



**City Council**

- Mayor  
Brian Dalton
- Council President  
LaVonne Wilson
- Councilor  
Jim Brown
- Councilor  
Jim Fairchild
- Councilor  
Kelly Gabliks
- Councilor  
Beth Jones
- Councilor  
Jackie Lawson
- Councilor  
Kevin Marshall
- Councilor  
Murray Stewart
- Councilor  
Ken Woods, Jr.

**Dallas City Council Agenda**

Mayor Brian Dalton, Presiding  
 Monday, September 15, 2014  
 7:00 pm  
 Dallas City Hall  
 187 SE Court St.  
 Dallas, OR 97338

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish to speak on any agenda item, please sign in on the provided card.

AGENDA ITEM	RECOMMENDED ACTION
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE	
3. EMPLOYEE RECOGNITION / INTRODUCTION	
4. COMMENTS FROM AUDIENCE This time is provided for citizens to comment on municipal issues and any agenda items other than public hearings. The Mayor may place time restrictions on comments. Please supply 14 copies of the material brought to the meeting for distribution.	
5. PUBLIC HEARINGS Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.	
a. Public hearing regarding proposed Sign Code revisions	PG . 3
b. Public hearing regarding a 2014 Community Development Block Grant for construction of a Dallas Area Senior Center building at 950 SW Church Street.	PG . 102
6. CONSENT AGENDA The following items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered separately.	
a. Approve minutes of August 4, 2014 City Council meeting	PG . 105
b. OLCC Application for Pressed Coffee & Wine Bar	PG . 108
c. OLCC Application for Dallas Forty LLC	PG . 117
d. Appoint Marc Pazina to the Planning Commission	PG . 124
7. ITEMS REMOVED FROM CONSENT AGENDA	
8. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS	
a. General Comments from the Councilors and Mayor	
b. Report of the August 25, 2014, Public Works Committee Meeting (Councilor Woods)	PG . 130

- City Staff**
- City Manager  
Ron Foggin
  - City Attorney  
Lane Shetterly
  - Community Development/  
Operations Director  
Jason Locke
  - Finance Director  
Cecilia Ward
  - Fire Chief  
Fred Hertel
  - Police Chief  
Tom Simpson
  - Engineering Director  
Fred Braun
  - City Recorder  
Emily Gagner
  - Recording Secretary  
Jeremy Teal



**Our Vision**

Our vision is to foster an environment in which Dallas residents can take advantage of a vital, growing, and diversified community that provides a high quality of life.

**Our Mission**

The mission of the City of Dallas is to maintain a safe, livable environment by providing open government with effective, efficient, and accountable service delivery.

**Our Motto**

Commitment to the Community.  
 People Serving People.

DALLAS CITY HALL

**City Hall**

Dallas City Hall 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 before the meeting to the City Manager's Office, 503-831-3502 or TDD 503-623-7355.

c. Report of the August 25, 2014, Public Safety Committee (Councilor Gabliks)	Information PG. 146
<b>9. REPORTS FROM CITY MANAGER AND STAFF</b>	
a. July Financials	Information PG. 155
b. August Financials	Motion PG. 182
c. Republic Service rate/service discussion	Motion PG. 209
d. Senior Center Maintenance Agreement	PG. 211
e. If I Were Mayor Contest	
f. Other	
<b>10. RESOLUTIONS</b>	
a. <u>Resolution No. 3304</u> : A Resolution establishing a schedule of rates for ambulance and emergency medical services and Dallas FireMed; and repealing Resolution 3266.	Roll Call Vote PG. 215
<b>11. FIRST READING OF ORDINANCE</b>	
<b>12. SECOND READING OF ORDINANCE</b>	
<b>13. EXECUTIVE SESSION</b> as authorized under ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.	
<b>14. OTHER BUSINESS</b>	
<b>15. ADJOURNMENT</b>	

CITY OF DALLAS  
CITY COUNCIL

SIGN CODE PUBLIC HEARING

STAFF REPORT  
DATE: SEPTEMBER 8, 2014

FILE NO.	N/A
HEARING DATE	SEPTEMBER 15, 2014 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	N/A
REQUEST	REVISE THE DALLAS SIGN CODE AND ADD THE SIGN CODE TO THE CITY OF DALLAS DEVELOPMENT CODE, ARTICLE 3.6
LOCATION	CITY OF DALLAS
RECOMMENDATION	HOLD THE PUBLIC HEARING, TAKE TESTIMONY AND THEN DELIBERATE ON THE MATTER (MAKE CHANGES IF DETERMINED NECESSARY)

## BACKGROUND INFORMATION

### **Revision of the Dallas Sign Code**

The Dallas Sign Code was identified as one of the development regulations that were to undergo review and update following adoption of the current Development Code in 2010. The existing Sign Code was in need of modernization to reflect new sign technology and the needs of the business community and the public. The old sign code, while amended from time to time to address a particular issue, has not undergone a thorough review for over 20 years.

This is the City Council's hearing on the Sign Code revision that was forwarded by the Planning Commission (the Council held a workshop on the sign code on May 20). The Planning Commission held a public hearing on March 11 to take public testimony and subsequently deliberated on the matter on April 8. Prior to the public hearing, a work session was conducted with the Planning Commission at the regular meeting on February 11, 2014 and a public Open House conducted on February 5, 2014.

The following highlights are the key revisions to the Sign Code document based on staff research, public input, and Planning Commissioners' input.

1. Remove the Sign Code from the general Municipal Code to its appropriate place in the Dallas Development Code.
2. The existing Sign Code is obsolete in that it addresses signage practices no longer in common use, such as mechanical signs, and doesn't address new sign types and technology such as electronic or digital signs. The proposed revised Sign Code addresses these issues.
3. The revised Sign Code is based on Sign Code language in use in many jurisdictions in Oregon and across the country.
4. The revised Sign Code is intended to be explicit, understandable, and hold objective standards for both the business community in their use of signs and the City of Dallas in administration of Sign Code application and approval processes.
5. The revised Sign Code does not attempt to change those sections of the existing code that are working well and meets the standards of modern practices.

### TEMPORARY SIGNS

The current Sign Code does not adequately address the use of "temporary signs." It defines the nature or composition of a temporary sign and the materials it may be made of (vinyl, fabric, plywood, plastic, paper, etc), but it doesn't appropriately address the length of time a "temporary" sign may be displayed. Over time, signs meant to be temporary become de-facto permanent. There are a good number of vinyl signs currently in use in Dallas that are used as permanent signs.

The proposed revised Sign Code specifically addresses the length of time a temporary sign may be erected as follows: Temporary signs shall be placed for a period of not longer than 90 days.

No permit is required, but the sign must be dated in the lower right corner at the time of installation. A time limit set for the use of temporary signs is the primary change between the existing code and the revised code. Additionally, the revised Sign Code restricts temporary signs to three (3) per building or two (2) per business in a multi-tenant complex. The permitted sizes of a temporary signs shall not exceed sixteen (16) square feet in area per sign.

### **ON-PREMESIS COMMERCIAL SIGNS**

Currently, under the existing Sign Code, on premises commercial signs are permitted in Commercial and Industrial Zoning Districts with a permit and a fee set by the City Council. The existing code limits the square foot area of a sign based on the length of street frontage of the building or storefront. The proposed revised code functions in the same way except that it allows more flexibility and clarity allowing one (1) square foot of signage for every two (2) linear feet of street frontage on the primary and (1) square foot of signage for every four (4) linear feet of street frontage on the side of a building (not the primary side as determined by the applicant.)

Another minor change from the existing Sign Code and the revised Code is the use of signs in street front windows. Current code permits signs installed in windows without regulation or permitting. The proposed revision is to allow no more than 50% of window space be used for signs.

Ground-mounted commercial signs are permitted under the revision similar to their permitted use under the current code. Both a Sign Permit and a Building Permit are required for ground-mounted signs. Permanent signs are better defined in the proposed Sign Code as to type, and includes illustrations of permitted sign types.

### **SIGNS IN RESIDENTIAL DISTRICTS**

Permanent commercial signs are prohibited in Residential Zoning Districts in the current code and remain prohibited in the revised code.

The use of temporary signs in residential are permitted as follows:

- a. Real estate sales and lease
- b. Political signs during an election cycle (further explained below)
- c. Garage sale signs (in accordance to Dallas garage sale permit and regulations)
- d. One temporary sign, not exceeding six (6) square feet in area, during the time of construction, remodeling, or landscaping provided that the sign be removed within thirty (30) days upon completion of work.

### **POLITICAL CANDIDATE / BALLOT MEASURE ELECTION SIGNS**

Temporary political signs are permitted in all Zoning Districts including residential neighborhoods during election cycles in both the current Sign Code and the revised Sign Code with one minor change as follows: Signs not exceeding six (6) square feet each in area during the period prior to a regular or special election until fourteen (14) days following the election are permitted. The change between the existing code and the proposed code consists of the maximum size of any one political sign; six (6) square feet as described above.

### ELECTRONIC CHANGABLE COPY SIGNS

- a. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.
- b. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above existing ground level.
- c. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.
- d. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.
- e. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.
- f. No temporary sign is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.
- g. Electronic changeable copy signs must be permanently mounted to the ground or a structure.

To be permitted under this section, an electronic changeable copy sign must meet the following standards:

- The sign may not be illuminated by a flashing light or a light that varies in intensity.
- The sign may not have a display surface that creates the appearance of movement.
- The sign must not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of 150 feet.
- The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.
- The sign must be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.
- The change from one message to another message may not be more frequent than once every thirty seconds and the actual change process must be accomplished in two seconds or less.

**Conclusions:** The Sign Code is in need of updating both for content and administration purposes. There have been numerous drafts as well as public input that have been incorporated into this hearing draft.

### Recommendation:

Hold a public hearing on the proposed Sign Code on September 15, 2014. At that time, the Council can close the hearing and make a decision or decide to continue the hearing process or deliberations to a future meeting. The City Council makes the final decision to revise the Sign Code.

**CITY OF DALLAS**  
**NOTICE OF PUBLIC HEARING**

The Dallas City Council will hold a public hearing on Monday, September 15, 2014 at 7:00 p.m., in the Council Chambers at City Hall, 187 SE Court Street, Dallas, Oregon, on a proposal to **amend the City of Dallas Sign Code as recommended by the Planning Commission.**

The Council will consider testimony which addresses the Proposed Sign Code. Testimony may be submitted in writing to the Dallas Community Development Department, City Hall, Dallas, Oregon 97338, or in writing or orally at the public hearing. The public hearing will be conducted in a manner that permits testimony from all interested parties. All persons wishing to testify must sign in and be recognized by the Chair.

Written comments submitted to the Community Development Department by September 10, 2014, will be included with the staff report. Written comments submitted after that date will be forwarded to the City Council at the public hearing. The staff report will be available for inspection at the Community Development Department at least seven days prior to the hearing. Copies of the staff report and all documents are available for inspection at the Community Development Department at no cost and copies will be provided at a reasonable cost.

Dallas City Hall is handicapped-accessible. Any requests for accommodation should be made at least 48 hours before the meeting to the Community Development Department, 503-831-3565 or TDD 503-623-7355.

