



# REQUEST FOR COUNCIL ACTION

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**Title:** Code Updates

**Preferred Agenda:** January 24, 2023

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Kelcey Young, City Manager

**Type of Action:** Resolution \_\_\_\_ Motion X Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** SHMC 8.04, 12.12, and 12.16

**Towards Council Goal:** Aspiration I: Desirable Community; Goal 3.2: Community Safety

**Attachments:** Ordinance Bill No. 4 for 2023 Code Updates

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## **Purpose of this RCA:**

The purpose of this RCA is to request approval and first reading of a proposed ordinance making various updates to the Sweet Home Municipal Code (SHMC) to protect the health, safety, and general welfare of the public.

## **Background/Context:**

The City's Code Compliance Officer regularly receives complaints from the public regarding trash, junk, animals, fires, and other threats to public health and safety, as well as issues that affect the general appearance of the City. Many complaints, while valid, cannot be addressed due to constraints within the SHMC. Staff therefore, propose the following changes:

§8.04.020 Nuisances Affecting Public Health: references to debris or junk property are moved to a different section, as they are more pertinent to Open Storage

§8.04.025 Open Burning: this section is clarified to make it clear that authorized individuals have the right to extinguish illegal open burning and that the violator will bear the costs of such enforcement.

§8.04.060: this section is updated to include all windows and doors, not just those made of glass, and not just those at the bottom 6 feet of the structure.

§8.04.130: this section is updated to allow for the enforcement of open storage that is in public view from an alleyway or private street or shared driveway, as well as open storage in commercial and industrial areas (it was previously limited to residences).

§12.12.130: this section is updated to allow the City Manager's designee to enforce code provisions regarding domestic animals in parks. Previously, it was limited to the City Manager or Director.

§12.16.110: this section is updated to allow the City, at its discretion, to require the input of a licensed arborist for the abatement of dead, dangerous, or diseased trees on private property. This is helpful, because City staff do not have the expertise to determine the danger posed by trees, and residents often use the current code to demand action regarding their neighbors' trees.

**The Challenge/Problem:**

How does the City respond to resident complaints? How does the City adapt its Code over time?

**Stakeholders:**

- Sweet Home Residents – Residents deserve safe and attractive industrial and commercial areas and neighborhoods and streets.
- Sweet Home City Council – The City Council is responsible for enacting ordinances and regulations that protect the health, safety, and general welfare of the public.

**Issues and Financial Impacts:**

This ordinance involves no financial impact to the City, and will make enforcement more efficient.

**Elements of a Stable Solution:**

A stable solution includes reasonable updates to the SHMC that protect public health, safety, and general welfare.

**Options:**

1. Do Nothing – If the Council chooses to do nothing, then the City Code will remain as is.
2. Motion to conduct a first reading of the proposed ordinance as presented.
3. Motion to conduct a first reading of the proposed ordinance with changes – The Council may make changes to the proposed ordinance.
4. Direct Staff to research other ways to accomplish the same goals.

**Recommendation:**

Staff recommends option 2: Motion to conduct a first reading of the proposed ordinance as presented.