accordingly, the City of Stayton shall have the right to prosecute thereunder.

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2. If any section or sections of the above described laws are hereafter declared to be invalid, unconstitutional, or unenforceable as regards the city of Stayton or the jurisdiction of the municipal court, it shall not affect any other section of the SMC.

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TITLE 10. VEHICLES AND TRAFFIC

9. **OWNER:** When referring to the owner of a vehicle means:
- a. The person who holds the certificate of title and the registration of a vehicle and who is entitled to possession and use of the vehicle; or

Section Break (Next Page)

TITLE 10. VEHICLES AND TRAFFIC

- b. If the certificate of title, registration and right to possession and use of a vehicle belong to different persons, the person, other than a security interest holder or lessor, entitled to possess and use the vehicle under a security agreement or a lease that has a term of ten (10) or more successive days.

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- 11. **PERSON:** A natural person, firm, partnership, association, or corporation.

TITLE 10. VEHICLES AND TRAFFIC

CHAPTER 10.08

ADMINISTRATION AND ENFORCEMENT

SECTIONS

- 10.08.110 Administration: Council Authority
- 10.08.120 Administration: Police Chief Authority
- 10.08.130 Authority to Direct Traffic: Public Danger
- 10.08.140 Basis of Traffic Regulations and Standards
- 10.08.150 Authority of Police and Fire Officers

10.08.110 ADMINISTRATION: COUNCIL AUTHORITY

1. Subject to state laws, the Council shall exercise all municipal traffic authority for the City, except those powers specifically and expressly delegated herein or by another section of this Title.
2. The powers of the Council shall include, but not be limited to:
 - a. Designation of through streets
 - b. Designation of one-way streets
 - c. Designation of truck routes
 - d. Designation of bicycle routes
 - e. Designation of parking meters, parking zones, and permit zones
 - f. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage.
 - g. Authorization of greater maximum weights or lengths for vehicles using City streets than specified by state law.
 - h. Initiation of proceedings to change speed zones.
 - i. Revision of speed limits in parks.

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TITLE 10. VEHICLES AND TRAFFIC

10.08.120 ADMINISTRATION: POLICE CHIEF AUTHORITY

The City Council may, by resolution, authorize the Chief of Police or designate to exercise the following duties:

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1. ~~Enforce~~ ordinances, resolutions, and motions of the Council and ~~the Chief of Police's~~ own orders by installing, maintaining, removing, and altering traffic control devices. Installation shall be based on standards contained in the ~~most current edition of the~~ Manual on Uniform Traffic Control Devices for Streets and Highways and the Oregon Supplements.

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2. Establish, remove, or alter the following classes of traffic controls:

- a. Crosswalks, safety zones ~~parking, signage,~~ and traffic lanes.
- b. Intersection channelization and areas where vehicle drivers shall not make right, left, or u-turns and the time when the prohibition applies.
- c. Parking areas and time limitations including the form of permissible parking (e.g., parallel or diagonal).

3. Issue oversize or overweight vehicle permits.

4. Temporarily close or block streets.

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10.08.130 AUTHORITY TO DIRECT TRAFFIC: PUBLIC DANGER

Under conditions constituting a danger to the public, the Police Chief or designate may install temporary traffic control devices (or procedures) deemed to be necessary ~~for the~~ public safety.

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10.08.140 BASIS OF TRAFFIC REGULATIONS AND STANDARDS

The regulations of the Police Chief or designate shall be based upon:



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- 1. Traffic engineering principles and traffic investigations.
- 2. Standards, limitations, and rules promulgated by the Oregon Transportation Commission.
- 3. Other recognized traffic control standards.

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TITLE 10. VEHICLES AND TRAFFIC

10.08.150 AUTHORITY OF POLICE AND FIRE OFFICERS

1. It is the duty of police officers to enforce the provisions of this traffic code.
2. In the event of a fire or other public emergency, officers of the police department and fire district may direct traffic as conditions require, notwithstanding the provisions of this chapter. 
3. In the event a police officer initiates a traffic stop within the Stayton city limits that continues outside the Stayton city limits, the police officer shall, if necessary, dispose of the vehicle as if the vehicle were located within the Stayton city limits. 

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TITLE 10. VEHICLES AND TRAFFIC

Where parking space markings are placed on a street or public lot, no person shall stand or park a vehicle outside of a marked space, unless the size or shape of the vehicle makes compliance impossible. A vehicle must fit within a parking space designated as "compact" parking space regardless of the vehicle size or shape.

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When vehicles are parked or stopped on the public right of way, they must be parked in the direction of travel.

10.12.230 PARKING SPACES: USE PRIORITY

The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street shall have priority to park within that space, and no other vehicle operator shall attempt to interfere.