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**Please visit the City website at [www.dallasor.gov](http://www.dallasor.gov) and click on Sign Code in the left column for more information and documents**

**STAFF CONTACT FOR ADDITIONAL INFORMATION:** Jason Locke 503.831.3565 or TDD phone 503.623.7355.

Dated: August 19, 2014  
Posted: August 19, 2014  
Published: August 27 and September 10, 2014

Jason Locke, Community Development Director  
City of Dallas, Oregon

Sections:

3.6.010	Purpose
3.6.020	Scope
3.6.030	Definitions
3.6.040	Exempted Signs
3.6.050	Prohibited Signs
3.6.060	Temporary Signs
3.6.065	Garage Sale Signs
3.6.070	Permanent Signs
3.6.075	Murals
3.6.080	Sign Permits
3.6.090	Abandoned Signs
3.6.100	Construction and Maintenance Standards
3.6.110	Nonconforming Signs
3.6.120	Exceptions
3.6.130	Enforcement
3.6.140	Sign Type Illustrations

**3.6.010 Purpose.** The City finds that signs provide an important medium through which individuals and businesses may convey a variety of messages.

The standards contained in this chapter are primarily intended to balance the needs of businesses and individuals to convey their messages through signs, and the right of the public to be protected against the proliferation of signs and their effect on public and traffic safety and the aesthetic qualities of the City. In an attempt to achieve that balance, the purpose of this chapter is to:

- A. Improve the visual qualities of Dallas's streetscape environment through the use of equitably applied sign height, size, and location standards;
- B. Provide minimum, consistent, and enforceable sign standards by regulating sign location, size, height, illumination, construction, and maintenance;
- C. Minimize visual clutter caused by temporary signs by limiting their numbers and duration of use;
- D. Protect citizen safety by prohibiting hazardous signs;
- E. Ensure compliance with state and federal laws regarding advertising by providing rules and standards that are content neutral; and
- F. Provide for near term and longer term improvements to signage through the use of appropriate amortization and incentive policies.

**3.6.020 Scope.** All signs visible from the public right-of-way or private areas open to public travel within the City limits shall be within the scope of this chapter. The content of signs is not

regulated by this chapter. No sign shall be permitted in the City of Dallas unless it is in accordance with the provisions of this chapter or unless it is determined to be legally nonconforming to the requirements of this chapter, with the exception that where a planned development overlay exists, any sign regulations adopted with that planned development overlay shall take precedence.

**3.6.030 Definitions.** For the purpose of this chapter, certain terms and words are defined as follows: words used in the present tense include the future; the word "shall" is mandatory; the word "may" is discretionary; the phrase "used for" shall include the phrases "arranged for," "designed for," "maintained for," and "occupied for"; and the word "business" shall be associated with the zoning terms and activities of "permitted use" and "conditional use." The following terms shall mean:

Abandoned Sign - A sign or sign structure where either: (1) the sign is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by cessation of use of the property where the sign is located for the use or purpose associated with the sign; or (2) the sign has been damaged, and repairs and restoration have not been started within forty-five (45) days of the date the sign was damaged, or, once started, are not diligently pursued to completion.

Accessory Sign - Signage which is an integral part of outdoor display structures associated with a commercial or industrial use such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures, equipment or uses.

Alteration — Any change in the size, shape, method of illumination, construction, or supporting structure of a sign.

Area (of a sign) -

(1) Projecting, Portable, and Freestanding: The area of the sign shall be measured as follows: The area around and enclosing the perimeter of the cabinet in which the sign is contained shall be totaled to determine the aggregate sign area. If the sign is composed of two or more sign cabinets, the area enclosing the entire perimeter of all cabinets within a single, continuous geometric figure shall be the area of the sign. The perimeter of measurable area shall not include embellishments such as pole covers, framing, and decorative roofing, provided that there is no written copy on such embellishments. All face areas of any multi-faced sign shall be counted in calculating its area. For a double-faced sign in a single cabinet, only the area of one face is counted.

(2) Wall Signs: The area around or enclosing each sign cabinet, or, where sign cabinets are not used, the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the message.

Awning - A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window or a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.

Balloon Sign - A sign made from a nonporous bag of tough, light material normally filled with heated air or a gas lighter than air so as to rise and float, and displaying graphics, symbols or written copy, or a combination of graphics, symbols and written copy.

Canopy - An awning supported by at least two columns. A canopy is able to extend further from a building than an awning, as in the case of an entrance to a restaurant or retail store.

Canopy Sign - A sign painted on, printed on, or attached flat against the surface of a canopy or awning.

Changeable Copy Sign (Electronic) – A sign on which the copy changes by any electronic process or remote control.

Changeable Copy Sign (Manual) – A sign on which copy is changed manually, for example, the panel permanently affixed as part of a larger sign on which copy is placed, commonly used to advertise specials for commercial businesses.

Clearance (of a sign) – The vertical distance measured from the lowest point of the sign to the natural surface grade beneath the sign.

Copy – The message on a sign surface in either permanent or removable letter form.

Double-Faced Sign – A sign with advertising on two (2) faces wherein the faces are parallel or within ten degrees of parallel.

Electronic Changeable Copy Sign -- See Changeable Copy Sign (Electronic).

Electronic Digital (Video) Sign – An electronic sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy or pictures in a wide spectrum of colors, shades, and light intensities.

Face (of a sign) – The area of a sign on which the advertising is placed.

Festoons – A string of ribbons, tinsel, small flags, or pinwheels.

Flashing Sign — A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. “Flashing sign” does not include electronic changeable copy signs or signs which, through reflection or other means, create an illusion of flashing of intermittent light.

Freestanding Sign - A sign supported upon the ground by a frame, pole(s), or other support structure(s) that is not attached to any building. A freestanding sign constitutes one sign, even if it has two or more faces.

Frontage - The length of the property line of a lot or parcel along a public right-of-way on which it borders.

Hanging Sign - A sign that hangs beneath a marquee, canopy, or awning and is perpendicular to the building face.

Hazardous Sign - A sign that is detrimental to the public health, welfare or safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign that is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign that has lighting which temporarily blinds or impairs one’s vision; and any sign that is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.

Height (of a sign) - The vertical distance measured from the highest point of the sign to the natural surface grade beneath the sign.

Illuminated Sign - A sign with an artificial light source incorporated internally (direct illumination), or with an external light source directed to illuminate the exterior surface of the sign (indirect illumination). This definition includes signs with light sources that are disconnected from power.

Incidental Sign – A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on a premises, such as a credit card sign or a sign indicating hours of business.

Maintenance - For the purposes of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign, or to achieve a change in sign face, in a manner that does not alter the basic design or structure of the sign.

Marquee - A permanent roof-like projection from a building above the building entrance.

Monument Sign - A freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground. "Monument sign" does not include pole or pylon signs.

Mounted Sign - A sign permanently attached to a building, including a Canopy sign, Projecting sign, Hanging sign and Wall sign.

Moving Sign — A sign that uses mechanized movement to attract attention, depict action, or to create a special effect or scene, and includes dancing inflatable displays.

Multi-tenant complex - A development consisting of one or more lots and two or more businesses sharing appurtenant facilities, such as driveways, parking and pedestrian walkways, and is designed to provide varied products and services at a single location.

Mural – Any painting, design, or image, including incidental copy, that is applied directly to the exterior of a building for artistic, informational, historic, or aesthetic purposes, and does not contain advertising.

Nonconforming Sign – An existing sign, lawful before enactment of this chapter, which does not conform to the requirements of this chapter.

Off-site sign – A sign not located on the site of the activity or business being advertised.

Permanent Sign – A sign structurally affixed to the ground or to a building and intended for permanent display.

Pole Sign -- See "Pylon sign."

Portable Sign – A sign not permanently affixed to a sign structure, a building, or the ground, (such as an A-frame sign) that can be easily moved.

Projecting Sign – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Pylon Sign - A freestanding sign, usually double-faced, mounted on one or two supports above ground level, also referred to as a "Pole sign."

Roof Sign – A mounted sign that projects above the top of a wall, eave, or parapet.

Sign – Any device, structure, fixture, placard, and any related support structure erected for the purpose of displaying graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any business, person, institution, commodity, service, entertainment, or activity. "Sign" includes graphics, symbols and written copy painted or otherwise affixed directly on a building surface.

Site - A lot, parcel, or tract of land under common ownership, or developed together as a single development site, regardless of how many uses occupy the site.

Temporary Sign –

- (1) A sign constructed of fabric, vinyl, paper, cardboard, plywood, or other light material, with or without a frame, that may or may not be attached to a building;
- (2) A sign intended to be displayed for a specific and limited period of time; or
- (3) A sign that will be rendered obsolete after the occurrence of an event or series of events.

(4) Temporary signs typically include, but are not limited to: portable signs, special event signs, "for sale" and "for lease" signs, "feather signs", and political campaign signs.

Wall Sign – A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letters, and cabinet signs.

Window Sign – An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

**3.6.040 Exempted Signs.** The following signs shall not require planning approval for their use, though some may require a building permit. Use of the signs in this section does not affect the amount or type of signage otherwise allowed by this chapter. All signs listed in this section are subject to all other applicable requirements of this chapter and other applicable provisions of the Dallas City Code and Dallas Development Code.

- A. Signs placed or authorized by the city, county, state, or federal government in the publicly-owned right-of-way as well as signs required by city, state, or federal government located on private property;
- B. Flags adopted or endorsed by a governmental agency;
- C. Tablets, cornerstones, or commemorative plaques;
- D. Window displays;
- E. Festoons;
- F. Balloon signs of less than twenty-four (24) inches in diameter;
- G. Seasonal decorations on private property;
- H. Signs erected by a recognized neighborhood watch group advertising the organization or program;
- I. Onsite handheld signs;
- J. Accessory signs;
- K. Signs for hospital or emergency services and railroads;
- L. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than five (5) signs allowed for each permitted structure;
- N. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area, used to identify or locate a property feature;
- O. Any sign that is not visible to motorists or pedestrians on any public highway, sidewalk, street, alley, or other area open to public travel;
- P. One indirectly illuminated or non-illuminated wall sign not exceeding one and one-half square feet in area placed on any residential building, used as a name or address plate;
- Q. Signs placed in or attached to a motor vehicle, bus, or railroad car that is regularly used for purposes other than the display of signs;
- R. Signs, up to four (4) square feet and no taller than four (4) feet, constructed or placed within a parking lot, to direct traffic and parking;
- S. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected to indicate a danger to the public or to designate where public access is prohibited;
- T. Signs located within a sports stadium or athletic field, or other outdoor assembly area, which are intended and oriented for viewing by persons within the facility;
- U. Covered flier boxes under one (1) square foot in area when attached to or associated with a temporary or permanent sign;
- V. Temporary signs, subject to Section 3.6.060
- W. Signs giving notice that a structure on a premises is protected by alarm or security service, provided such signs are not larger than one (1) sq.ft. and are located within 5 feet of the structure.

X. School Activity Signs. A sign denoting the participation of an occupant of the residence on the lot in a public or private school sport or activity, provided such sign is no larger than six (6) sq.ft.

Y. Signs promoting non-commercial community-wide events provided such sign is no larger than six (6) sq.ft. and is removed after the event occurs.

Z. One flashing open/closed sign not exceeding two sq. ft.

**3.6.050 Prohibited Signs.** The following signs are prohibited:

A. Hazardous signs.

B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.

C. Signs within or which overhang streets, except as allowed in this chapter.

D. Portable signs in the following categories:

1. Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 Q.

2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.

E. Moving signs.

F. Balloon signs twenty-four (24) inches in diameter or greater.

G. Electronic Digital (Video) signs.

H. Flashing signs, except as provided in 3.6.040Z.

I. Roof signs.

J. Signs that appear similar in shape, color, size or copy to traffic control devices.

K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.

L. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

**3.6.060 Temporary signs.**

A. Temporary signs may be erected and maintained only in compliance with this section.

1. Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.

2. Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.

3. With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.

4. Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.

5. Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.

6. With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.

7. Temporary signs are not counted against the total area of permanent sign allowance.

B. Temporary signage shall be allowed as follows:

1. Residential (RL, RM, RH) Zones:

Two temporary signs, not exceeding thirty two (32) square feet in area, are allowed per subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. No such sign may be erected for an inhabited residence.

2. Commercial (CG, CN, and CBD) and Industrial (I) Zones:

Temporary signs shall be limited to three (3) per building or two (2) per business in a multi-tenant complex, and shall not exceed sixteen (16) square feet in area per side per sign. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.

3. All Zones:

a. Signs not exceeding six (6) square feet each in area, advocating for or against a candidate or measure on a national, state or local election ballot. These signs may be erected 60 days prior to an election and must be removed 7 days after an election.

b. One temporary sign per frontage, not exceeding six (6) square feet in area in Residential zones and thirty two (32) square feet in Commercial and Industrial zones, during the time of sale, lease or rental of the lot or structure on the lot, provided that the sign is removed within thirty (30) days after the sale, lease or rental of the lot or structure.

c. Up to three (3) temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within thirty (30) days after the completion of such construction, landscaping, or remodeling.

### **3.6.065 Garage Sale Signs.**

(1) Only one sign shall be posted upon the premises on which the garage sale, as defined and regulated by DCC 7.500 et. seq., is to be held.

(2) One off premise sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals at no cost. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

**3.6. 070 Permanent Sign Regulations.** Permanent signs may be erected and maintained only in compliance with the following specific provisions:

**A. Residential Zones.**

1. Each subdivision or multi-family complex is permitted one permanent non-illuminated monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area.

2. Each public school is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; and a wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than eight (8) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty two (32) square feet in area and any subsequent sign may be no larger than twelve (12) square feet in area. Each church is permitted one (1) wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

**B. Central Business District (CBD) and Neighborhood Commercial (CN) Zones.** Signs in the CBD and CN zones may be directly or indirectly lit. Each building or multi-tenant complex may have any combination of wall sign, monument sign, canopy sign, hanging sign, projecting sign, or freestanding sign not to exceed, in total, two (2) square feet for each foot of lot frontage on a street. In the case of two frontages, the larger frontage will be used to compute total sign size. Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window and shall not be counted toward the allowable total sign area.

**C. General Commercial (CG) and Industrial (I) Zones.** Signs in the general commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of the zone.

1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent monument sign not to exceed forty-eight (48) square feet in area and six (6) feet in height per

street frontage. In addition, each site or multi-tenant complex is allowed one (1) permanent pylon sign per 500 feet of frontage, not to exceed two (2) per site or multi-tenant complex, each not to exceed 125 square feet in area and thirty (30) feet in height.

2. Mounted Signs: In the case of a property with a single street frontage, the total area of all signs shall not exceed one square foot for each two lineal feet of lot frontage on that street. In the case of a property on a corner, or with multiple street frontages, the total area of signs shall not exceed one square foot for each two lineal feet of lot frontage along the primary street (which shall be determined by the property owner), plus one square foot for each four lineal feet along the other secondary street(s), provided those additional signs are located along the respective secondary street.

3. Window signs: Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

#### D. Supplemental permanent sign provisions. (All zones)

1. No signs are permitted within a public right-of-way unless authorized by the public agency or agencies having jurisdiction over the right-of-way.

2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.

3. Maximum square footage restrictions include changeable copy signs and exclude accessory and incidental signs.

4. Minimum vertical clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.

5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over sixteen (16) square feet in area.

6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet vision clearance requirements.

#### E. Electronic changeable copy signs are subject to the following standards:

1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.

2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above existing ground level.

3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.

4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.

5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.

6. No temporary sign is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.

8. To be permitted under this section, an electronic changeable copy sign must meet the following standards:

- a. The sign may not be illuminated by a flashing light or a light that varies in intensity.
- b. The sign may not have a display surface that creates the appearance of movement.
- c. The sign must not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of 150 feet.
- d. The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.
- e. The sign must be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.
- f. The change from one message to another message may not be more frequent than once every thirty seconds and the actual change process must be accomplished in two seconds or less.

### **3.6.075 Murals.**

- 1) A permit must be obtained for a mural as required in 3.6.080(B), except that the application must include a detailed rendering of the proposed mural including content, colors, and type of paint/material, and a plan for maintenance after completion.
- 2) A mural must be compatible with the architectural and aesthetic components of the building, not detract from the character of the district in which it is located, and not be detrimental to the public health, safety, and welfare.

### **3.6.080 Sign Permits.**

#### **A. General Provisions.**

1. Except as provided in subsection (2), below, no sign that is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining approval by the City.
2. Unless otherwise provided in this chapter, such approvals are not required for temporary signs, mounted signs that protrude less than twelve (12) inches, signs listed as exempt, or for routine sign maintenance.

#### **B. Sign Permit.**

1. Permit Requirements. An applicant for a sign permit shall supply the following information on forms provided by the City:
  - a. Size, height, location, description, and material of the sign;
  - b. Name of the manufacturer, contractor, owner, and business advertised;
  - c. Scaled drawing(s) and description of copy, structure, and lighting;
  - d. Photo(s) or drawing(s) of the proposed sign location(s); and
  - e. Signature(s) of property the owner(s) or authorized designee(s).
  - f. Other information required to demonstrate compliance with this Chapter.

2. Permit Approval. Permits shall be reviewed as a Type I procedure in accordance with Chapter 4.1.020.

3. Sign Permit Fee. The fee for a sign permit shall be set by a resolution adopted by the City Council.

4. Building Permit. If a separate building permit is required for a sign, a building permit shall be obtained prior to construction or installation.

### **3.6.090 Abandoned Signs.**

Abandoned signs must be removed or made conforming within forty-five (45) days of the date they are deemed abandoned.

**3.6.100 Construction and Maintenance Standards.** The following standards apply to the construction and maintenance of signs in the City:

A. All permanent signs shall be constructed and erected in accordance with the applicable design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.

B. All illuminated signs shall be subject to the provision of the State Electrical Specialty Code. It shall be the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.

C. All signs shall be maintained at all times in a state of good repair, and no person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

### **3.6.110 Nonconforming Signs.**

A. The following will require that a nonconforming sign be brought into compliance with this chapter: physical modification of a nonconforming sign or any action on a nonconforming sign that requires a building permit. This does not include replacement of a sign face without modification of the frame or general sign maintenance and repair.

B. All temporary or portable signs not in compliance with the provisions of this Chapter on the effective date of this Chapter shall be removed or made compliant within 45 days of the effective date.

C. Amortization. Any freestanding or roof sign that was lawfully established before the effective date of this Chapter, but which does not conform with the provisions of this ordinance, shall be removed or brought into conformance with this ordinance within five (5) years from the date of its adoption, or sooner, at the time of occurrence of any of the actions set forth in subsection A, above.

**3.6.120 Exceptions.** The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual

circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

A. No exception shall be granted unless it can be established that:

1. The request is necessary to prevent a hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
3. The request will not be detrimental to community standards and the appearance of the city.

B. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a Type III application.

**3.6.130 Enforcement.** Nothing contained herein shall preclude the issuance of citations for violations of this chapter, either prior to, concurrently with, or after action is commenced to declare a sign to be unlawful or to remove an unlawful sign.

A. General Provisions.

1. Any sign that does not conform to the requirements of this Chapter or other applicable provision of this code is considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.
2. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

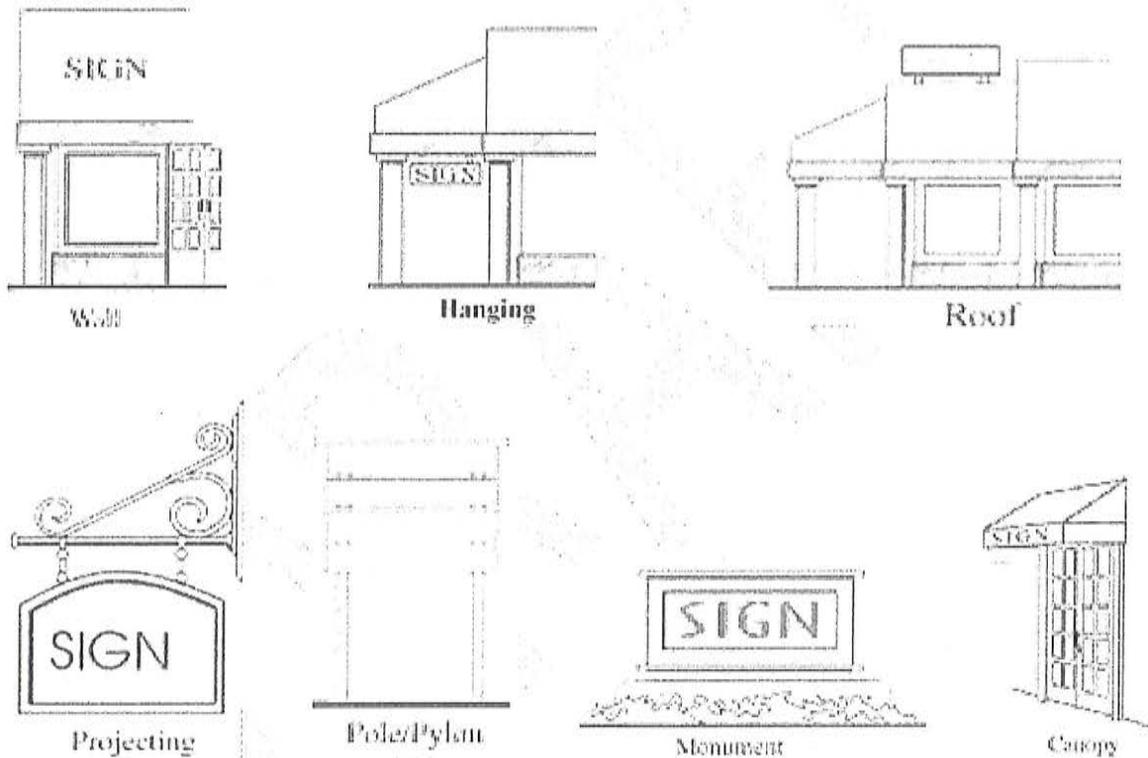
B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his or her designee as follows:

1. Immediate confiscation without prior notice to the owner of the sign.
2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise lawfully permitted to be in that location; and c) that the City has confiscated the sign and will destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full
3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign shall then be destroyed.

4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.

C. Any violation of this Chapter or other applicable provisions of this code are considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

### 3.6.140 Sign Type Illustrations





City of Dallas  
Planning Commission  
Council Chambers - City Hall  
May 13, 2014 - 7:00 p.m.

**DRAFT**

**MINUTES**

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Carol Kowash, Les Oehler, Denise Jones,  
5 and Robert Wilson.

6 Absent: David Shein

7 Staff present: City Attorney Lane Shetterly, Community Development Director Jason  
8 Locke, Planner John Swanson, and Recording Secretary Patti Senger.

9 **APPROVAL OF MINUTES**

10 President Chuck Lerwick presented the minutes of the regular meeting of April 8, 2014. Commissioner  
11 Bob Wilson made a motion to approve the minutes as presented and Commissioner Chris Castelli  
12 seconded the motion. The motion passed unanimously and the minutes were accepted as presented.

13 **PUBLIC COMMENT**

14 President Chuck Lerwick explained the rules for making public comment.

15 Gene Henshaw, 2424 SW Oakwood Drive, Dallas, Oregon, stated there were two additional businesses  
16 that wanted off-site directional signs. He explained his view that it was not only an electronic world with  
17 GPS, but also a visual world and businesses needed to use signs. He thought that an industrial area  
18 would not become a scenic area with removal of signs. He summarized the importance of supporting  
19 businesses in Commercial and Industrial areas by allowing signage.