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10.12.240 PROHIBITED PARKING OR STANDING

No person shall park or stand:

1. A vehicle in violation of the Oregon Revised Statutes or in violation of an official parking limitation sign or device.
2. A vehicle in an alley except for a stop of not more than thirty (30) consecutive minutes for loading or unloading persons or material.
3. A vehicle or trailer designed to be towed by a vehicle, on a street or parking strip within the city at any time if the motor truck, truck tractor, trailer, or pull trailer, or any combination thereof, is longer than 40 feet, wider than 8 feet 6 inches or weighs in excess of 26,000 Gross Vehicle Weight (GVW), or any vehicle that requires an Oregon Commercial Drivers License ("commercial licensed driver") except:
 - a. A motor truck and/or trailer requiring a commercially licensed driver may be parked on a public street for up to 24 hours in the Industrial Park of Stayton (Rogue Ave, Willamette Ave, and Deschutes Dr.)
4. A trailer designed to be pulled by another vehicle that is left unattached from the tow vehicle except:
 - a. When engaged in the delivery or receipt of cargo and when no facilities for the receipt or discharge of the cargo exists except from the street or parking strip; or

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TITLE 10. VEHICLES AND TRAFFIC

b. When the person in charge is immediately engaged in the maintenance or repair of public or private property adjacent to a street or parking strip and no off-street parking is reasonably available; or

c. When a vehicle is parked in compliance with a camping permit which has been issued pursuant to SMC 8.12.630,

d. A recreational vehicle or trailer, parked in front of the residence of the owner, for a period not to exceed 72 hours for the purpose of preparation of use or clean up after use.

e. A utility trailer used for the purpose of a temporary construction/landscape project at the location/address it is parked at for a period not to exceed 72 hours.

5. No person in charge of any vehicle or trailer engaged in the delivery or receipt of cargo under the circumstances authorized in subsection 4 of this section shall park in such a manner that any part thereof shall project or be more than fifteen (15) feet into the street when measured at right angles from the face of the curb nearest to the motor truck, truck tractor, trailer, or pull trailer.

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10.12.245

ISSUANCE OF RESIDENTIAL PARKING PERMITS

1. A Residential Parking Permit shall be issued by the Chief of Police, or designate, upon application and without charge to the owner or operator of a motor vehicle who resides on property immediately adjacent to a street or other location within a residential permit parking zone.

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2. The application for the permit shall contain the name of the owner or operator of the motor vehicle, residential address, and the motor vehicle's make and model. The owner or operator of any motor vehicle applying for a residential parking permit shall have a current and valid Oregon vehicle registration unless it is not legally required. The permit shall be renewed annually upon such conditions and procedures as the Chief of Police shall specify.

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3. The Chief of Police is authorized to issue temporary residential parking permits to bona fide visitors at residences in designated residential parking zones.

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10.12.246

PARKING IN RESIDENTIAL PERMIT PARKING ZONES

1. The holder of a residential parking permit which is properly displayed shall be permitted to stand or park the permitted motor vehicle operated by him in the appropriately designated residential parking zone.

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TITLE 10. VEHICLES AND TRAFFIC

- 2. While a motor vehicle for which a residential parking permit has been issued is so parked, such permit shall be displayed so as to be clearly visible in the vehicle's lower driver's side portion of the front windshield.
- 3. A residential parking permit shall not guarantee or reserve to the holder a parking space within a designated residential parking permit parking zone. A residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in a parking meter zone or in such places or during such times as the stopping, standing, or parking of motor vehicles is prohibited or set aside for specified types of vehicles, nor exempt the holder from the observance of any traffic regulation other than parking in a residential parking permit zone.

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10.12.247 PARKING PERMIT VIOLATIONS

It shall be unlawful for:

- 1. Any person who represents they are a person who is entitled to a residential parking permit when not so entitled to one;
- 2. Any person who fails to surrender a permit when the person is no longer entitled to it;
- 3. Any person who parks a vehicle displaying a residential parking permit at any time when that person is not entitled to it;
- 4. Any person to park in a designated residential permit parking zone without displaying a permit issued pursuant to this title.

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 2. Any person, to fail to surrender a residential parking permit to which that person is no longer entitled., ¶
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 3. Any person or to park a vehicle displaying such a residential parking permit at any time when the holder of such permit is not entitled to it.¶
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 24. Any person to park in a designated residential permit parking zone without displaying a permit issued pursuant to this title. (Ord. 726, February 1994. §3)¶

10.12.250 PARKING CITATION: ISSUANCE

- 1. In the event there is reasonable cause to believe that a vehicle is parked in violation of any of the provisions of Sections 10.12.210 through 10.12.370, or applicable state law, a citation (an unsworn written notice) in conformance with Oregon Law may be issued and the original filed with the City of Stayton, and the court with jurisdiction over municipal ordinance matters.
- 2. The notice (which may be a copy of the citation issued) provided for above shall either be delivered to the defendant or placed in a conspicuous place on the vehicle involved in the violation. A duplicate original of the notice shall serve as the complaint in the case when it is filed with the court. In all other respects the procedure otherwise provided by law in such cases shall be followed. The issuing

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