20 Jim Williams, 1187 SE Barberry Avenue, Dallas, Oregon, announced that he was the chair of the  
21 Chamber of Commerce Public Policy Committee. He stated that the letter they sent to the Planning  
22 Commission outlined numerous changes for the sign code and the minutes from the April 8, 2014,  
23 meeting indicated the letter was addressed, but he felt that it was not. He pointed out that they wanted  
24 it to be simple, clearly written, and to provide businesses the opportunity to advertise and direct  
25 customers to their location, which was a major failure of the sign code. He reminded the Planning  
26 Commission that many large companies began as home occupations and signs would let the public know  
27 their type of business and location. He stated that directional signage was glossed over and noted it was

28 suggested to have a sign kiosk system but it was not addressed in the sign code. He talked about  
29 temporary signs for event advertising and stated he thought the sign code was unclear about what  
30 would be allowed. Mr. Williams said he appreciated the work that had been done on temporary signs  
31 and stated he would bring his comments to City Council because the draft of the sign code fell short on  
32 meeting their goals.

### 33 **SIGN CODE**

34 Commissioner Wilson made a motion to recommend to City Council to adopt the sign code as  
35 presented. Commissioner Castelli seconded the motion and the motion passed unanimously by the  
36 Planning Commission.

### 37 **REDEVELOPMENT OF MILL SITE**

38 Mr. Locke discussed the old Weyerhaeuser mill site and some optional redevelopment plans. He  
39 explained the owners were in the demolition business but were looking at this property as an  
40 investment. He discussed some of the advantages and drawbacks of the property relating to size,  
41 location, and railroad access. He stated that they were using the quick response grant program that  
42 teamed with the City's economic development and land use planning partners to help develop viable  
43 options for redevelopment.

44 There was discussion about Forest River outgrowing their current space and the possibility of an  
45 expansion to use a portion of the site.

46 Mr. Locke stated they had large SDC credits that could be used for site redevelopment. He discussed the  
47 potential options of a Transload Facility for agriculture products using the existing railroad tracks, a Craft  
48 Industrial site that could accommodate multiple users, and a single large industrial building with room  
49 for future expansion. It was noted that railroad transportation costs were cheaper than trucking.

50 President Lerwick asked about cleanup of the site and Mr. Locke explained environmental issues were a  
51 first priority and the new owners were in the demolition business and experts with environmental  
52 cleanup. President Lerwick asked about employment numbers and impact on the streets. Commissioner  
53 Castelli asked about electrical capacity and Mr. Locke indicated it was not prohibitive.

### 54 **COMMISSIONER COMMENTS**

55 Commissioner Castelli asked about the TTM building and Mr. Locke stated the new owners had done  
56 some work on the building. It had 30,000 sq ft of office space and 100,000 sq ft of industrial space. The  
57 building had \$3 million in SDC credits. It would cost \$7-8 million to build a new building that size, so a  
58 price of around \$2 million would be attractive.

59 Commissioner Oehler asked about the determination of one-way or two-way traffic in alleys. He noted  
60 that the alley between SW Washington Street and SW Clay Street had a sign mid-block that indicated it  
61 was one-way but there was not a do-not-enter sign posted. City Attorney Lane Shetterly stated the  
62 determination was made by City Council and Mr. Locke indicated he would look into that.

63 The meeting adjourned at 8:05 p.m.

60 Dr. Christopher Edwardson, 369 SE Walnut Court, Dallas, Oregon, stated he represented Jasper Crossing,  
61 LLC and had been working with DRV for several years. He noted he tried to sell for the higher  
62 commercial value but the property stayed empty. He pointed out the rezoning did not create an  
63 awkward piece of commercial land, it eliminated a loop road, and kept the single access. Dr. Edwardson  
64 explained this was the least valuable portion of the commercial property, was least likely to be used as  
65 retail, and made the most sense.

66 PERSONS SPEAKING FOR OR AGAINST

67 Lynn Hurt, 181 NW Elderberry Lane, Dallas, Oregon 97338, stated this was a win-win situation and he  
68 supported it. He provided the Planning Commission with letter in support of the application, a copy of  
69 which is in the record. He stated he would like to see the Planning Commission recommend to City  
70 Council to approve the application.

71 REBUTTAL

72 There was none.

73 COMMISSIONER QUESTIONS

74 Commissioner David Shein asked how the access would change for the rezoned property. Mr. Locke  
75 explained there was potential access via NW Jasper Street and it would come back to the Planning  
76 Commission when development took place.

77 Commissioner Carol Kowash asked how density was decided for independent units and how that  
78 correlated to the need DRV had for that product. Mr. Parrott explained based on a market study, they  
79 needed 40-60 apartments sized in between what they currently had. He further explained many  
80 retirement centers have a ratio of four independent units to one health care unit and DRV had a one to  
81 one ratio; this addition would improve that.

82 There were no more questions and President Lerwick closed the Public Hearing at 7:32 p.m.

83 DISCUSSION BY COMMISSION

84 David Shein made a motion to recommend to City Council to approve application ZC/CPA 14-01  
85 submitted by Dallas Retirement Village and Jasper Crossing, LLC for a zone change and Comprehensive  
86 Plan amendment for the subject property from CG to RM and the .26-acre portion from RL to RM.  
87 Commissioner Oehler seconded the motion and it passed unanimously by the Planning Commission.

88 SIGN CODE DELIBERATION

89 Commissioner Shein asked about the definition of "Open" signs inside business windows and said that  
90 because they were not defined as a sign, listing them in item 3.6.040 (Z) would be superfluous. Mr.  
91 Locke explained that it had become an issue because of flashing signs, and wanted to clarify the  
92 exemption based on flashing.

93 Commissioner Shein asked about hand-held signs and it was the consensus of the Commission to allow  
94 them on private property but require permits for use in the right-of-way (ROW).

95 The Commission discussed the use of the word “attached” in section 3.6.040(U) and the consensus was  
96 to keep the wording.

97 Mr. Locke asked about allowing business signs for home occupations in residential neighborhoods. He  
98 explained the code currently did not allow those and changes would need to be made in the  
99 Development Code if they were added. Commissioner Shein acknowledged the individuals who testified  
100 about this topic and asked staff about inquiries. Mr. Locke pointed out that nobody with a home  
101 occupation came in to speak about the sign code. He stated that when applicants came in for home  
102 occupation businesses and if they asked about signage, staff would explain that businesses in residential  
103 neighborhoods were not supposed to attract attention, and there had not any issues. He mentioned an  
104 associated issue with the public walking up to doors when they saw a sign. He reminded the Commission  
105 there were more than 100 home occupation businesses and there would be significant ramifications if  
106 that door were opened. Commissioner Wilson said in all of his history with the Planning Commission the  
107 issue had never been brought up. The consensus of the Commission was to not allow home occupation  
108 signs in residential neighborhoods.

109 Mr. Shetterly discussed off-site directional signs in section 3.6.120, where the language was changed  
110 and an exception could be granted. Commissioner Shein asked about off-site signs (not directional), and  
111 if the new code would affect the billboard on Main Street. Mr. Shetterly stated a physical modification  
112 would trigger a conformance issue but maintenance would not. With that clarification, Commissioner  
113 Shein stated he accepted the exception for off-site directional signs and the consensus of the  
114 Commission was the same.

115 There was discussion about temporary signs. It was the consensus of the Commission to limit temporary  
116 political signs to sixty days prior to an election and seven days following. President Lerwick asked about  
117 enforcement ramifications and Mr. Locke indicated contact was generally made two weeks after the  
118 election.

119 Commissioner Shein discussed larger, 4' x 8' real estate signs. It was the consensus of the Commission to  
120 allow the larger signs in subdivisions and commercial and industrial zones.

121 Mr. Locke discussed sign permit fees and explained the Planning Commission could recommend City  
122 Council lower the fees, but it was not part of the code. He reported that he had done brief research of  
123 fees from other jurisdictions and noted that the City's were not out of line and the goal was to recover  
124 administrative costs. He noted fees did not apply to temporary, exempt or face replacement of signs.  
125 Commissioner Denise Jones suggested asking the City Council to review the fees and see if the range  
126 was comparable. Commissioner Kowash suggested smaller signs have lower fees. Commissioner Oehler  
127 recommended the Council look at lowering the price to \$50 minimum. Mr. Locke indicated he would  
128 include the recommendation to City Council that the fees be reviewed.

129 Mr. Locke explained that non-conforming signs were amortized for ten years. After discussion, the  
130 consensus was to change the amortization to five years from adoption of the code.

131 There was discussion of section 3.6.120(A) and it was clarified that all three criteria must be satisfied.

132 The Commission discussed 3.6.120(B) and it was decided to remove that portion of the code and  
133 3.6.120(C) would become 3.6.120(B).

134 There was discussion about enforcement and the consensus was to allow for flexibility.

135 The Commission discussed the importance of periodic review of the sign code. Mr. Locke indicated that  
136 when staff noticed things were not working correctly, they would bring it back to the Planning  
137 Commission as they had in the past with the new Development Code.

138 Mr. Locke indicated the letter from the Dallas Area Chamber of Commerce had been addressed.

139 Commissioner Shein asked about signs larger than six feet used for events such as breakfast in the park  
140 or the car show and Mr. Locke explained those signs were placed in the ROW and were regulated by the  
141 City.

142 Commissioner Shein asked about business advertisements on the sides of dumpsters. Mr. Locke  
143 indicated those were not addressed in any way.

144 Commissioner Shein asked about "A" frame signs that are taken in and out daily. Mr. Locke stated those  
145 would require a permit from the City Manager if they were located in the ROW.

146 Commissioner Shein asked about signage for Churches and Mr. Locke indicated those were generally left  
147 alone and Mr. Shetterly added they could be enforced.

148 Commissioner Oehler asked about the exception process for off-site signs and Mr. Locke stated the  
149 process would be similar to the current process except that it would go to the Planning Commission and  
150 then City Council when there was an appeal.

151 Mr. Locke indicated that the changes and additions discussed would be added to the sign code and the  
152 revised draft would be forwarded to the Planning Commission. He stated the next level would be to  
153 recommend the revised sign code to the City Council for adoption where they would hold a Public  
154 Hearing.

155 **OTHER BUSINESS**

156 There was no other business.

157 **COMMISSIONER COMMENTS**

158 Members of the Planning Commission thanked and complimented staff for the work.

159 Ms. Kowash stated it was important that citizens felt heard and they had accomplished that.

160 **STAFF COMMENTS**

161 Mr. Locke pointed out the Land Use Activity Report and noted there was becoming a shortage of vacant  
162 residential lots.

163 President Lerwick asked about the old Weyerhaeuser property. Mr. Locke stated he would bring  
164 redevelopment ideas and background information to the Planning Commission.

165 Mr. Shetterly asked about the subdivision application and Mr. Locke explained the application was  
166 incomplete.

167 The meeting adjourned at 8:41 p.m.

**APPROVED:**

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President

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Date

## Planning Commission Comments – March 26, 2014

### Chapter 3.6 SIGNS

PC Hearing Draft March 11, 2014

#### Sections:

3.6.010	Purpose
3.6.020	Scope
3.6.030	Definitions
3.6.040	Exempted Signs
3.6.050	Prohibited Signs
3.6.060	Temporary Signs
3.6.065	Garage Sale Signs
3.6.070	Permanent Signs
3.6.075	Murals
3.6.080	Sign Permits
3.6.090	Abandoned Signs
3.6.100	Construction and Maintenance Standards
3.6.110	Nonconforming Signs
3.6.120	Exceptions
3.6.130	Enforcement
3.6.140	Sign Type Illustrations

**3.6.010 Purpose.** The City finds that signs provide an important medium through which individuals and businesses may convey a variety of messages.

The standards contained in this chapter are primarily intended to balance the needs of businesses and individuals to convey their messages through signs, and the right of the public to be protected against the proliferation of signs and their effect on public and traffic safety and the aesthetic qualities of the City. In an attempt to achieve that balance, the purpose of this chapter is to:

- A. Improve the visual qualities of Dallas's streetscape environment through the use of equitably applied sign height, size, and location standards;
- B. Provide minimum, consistent, and enforceable sign standards by regulating sign location, size, height, illumination, construction, and maintenance;
- C. Minimize visual clutter caused by temporary signs by limiting their numbers and duration of use;
- D. Protect citizen safety by prohibiting hazardous signs;
- E. Ensure compliance with state and federal laws regarding advertising by providing rules and standards that are content neutral; and
- F. Provide for near term and longer term improvements to signage through the use of appropriate amortization and incentive policies.

**3.6.020 Scope.** All signs visible from the public right-of-way or private areas open to public travel within the City limits shall be within the scope of this chapter. The content of signs is not

regulated by this chapter. No sign shall be permitted in the City of Dallas unless it is in accordance with the provisions of this chapter or unless it is determined to be legally nonconforming to the requirements of this chapter, with the exception that where a planned development overlay exists, any sign regulations adopted with that planned development overlay shall take precedence.

**3.6.030 Definitions.** For the purpose of this chapter, certain terms and words are defined as follows: words used in the present tense include the future; the word "shall" is mandatory; the word "may" is discretionary; the phrase "used for" shall include the phrases "arranged for," "designed for," "maintained for," and "occupied for"; and the word "business" shall be associated with the zoning terms and activities of "permitted use" and "conditional use." The following terms shall mean:

Abandoned Sign - A sign or sign structure where either: (1) the sign is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by cessation of use of the property where the sign is located for the use or purpose associated with the sign; or (2) the sign has been damaged, and repairs and restoration have not been started within forty-five (45) days of the date the sign was damaged, or, once started, are not diligently pursued to completion.

Accessory Sign - Signage which is an integral part of outdoor display structures associated with a commercial or industrial use such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures, equipment or uses.

Alteration — Any change in the size, shape, method of illumination, construction, or supporting structure of a sign.

Area (of a sign) —

(1). Projecting, Portable, and Freestanding: The area of the sign shall be measured as follows: The area around and enclosing the perimeter of the cabinet in which the sign is contained shall be totaled to determine the aggregate sign area. If the sign is composed of two or more sign cabinets, the area enclosing the entire perimeter of all cabinets within a single, continuous geometric figure shall be the area of the sign. The perimeter of measurable area shall not include embellishments such as pole covers, framing, and decorative roofing, provided that there is no written copy on such embellishments. All face areas of any multi-faced sign shall be counted in calculating its area. For a double-faced sign in a single cabinet, only the area of one face is counted.

(2) Wall Signs: The area around or enclosing each sign cabinet, or, where sign cabinets are not used, the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the message.

Awning — A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window or a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.

Balloon Sign — A sign made from a nonporous bag of tough, light material normally filled with heated air or a gas lighter than air so as to rise and float, and displaying graphics, symbols or written copy, or a combination of graphics, symbols and written copy.

Canopy — An awning supported by at least two columns. A canopy is able to extend further from a building than an awning, as in the case of an entrance to a restaurant or retail store.

Canopy Sign - A sign painted on, printed on, or attached flat against the surface of a canopy or awning.

Changeable Copy Sign (Electronic) – A sign on which the copy changes by any electronic process or remote control.

Changeable Copy Sign (Manual) – A sign on which copy is changed manually, for example, the panel permanently affixed as part of a larger sign on which copy is placed, commonly used to advertise specials for commercial businesses.

Clearance (of a sign) – The vertical distance measured from the lowest point of the sign to the natural surface grade beneath the sign.

Copy – The message on a sign surface in either permanent or removable letter form.

Double-Faced Sign – A sign with advertising on two (2) faces wherein the faces are parallel or within ten degrees of parallel.

Electronic Changeable Copy Sign -- See Changeable Copy Sign (Electronic).

Electronic Digital (Video) Sign – An electronic sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy or pictures in a wide spectrum of colors, shades, and light intensities.

Face (of a sign) – The area of a sign on which the advertising is placed.

Festoons – A string of ribbons, tinsel, small flags, or pinwheels.

Flashing Sign — A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. “Flashing sign” does not include electronic changeable copy signs or signs which, through reflection or other means, create an illusion of flashing of intermittent light.

Freestanding Sign - A sign supported upon the ground by a frame, pole(s), or other support structure(s) that is not attached to any building. A freestanding sign constitutes one sign, even if it has two or more faces.

Frontage - The length of the property line of a lot or parcel along a public right-of-way on which it borders.

Hanging Sign - A sign that hangs beneath a marquee, canopy, or awning and is perpendicular to the building face.

Hazardous Sign - A sign that is detrimental to the public health, welfare or safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign that is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign that has lighting which temporarily blinds or impairs one’s vision; and any sign that is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.

Height (of a sign) - The vertical distance measured from the highest point of the sign to the natural surface grade beneath the sign.

Illuminated Sign - A sign with an artificial light source incorporated internally (direct illumination), or with an external light source directed to illuminate the exterior surface of the sign (indirect illumination). This definition includes signs with light sources that are disconnected from power.

Incidental Sign – A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on a premises, such as a credit card sign or a sign indicating hours of business.

Maintenance - For the purposes of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign, or to achieve a change in sign face, in a manner that does not alter the basic design or structure of the sign.

Marquee - A permanent roof-like projection from a building above the building entrance.

Monument Sign - A freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground. "Monument sign" does not include pole or pylon signs.

Mounted Sign - A sign permanently attached to a building, including a Canopy sign, Projecting sign, Hanging sign and Wall sign.

Moving Sign — A sign that uses mechanized movement to attract attention, depict action, or to create a special effect or scene, and includes dancing inflatable displays.

Multi-tenant complex - A development consisting of one or more lots and two or more businesses sharing appurtenant facilities, such as driveways, parking and pedestrian walkways, and is designed to provide varied products and services at a single location.

Mural — Any painting, design, or image, including incidental copy, that is applied directly to the exterior of a building for artistic, informational, historic, or aesthetic purposes, and does not contain advertising.

Nonconforming Sign — An existing sign, lawful before enactment of this chapter, which does not conform to the requirements of this chapter.

Off-site sign — A sign not located on the site of the activity or business being advertised.

Permanent Sign — A sign structurally affixed to the ground or to a building and intended for permanent display.

Pole Sign -- See "Pylon sign."

Portable Sign — A sign not permanently affixed to a sign structure, a building, or the ground, (such as an A-frame sign) that can be easily moved.

Projecting Sign — A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Pylon Sign - A freestanding sign, usually double-faced, mounted on one or two supports above ground level, also referred to as a "Pole sign."

Roof Sign — A mounted sign that projects above the top of a wall, eave, or parapet.

Sign — Any device, structure, fixture, placard, and any related support structure erected for the purpose of displaying graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any business, person, institution, commodity, service, entertainment, or activity. "Sign" includes graphics, symbols and written copy painted or otherwise affixed directly on a building surface.

Site - A lot, parcel, or tract of land under common ownership, or developed together as a single development site, regardless of how many uses occupy the site.

Temporary Sign —

- (1) A sign constructed of fabric, vinyl, paper, cardboard, plywood, or other light material, with or without a frame, that may or may not be attached to a building;
- (2) A sign intended to be displayed for a specific and limited period of time; or
- (3) A sign that will be rendered obsolete after the occurrence of an event or series of events.

(4) Temporary signs typically include, but are not limited to: portable signs, special event signs, "for sale" and "for lease" signs, "feather signs", and political campaign signs.

Wall Sign — A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letters, and cabinet signs.

Window Sign – An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

**3.6.040 Exempted Signs.** The following signs shall not require planning approval for their use, though some may require a building permit. Use of the signs in this section does not affect the amount or type of signage otherwise allowed by this chapter. All signs listed in this section are subject to all other applicable requirements of this chapter and other applicable provisions of the Dallas City Code and Dallas Development Code.

A. Signs placed or authorized by the city, county, state, or federal government in the publicly-owned right-of-way as well as signs required by city, state, or federal government located on private property;

Will the city itself be subject to the provisions of the proposed code? Will any public signs not listed under "Exceptions" be permitted? – David Shein 3/17/2014

Response: The city will be subject to the code the same as anyone else, to the extent it is not expressly exempted.

B. Flags adopted or endorsed by a governmental agency;

C. Tablets, cornerstones, or commemorative plaques;

D. Window displays;

E. Festoons;

F. Balloon signs of less than twenty-four (24) inches in diameter;

G. Seasonal decorations on private property;

H. Signs erected by a recognized neighborhood watch group advertising the organization or program;

I. Onsite handheld signs;

I would like some clarification on this exemption. Is this in reference to "Humans as directional and advertisement signage" as described in the Chambers letter dated January 21, 2014? Note: As a consumer, human sign holders do not attract me to a business. I would be interested to see any data regarding the effectiveness of this sort of advertising. – Chris Castelli 2/11/2014

I am against human-held signs for business promotion. To me, they are a visual nuisance. – Les Oehler 3/25/2014

Response: This is a policy decision for the commission.

J. Accessory signs;

K. Signs for hospital or emergency services and railroads;

L. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than five (5) signs allowed for each permitted structure;

N. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area, used to identify or locate a property feature;

- O. Any sign that is not visible to motorists or pedestrians on any public highway, sidewalk, street, alley, or other area open to public travel;
- P. One indirectly illuminated or non-illuminated wall sign not exceeding one and one-half square feet in area placed on any residential building, used as a name or address plate;
- Q. Signs placed in or attached to a motor vehicle, bus, or railroad car that is regularly used for purposes other than the display of signs;
- R. Signs, up to four (4) square feet and no taller than four (4) feet, constructed or placed within a parking lot, to direct traffic and parking;
- S. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected to indicate a danger to the public or to designate where public access is prohibited;
- T. Signs located within a sports stadium or athletic field, or other outdoor assembly area, which are intended and oriented for viewing by persons within the facility;
- U. Covered flier boxes under one (1) square foot in area when attached to or associated with a temporary or permanent sign;

Eliminate "attached to" – Les Oehler 3/25/2014

Response: This provides more options.

- V. Temporary signs, subject to Section 3.6.060
- W. Signs giving notice that a structure on a premises is protected by alarm or security service, provided such signs are not larger than one (1) sq.ft. and are located within 5 feet of the structure.
- X. School Activity Signs. A sign denoting the participation of an occupant of the residence on the lot in a public or private school sport or activity, provided such sign is no larger than six (6) sq.ft.
- Y. Signs promoting non-commercial community-wide events provided such sign is no larger than six (6) sq.ft. and is removed after the event occurs.
- Z. One flashing open/closed sign not exceeding two sq. ft.

**3.6.050 Prohibited Signs.** The following signs are prohibited:

- A. Hazardous signs.
- B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.

Business occupation signs should be allowed, one per residence, professionally looking, not distracting, and not to exceed 8" by 24". – Les Oehler 3/25/2014

Response: This is a policy decision for the commission.

I am generally not supportive of (Signage for home occupations in residential zones) this type of advertising for a number of reasons. It appears to be restricted by the Development Code (see Planning Departments Memo to the Planning Commission dated February 11, 2014) and therefore will not be considered in the sign code at this time. – Chris Castelli 2/11/2014

- C. Signs within or which overhang streets, except as allowed in this chapter.
- D. Portable signs in the following categories:

1. Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 Q.

2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.

E. Moving signs.

F. Balloon signs twenty-four (24) inches in diameter or greater.

G. Electronic Digital (Video) signs.

H. Flashing signs, except as provided in 3.6.040Z.

I. Roof signs.

J. Signs that appear similar in shape, color, size or copy to traffic control devices.

K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.

I am open to discussing this concept, but it appears to have significant policy issues as described in the Planning Departments Memo to the Planning Commission dated February 11, 2014. – Chris Castelli 2/11/2014

I think off-site signs may be allowed with limitations and approval of the Planning Commission. They would need to be limited in size, professional appearance, and not contribute to a cluttered appearance. Should a sign be allowed and a complaint is submitted, the Planning Commission will address the issue at the next month's meeting following the issuance of the complaint. – Les Oehler 3/25/14

Response: Off site directional signs may be allowed as an exception under Section 3.6.120.

L. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

### **3.6.060 Temporary signs.**

Temporary signs, within reason, should be allowed for 30 days for promotion of a new business. They can include feather signs, balloons, flags. Subject to approval of the City Manager, or designee, or decided on by the Planning Commission. We should do all we can to help promote local businesses. – Les Oehler 3/25/2014

I am also supportive of A-frame signs, for an allowed business, as long as they do not create a hazard, do not impede pedestrian traffic, are professional looking, and are taken down at the end of day's business. 3 balloons, not exceeding 40" in circumference, would be allowed on the signs, and not to extend beyond 4' in height above the sign. – Les Oehler 3/25/2014

I am supportive of this type of advertising provided that signs are brought in at the close of business, and do not interfere with automobile, bicycle or pedestrian traffic. I thought that a stakeholder at the open house made a good point that a sandwich board sign provides business exposure

perpendicular to foot and vehicle traffic. This is easier to read than storefront signs that are situated parallel to traffic. Suggest: Reviewing the City of Independence sign code for sandwich boards (58.040(N)). – Chris Castelli 2/11/2014

Response: Most of these issues have been addressed and allowed.

A. Temporary signs may be erected and maintained only in compliance with this section.

1. Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.

2. Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.

3. With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.

4. Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.

In reference to 5 feet from property line: If residential area, property line is usually 10' from the inside of curb. Need to explain? – Les Oehler 3/25/14

Response: Signs of this type are not permitted in residential zones.

5. Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.

6. With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.

7. Temporary signs are not counted against the total area of permanent sign allowance.

B. Temporary signage shall be allowed as follows:

1. Residential (RL, RM, RH) Zones:

Two temporary signs, not exceeding thirty two (32) square feet in area, are allowed per subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. No such sign may be erected for an inhabited residence.

2. Commercial (CG, CN, and CBD) and Industrial (I) Zones:

Temporary signs shall be limited to three (3) per building or two (2) per business in a multi-tenant complex, and shall not exceed sixteen (16) square feet in area per side per sign. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.

This seems too large as written. It is a dramatic change from the language in the July 2013 draft which stated "for a period of not longer than 30 days," Suggest: "not longer than 60 days unless approved by the City Manager." This allows for some flexibility which should help meet the concerns of the Chamber. – Chris Castelli 2/11/2014

Not exceeding 90 days: "but to be removed within 72 hours of completion of subject". "30 day extensions subject to City Manager's or designee's approval." – Les Oehler 3/25/2014

### 3. All Zones:

a. Signs not exceeding six (6) square feet each in area, advocating for or against a candidate or measure on a national, state or local election ballot. These signs must be removed 14days after an election.

I find this difficult to support. 1). As a resident, I do not want to see a free for all of political signs in my neighborhood. 2). The draft code is inconsistent with what is in place in any of our neighboring communities. Suggest: Using the draft language from the Planning Department's July 2013 draft. Alternatively: "Signs not exceeding 6 square feet, advocating for or against a candidate or measure on a current national, state or local election ballot. Such signs may be erected during the campaign for a period of 60 days prior to the election, and shall be removed not later than the fifth day following the election." Concern: This is such a drastic change from earlier drafts of the sign code and what other communities are allowing. What made you propose this? – Chris Castelli 2/11/2013

Suggest reducing the 14 days to remove. Political signs definitely should be allowed, but limited to 45 days prior to election and removed within 7 calendar days of election. – Les Oehler 3/25/14

Response: This is a policy issue that has enforcement ramifications.

b. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of sale, lease or rental of the lot or structure on the lot, provided that the sign is removed within thirty (30) days after the sale, lease or rental of the lot or structure.

c. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within thirty (30) days after the completion of such construction, landscaping, or remodeling.

Common practice is to permit each subcontractor to display his/her own individual sign at a building site. Consider revising this provision to permit more than two (s) signs per site. David Shein 3/17/2014

Response: This is a policy choice. The Commission can allow as many or few as they think is appropriate.

### 3.6.065 Garage Sale Signs.

(1) Only one sign shall be posted upon the premises on which the garage sale, as defined and regulated by DCC 7.500 et. seq., is to be held.

(2) One off premise sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals at no cost. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

**3.6.070 Permanent Sign Regulations.** Permanent signs may be erected and maintained only in compliance with the following specific provisions:

#### A. Residential Zones.

1. Each subdivision or multi-family complex is permitted one permanent non-illuminated monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area.

2. Each public school is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; and a wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than eight (8) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty two (32) square feet

in area and any subsequent sign may be no larger than twelve (12) square feet in area. Each church is permitted one (1) wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

B. Central Business District (CBD) and Neighborhood Commercial (CN) Zones. Signs in the CBD and CN zones may be directly or indirectly lit. Each building or multi-tenant complex may have any combination of wall sign, monument sign, canopy sign, hanging sign, projecting sign, or freestanding sign not to exceed, in total, two (2) square feet for each foot of lot frontage on a street. In the case of two frontages, the larger frontage will be used to compute total sign size. Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

C. General Commercial (CG) and Industrial (I) Zones. Signs in the general commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of the zone.

1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent monument sign not to exceed forty-eight (48) square feet in area and six (6) feet in height per street frontage. In addition, each site or multi-tenant complex is allowed one (1) permanent pylon sign per 500 feet of frontage, not to exceed two (2) per site or multi-tenant complex, each not to exceed 125 square feet in area and thirty (30) feet in height.

2. Mounted Signs: In the case of a property with a single street frontage, the total area of all signs shall not exceed one square foot for each two lineal feet of lot frontage on that street. In the case of a property on a corner, or with multiple street frontages, the total area of signs shall not exceed one square foot for each two lineal feet of lot frontage along the primary street (which shall be determined by the property owner), plus one square foot for each four lineal feet along the other secondary street(s), provided those additional signs are located along the respective secondary street.

3. Window signs: Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

D. Supplemental permanent sign provisions. (All zones)

1. No signs are permitted within a public right-of-way unless authorized by the public agency or agencies having jurisdiction over the right-of-way.

2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.

3. Maximum square footage restrictions include changeable copy signs and exclude accessory and incidental signs.

4. Minimum vertical clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.

5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over sixteen (16) square feet in area.

6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet vision clearance requirements.

E. Electronic changeable copy signs are subject to the following standards:

1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.

2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above existing ground level.

3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.

4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.

5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.

6. No temporary sign is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.

8. To be permitted under this section, an electronic changeable copy sign must meet the following standards:

a. The sign may not be illuminated by a flashing light or a light that varies in intensity.

b. The sign may not have a display surface that creates the appearance of movement.

c. The sign must not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of 150 feet.

d. The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.

e. The sign must be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.

f. The change from one message to another message may not be more frequent than once every thirty seconds and the actual change process must be accomplished in two seconds or less.

### **3.6.075 Murals.**

1) A permit must be obtained for a mural as required in 3.6.080(B), except that the application must include a detailed rendering of the proposed mural including content, colors, and type of paint/material, and a plan for maintenance after completion.

2) A mural must be compatible with the architectural and aesthetic components of the building, not detract from the character of the district in which it is located, and not be detrimental to the public health, safety, and welfare.

### 3.6.080 Sign Permits.

#### A. General Provisions.

1. Except as provided in subsection (2), below, no sign that is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining approval by the City.

2. Unless otherwise provided in this chapter, such approvals are not required for temporary signs, mounted signs that protrude less than twelve (12) inches, signs listed as exempt, or for routine sign maintenance.

#### B. Sign Permit.

1. Permit Requirements. An applicant for a sign permit shall supply the following information on forms provided by the City:

- a. Size, height, location, description, and material of the sign;
- b. Name of the manufacturer, contractor, owner, and business advertised;
- c. Scaled drawing(s) and description of copy, structure, and lighting;
- d. Photo(s) or drawing(s) of the proposed sign location(s); and
- e. Signature(s) of property the owner(s) or authorized designee(s).
- f. Other information required to demonstrate compliance with this Chapter.

2. Permit Approval. Permits shall be reviewed as a Type I procedure in accordance with Chapter 4.1.020.

3. Sign Permit Fee. The fee for a sign permit shall be set by a resolution adopted by the City Council.

Suggest to the City Council to lower fee to \$25 to \$150, depending on size of sign? – Les Oehler 3/14/2014

Response: The Commission can recommend that the Council review and lower the application fee.

4. Building Permit. If a separate building permit is required for a sign, a building permit shall be obtained prior to construction or installation.

### 3.6.090 Abandoned Signs.

Abandoned signs must be removed or made conforming within forty-five (45) days of the date they are deemed abandoned.

**3.6.100 Construction and Maintenance Standards.** The following standards apply to the construction and maintenance of signs in the City:

A. All permanent signs shall be constructed and erected in accordance with the applicable design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.

B. All illuminated signs shall be subject to the provision of the State Electrical Specialty Code. It shall be the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.

C. All signs shall be maintained at all times in a state of good repair, and no person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

### 3.6.110 Nonconforming Signs.

A. The following will require that a nonconforming sign be brought into compliance with this chapter: physical modification of a nonconforming sign or any action on a nonconforming sign that requires a building permit. This does not include replacement of a sign face without modification of the frame or general sign maintenance and repair.

B. All temporary or portable signs not in compliance with the provisions of this Chapter on the effective date of this Chapter shall be removed or made compliant within 45 days of the effective date.

C. Amortization. Any freestanding, roof, or animated sign that was lawfully established before the effective date of this Chapter, but which does not conform with the provisions of this ordinance, shall be removed or brought into conformance with this ordinance within ten (10) years from the date of its adoption, or sooner, at the time of occurrence of any of the actions set forth in subsection A, above.

Change 10 years to "5 years from notice of non-conforming per revised code"? – Les Oehler 3/25/2014

Response: This is a policy choice for the commission.

**3.6.120 Exceptions.** The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

A. No exception shall be granted unless it can be established that:

1. The request is necessary to prevent an unnecessary hardship due to factors such as topography, location, surrounding development, lot shape or lot size;

Must all three conditions be satisfied? Is this an "and" or "or" list? – David Shein 3/17/2014

Response: It is an "and" list; all 3 criteria must be satisfied similar to a variance.

Maybe word this differently such as eliminating the word "unnecessary". – Les Oehler 3/25/2014

Response: This can be done to clarify.

2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and

3. The request will not be detrimental to community standards and the appearance of the city.

B. Exceptions shall not be granted for the convenience of the applicant or for the convenience of regional or national businesses that wish to use a standard sign size that may exceed the limits in this code.

The language that exceptions won't be granted for the "convenience of the applicant" is probably derived from some legalistic boilerplate. But for the average Dallas resident its meaning is nebulous and difficult to comprehend in real-world terms. Some are dead certain to view it as simply shorthand for the government's lack of empathy for or interest in the applicant. If it is legally necessary to include this concept in some fashion, try to find a different (softer) way to phrase it. – David Shein 3/17/2014

Response: This language is standard in sign codes, so may be considered boilerplate. It is intended to provide a level playing field for all businesses. It also underscores that an exception must be based on the criteria in the section and not just on what a property owner wants.

Does this mean that a national chain will not be permitted to erect the standard signs they use elsewhere if, for example, they are 2" too large in some dimension? If so, consider allow an exception in such a case to avoid discouraging business from locating here. – David Shein 3/17/2104

Response: This is a policy question for the commission. Generally national chains are adaptable to a number of sign requirements in jurisdictions in which they locate, as most vary. In our experience, national and regional chains have been easy to work with. The other side of the coin is the granting of an exception just because they are a national chain with a "standard" sign size may be perceived as putting local business at a disadvantage.

C. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a Type III application.

This seems to say that any request for exception must undergo the full rigor of a Type III, quasi-judicial review process. This makes no allowance for minor deviations from the norm. It seems like Draconian overkill for the simpler sorts of exceptions, and would impose an unreasonable burden on such applicants. This requirement should be relaxed. Example: at least two (2) of the Summerfest signs put out each year are 4' x 8'. These would appear to be

prohibited by the proposed code, and would require the chamber to undergo the exception process mentioned above. – David Shein 3/17/2017

Response: This is a policy choice to some extent. The purpose of the exception process, as discussed, is similar to a variance, which is also a Type III Process when an applicant requests a deviation from the development code. It allows for both Planning Commission review and notification and participation by neighbors or other affected or interested persons in the community. As for the Chamber Summerfest signs or Fire Dept signs, these are event signs located in the Right of Way and would only require the city's authorization under 3.6.040. (They are categorically exempt from the sign code.)

**3.6.130 Enforcement.** Nothing contained herein shall preclude the issuance of citations for violations of this chapter, either prior to, concurrently with, or after action is commenced to declare a sign to be unlawful or to remove an unlawful sign.

There have been a number of comments from business owners regarding the perceived subjectivity of sign enforcement. I would recommend adding language to (c) to clarify the process for addressing a sign that is out of compliance with code, including potential civil penalties and the appeals process. Suggest: Reviewing the City of Monmouth's sign code sections 81.120 and 81.130. – Chris Castelli 2/11/2014

State that a warning is issued first, in writing with a reasonable explanation, and with an authorized signature and date, and that the infraction is to be corrected within 72 hours, what the fine would be, unless it creates an immediate hazard which then needs to be corrected immediately or a double fine to be assessed. Flexibility and common sense will be used in decisions. – Les Oehler 3/25/2014

Response: We always provide written or verbal contact first, as part of our process. 99% of the time the issue is resolved at that point.

**A. General Provisions.**

1. Any sign that does not conform to the requirements of this Chapter or other applicable provision of this code is considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

2. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

**B.** Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his or her designee as follows:

1. Immediate confiscation without prior notice to the owner of the sign.

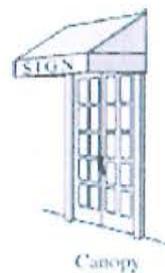
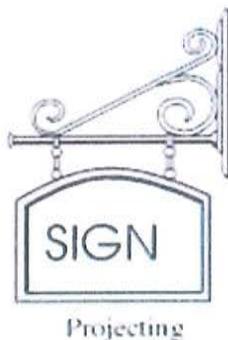
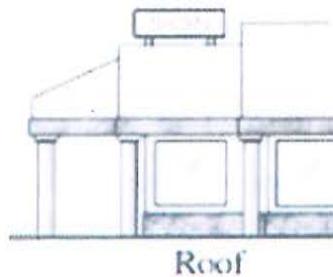
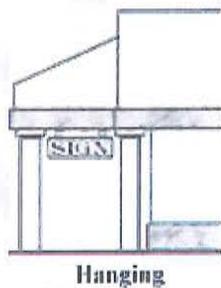
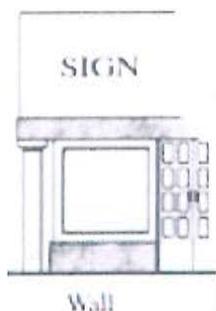
2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise lawfully permitted to be in that location; and c) that the City has confiscated the sign and will destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full

3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign shall then be destroyed.

4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.

C. Any violation of this Chapter or other applicable provisions of this code are considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

### 3.6.140 Sign Type Illustrations



### Additional Comments/Questions/Issues

1. I think that the sign code should be reviewed every 5 years, or as necessarily determined by the Planning Commission, or City Council. – Les Oehler 3/25/2014
2. Periodic review of the sign code. The Administrative Procedures Act (ORS 183.405) requires state agencies to review their administrative rules every five years. Suggest: A new section in the sign code stating that the Planning Department and Commission will review this ordinance every five years to evaluate its effectiveness and make revisions as needed. This will help avoid having a sign code that is extremely out of date, and therefore requires major revisions. Major re-writes of codes and ordinances can be expensive, controversial and time consuming. – Chris Castelli 2/11/2014

Response: Once included in the Development Code, we will review it every year or two. In addition, as has been done previously, if we find that there are issues, we will bring them to the Commission for review and revision.

3. I want to address all the concerns listed by Chamber of Commerce Committee. We need to take two or three meetings, if necessary to address the new sign code. For what is not accomplished in the first meeting, it would be nice to have another agenda prepared for us to use for the subsequent meeting. – Les Oehler 3/25/2014

Response: The Commission has reviewed the letter, and has made changes to the draft. Are there additional issues that need to be addressed?

4. One very important thing is that we want to show flexibility and willingness to work with our local businesses. We want them to feel very welcome and for us to use common sense and value their concerns. – Les Oehler 3/25/2104
5. I look forward to discussing these issues further with staff, the Commission and other community stakeholders. I am very interested in hearing more from the business community regarding: 1). Their type of business (retail, service, manufacturing, etc.) 2). The types of advertising they employ and the effectiveness of those advertising methods. 3). The role of storefront signage in advertising their business. – Chris Castelli 2/11/2014
6. Will there be any retroactive enforcement against preexisting nonconforming signs? If so, what will be the criteria for choosing which to act on and which to ignore? – David Shein 3/17/2014

Response: No, except as outlined in Section 3.6.110.



**City of Dallas  
Planning Commission  
Council Chambers - City Hall  
March 11, 2014 - 7:00 p.m.**

**MINUTES**

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Carol Kowash, Les Oehler, David Shein,  
5 Denise Jones, and Robert Wilson.

6 Staff present: City Attorney Lane Shetterly, Community Development Director Jason  
7 Locke, Planner John Swanson, and Recording Secretary Patti Senger.

8 **APPROVAL OF MINUTES**

9 President Chuck Lerwick presented the minutes of the regular meeting of February 11, 2014.

10 Commissioner Bob Wilson made a motion to approve the minutes as presented and Commissioner  
11 David Shein seconded the motion. The motion to approve the minutes passed unanimously.

12 **PUBLIC COMMENT**

13 There were no public comments.

14 **PUBLIC HEARING – DALLAS SIGN CODE**

15 President Lerwick opened the Public Hearing on the Revision of the Dallas Sign Code at 7:03 p.m. He  
16 reviewed the procedures for a public hearing and explained the Planning Commission would make a  
17 recommendation to City Council after the record was closed and deliberation was complete.

18 **Staff Report**

19 John Swanson reviewed the staff report. He reported the sign code had not undergone a thorough  
20 review for over 20 years and that it needed to be updated and modernized. He explained that it was  
21 currently in the Municipal Code and should be moved to the Development Code. Mr. Swanson stated  
22 the Planning Commission held a work session on February 11, 2014, and a public open house on  
23 February 5, 2014. He said that there were not changes made to the parts of the code that were working.  
24 The sign code draft included changes based on staff research, public input, and direction from the  
25 Planning Commission and it used explicit, understandable language. Mr. Swanson reported that staff  
26 recommended the Public Hearing on the proposed sign code and that the Planning Commission could  
27 close the Public Hearing and make a recommendation to the City Council or decide to continue the  
28 hearing process or deliberations to future meetings. He stated that City Council would make the final  
29 decision to revise sign the code.

30 **Public Comment**

31 Gene Henshaw, 2424 SW Oakwood Drive, Dallas, Oregon, read two statements regarding the sign code  
32 revisions, copies of which is in the hearing record.

33 Joe Koubek, 565 SE Mifflin Street, Dallas, Oregon, read a statement regarding the sign code revisions, a  
34 copy of which is in the hearing record.

35 Andrew Sparre, 1325 SW Levens Street, Dallas, Oregon, stated he owned a sign shop and that he wanted  
36 to see provisions for off-site directional signs for business that were not on main streets or were located  
37 in industrial zones. He stated that Dallas was the most expensive city in the area to get a sign permit and  
38 that some signs only cost \$50.00 to make but \$100.00 for the permit fee. He asked where the money for  
39 the sign permits went and suggested donating it to Kids, Inc. to help the fund the football program they  
40 dropped due to lack of funding.

41 Micky Garus, 2421 SW Oakwood Drive, Dallas, Oregon stated he owns American Outdoors, a gun shop  
42 behind Walmart. He said he had been involved in the sign code issue for several months and agreed  
43 with Gene Henshaw. He stated that he had lived in Dallas for over 30 years and had watched the town  
44 grow and die and asked what the vision was for Dallas. He pointed out the loss of industry and the  
45 recent closing of five businesses on Main Street and asked the Planning Commission to think about what  
46 created the best opportunity for business. He indicated government had lost sight of common sense and  
47 that it looked like the City of Dallas was after power and money. He suggested having faith in the  
48 community to do the right thing and implement fines when they did not. Mr. Garus pointed out some  
49 fees were too large and some permits should not have any fees. He stated that fellow business owners  
50 were not happy with the City and that he agreed with Andrew Sparre's idea to use the sign code permit  
51 fees to funnel funding to organizations that helped youth. He explained gestures like that would show  
52 the City was doing something positive; otherwise, it looked like the money just disappeared. He further  
53 discussed promoting business in Dallas to create jobs and keep people from taking their business to  
54 Salem. Mr. Garus explained that if his business could put a sign on the corner on E. Ellendale Avenue and  
55 Polk Station Road, because Polk County was a conservative, Republican community, those types of  
56 people would see his sign and 50% of them would come into his store. He summarized it would make a  
57 difference in the success of his business.

58 President Lerwick closed the public hearing at 7:25 p.m.

59 **Deliberation**

60 Commissioner Shein stated he went through the draft sign code and apologized for not expressing  
61 concern earlier in the process. He stated he found many things that he had difficulty with and would  
62 pick a few items from his list to discuss; he indicated he would not be able to approve this draft of the  
63 sign code as it was presented. He was concerned about the strict no-signage for home based businesses  
64 and understood the draft sign code to say that they would not be allowed to have a sign for UPS  
65 deliveries. Mr. Locke replied that a small window sign was allowed because it was not expressly  
66 prohibited. Mr. Shetterly clarified that page 4 of the draft sign code supplied the definition of signs and  
67 because a UPS delivery sign did not advertise or identify a business, it did not fall under that definition.

68 Commissioner Shein discussed temporary signage section 3.6.060 subsection B, subsection c, and read  
69 “One temporary sign per frontage....during time of construction, landscaping, or remodeling...” limited  
70 subcontractors from posting signs if the general contractor already had one and pointed out that in  
71 many instances there would be several subcontractors for one project. Commissioner Carol Kowash  
72 reported that certain types of projects required funding signs to be posted during construction and that  
73 would eliminate all other signs.

74 Commissioner Shein asked if the draft sign code was consistent with industry standard sign sizes. Mr.  
75 Locke explained that the temporary sign sizes were consistent with industry standards and commercial  
76 signs were custom sized based on street frontage.

77 Commissioner Shein discussed the exceptions section 3.6.123 subsection B, and read “Exceptions shall  
78 not be granted for the convenience of the applicant or for the convenience of regional or national  
79 businesses that wish to use a standard sign size that may exceed the limits in this code.” He stated this  
80 spoke to the issue of encouraging and keeping business and indicated if an applicant wanted to install a  
81 sign with a standardized size mandated by their corporate office and it was a few inches larger than  
82 what the code allowed it would be a potential roadblock for business to relocate here.

83 Commissioner Shein spoke about another area he found troublesome and read the exceptions section  
84 3.6.123 subsection C, “An exception request shall be made in accordance with Chapter 5.1.050 and  
85 processed as a Type III application.” He stated he looked up the Type III application in the Development  
86 Code and determined that a pre-application conference was required, a specific application with a  
87 narrative statement, a public hearing with published notice, and was truly a quasi-judicial procedure  
88 with all that applies to that. He concluded that a simple, 4’ x 8’ cardboard sign used temporarily for an  
89 event like SummerFest would be required to go through the same bureaucratic hoops as someone  
90 spending one hundred thousand dollars or more.

91 Commissioner Shein summarized that there was not a strict deadline and the draft sign code needed  
92 further review by the Commission and he wanted to give it more time.

93 Commissioner Les Oehler agreed that the draft sign code was still not ready. Commissioner Kowash  
94 concurred and wanted to further discuss off-site directional signs.

95 Commissioner Shein stated he would forward his list to City staff for distribution to the Planning  
96 Commission. Mr. Shetterly suggested Commissioners forward all of their issues to staff within ten days.  
97 He indicated staff could compile a list to distribute to the Planning Commission well in advance of the  
98 meeting so the Commissioners could come prepared to work through the list and deliberate.

99 Commissioner Wilson stated that deliberation needed to continue and agreed another meeting was  
100 required. He pointed out the importance of putting everything on the table up front and that bringing  
101 up a large list of items at the Public Hearing on things that the Commission had not had issue with  
102 before was not what the public deserved.

103 Commissioner Shein asked about the Planning Commission coming together for a workshop similar to  
104 what City Council does. Mr. Shetterly clarified that workshops were public meetings. The consensus of  
105 the Planning Commission was to continue deliberation at the next regular meeting. Commissioner Chris  
106 Castelli asked when public comments would be taken with a new revised draft and Mr. Shetterly  
107 indicated they could be made when it went before City Council.

108 Commissioner Les Oehler asked for the comments to be listed so they could be gone through one by  
109 one. He asked about sign permit fees and implied they were another tax. In answer to his question, Mr.  
110 Locke explained they covered the administrative costs and staff would look at what other jurisdictions  
111 charged. Mr. Shetterly added that the Planning Commission did not set the fees but that was done by  
112 City Council.

113 Commissioner Castelli asked if putting the Sign Code into the Development Code would provide periodic  
114 review and Mr. Locke indicated it would.

115 **STAFF COMMENTS**

116 Mr. Locke reviewed the February 2014 Land Use Report and pointed out a new category that showed  
117 items being forwarded to the Planning Commission.

118 The meeting adjourned at 7:50 p.m.

**APPROVED:**

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

Phone: 503-823-2594  
Fax: 503-823-8938

119 SW Court St  
P.O. Box 377  
Dallas, OR 97338

otammar@dallasoregon.org  
www.dallasoregon.org

# DALLAS

AREA  
CHAMBER OF COMMERCE

January 21, 2014

Mr. Chuck Lerwick, President  
City of Dallas Planning Commission  
187 SE Court Street  
Dallas, OR 97338

COPY

Re: Revisions to the City of Dallas Sign Code

Dear Mr. Lerwick;

On behalf of the Dallas Area Chamber of Commerce, we are submitting the following comments and recommendations for changes to the draft of the Dallas sign code dated "PC Working Draft: December 10, 2013".

Over the past several months, the Chambers' public policy committee has gathered comments from the areas business owners as to what changes would be beneficial to them in addressing signage issues they have encountered. The goal of the committee was to "Have a sign ordinance that is simple and clearly written for interpretation, provides businesses the opportunity to advertise and inform or direct the consumer to / of the business."

General concerns were that the existing sign code in Dallas is confusing at best, difficult to interpret, and the application of regulations was inconsistent. A general summary of the comments discussed by the committee which are being advanced to you is:

- Allow for off premise directional signs to business location
- Allow Temporary, A-Frame or Sandwich Board signage in and or on public right of way in the front of the business when no impediment of vehicular or pedestrian traffic occurs.
- Exempt promotional and or directional signage for city wide promotions, events
- Allow signs for home occupations in residential zones
- Allow Banners/ribbons/feather signs property or store front at a business location
- Allow using Humans as directional and advertisement signage at the business location on or off right of way
- Additionally the committee recommended industry standard sizes be used with a minimum sign size of 6 square feet per side or 2'x3'. Fee schedules should be minimum. Fee schedule should differentiate "temporary vs permanent".



Phone: 503-823-2584  
Fax: 503-823-8838

119 SW Court St.  
P.O. Box 377  
Dallas, OR 97338

chamber@dallasoregon.org  
www.dallasoregon.org

**Specific Comments are as follows:**

1. On page 1; 3.6.010 Purpose
  - a. In the second paragraph insert after the word "messages" "for services and or direction". This will clarify that signs serve a dual purpose for information and direction.
2. On page 2, 3.6.020 Scope
  - a. In the first sentence after the word "right of way" insert "on property and or the exterior of the building where the business is located". This clarifies that signs or displays in the interior of the building or business is not subject to the ordinance.
3. On page 2, 3.6.030 Definitions
  - a. Area of sign. We would ask that this definition be accompanied by drawings depicting the intent of the definition or rewrite the definition in simpler terms.
  - b. Wall signs: Clarify that an awning is only subject to the ordinance if the awning has the name of the business on the awning.
4. On page 3, Definitions continued.
  - a. Insert the standard industry definition of a "feather" sign.
  - b. Insert a definition of a home business sign being fixed to the property and a maximum of 6 square feet.
  - c. Temporary Signs: delete the phrase "typically include but are not limited to" and list a definitive list of those signs that are temporary. Include feather, ribbon and pylon signs.
  - d. Stipulate that temporary signs, while may needing a permit, are not subject to fees imposed by the ordinance or council resolution.
5. On Page 6; 3.6.060 Prohibited Signs
  - a. Remove item G, Electronic Digital (Video) signs and list in 3.6.070 as a permitted permanent sign but is subject to City Manager or Planning Commission review and conditions as to the lumens allowed.
  - b. Item H. allow for flashing signs which only display the word "open"
  - c. Item K. except directional signage to businesses
  - d. Item L. remove and list in 3.6.07 as a permitted sign provided the signs in and or on public right of way in the front of the business do not impede vehicular or pedestrian traffic.
6. On page 7; 3.6.070 Temporary Signs
  - a. (3) Remove the prohibition of temporary signs in or on the public right of way when no impediment of vehicle or pedestrian traffic.
  - b. B.2. Add a new section authorizing temporary for a period longer that 90 for signs such as sandwich boards upon approval of the City Manager.

Phone: 503-823-2584  
Fax: 503-823-3838

118 SW Court St  
P.O. Box 377  
Dallas, OR 97338

chamber@dallasoregon.org  
www.dallasoregon.org

# DALLAS

AREA  
CHAMBER OF COMMERCE

c. B.3. Add a new sub (d) to read: "Temporary Promotional and/or directional signage for the duration of a public or private city-wide promotions or events . Such signs shall be allowed for the duration of the event and shall be removed immediately upon cessation of such event or promotion."

7. On page 8, 3.6.070 Permanent Sign Regulations
- a. Residential Zones: Add signs up to 6 square feet for Home Businesses.
  - b. (C.3) Delete this reference to window signs.

We appreciate the effort by staff to address concerns, but would ask that additional effort be made to clarify and simplify the language.

Thank you for the opportunity to comment and we look forward to working with you on this ordinance.

Sincerely



Robert Brannigan  
Board President

cc: Chamber Board of Directors  
Jim Williams, Chair of Public Policy Committee  
Gene Henshaw, Chair of Business Signage Task Force  
Chelsea Pope, Executive Director  
Brian Dalton, Mayor  
Ron Foggin, City Manager  
Jason Locke, Community Development Director

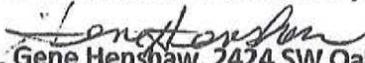
Dallas Planning Commission  
City Hall  
Dallas, Oregon

Off-Site Signage

I urge you to consider off-site directional signs. These are not too different from shopping center signs which advertise businesses not readily visible from the street. They are different, yes, but not all that different and not different in concept.

These types of signs would be limited to the requirement of the landowner's consent. The sign would also have to comply with all other provisions of the sign code and be subject to the normal application process.

With all this in mind I see no rational for prohibiting off-site signs.

  
Respectfully, Gene Henshaw, 2424 SW Oakwood Dr. Dallas, Or.

RECEIVED  
3/11/14 pwr

Joseph E Koubek  
565 SE Mifflin Street  
Dallas Oregon 97338  
503-480-4093

[joekoubek@yahoo.com](mailto:joekoubek@yahoo.com)

Mister Chairman and Members of the Planning Commission:

I make the following comments regarding the Commission's efforts to revise the Dallas Sign Code. I request that these comments be made an official part of the public hearing record.

I want to thank the commission for tackling this complicated matter. I have attended many recent Commission meetings and the open house to follow the discussion. It occurred to me early on that it would be hard to achieve one of the goals of the revision process - to simplify the sign code - due to the increasing types and technology of signage in today's world. I think a better goal would be to create a concise and easily interpretable code. If it takes 25 pages to achieve this, then make it 25 pages.

As for specific aspects of the draft revised code my comments are as follows.

There should be strict limits on the number and size of temporary signs similar to limits in the current code which I believe is one per business per street frontage. I do not want Dallas to look like Salem. The definitions for temporary signs needs to be clear and comprehensive. Sandwich or "A" signs are OK but must be considered as part of the calculation towards the total number of temporary signs. In the downtown business district they should be required to be removed each day after business hours. Moving the sign each day would satisfy the 90-day temporary sign requirement because the 90 day clock would start over each day. There should be an annual permit review requirement for these that would ensure the cleanliness and condition of the sign. There should also be size restrictions for these.

Regarding Digital Video signs: This type of sign should be considered but with size restrictions similar to other types of commercial signs. The prohibitive cost of this type of signage will keep the number of these signs to a minimum. The brightness can be controlled and can therefore be regulated.

I am opposed to business or home occupation signage in residential zones.

I am opposed to off-premises signs and off-premises directional signs.

I like the idea of a centrally located kiosk for business advertising within reason. This would be a good place to take advantage of digital video display technology. This kiosk could be interactive and maintained by the Dallas Chamber of Commerce or Dallas Visitors Center as part of their welcome center. They could charge a small fee to businesses that wish to advertise to support upkeep and maintenance. The location and size of a kiosk would need to be considered very carefully. It could be very tastefully and stylishly done. The final design, size and location would need final approval by the Planning Commission.

Regarding political signs, I think they should be required to be removed within seven days following the election they refer to.

A public hearing process should be incorporated with any request for a variance to the sign code. This is a very important component of citizen involvement in our local government.

On a side note, it was interesting and disappointing and somewhat distressing to hear city staff offering personal opinions and comments such as "It's not going to happen" during commission discussions. In some cases, city staff appeared to be leading the discussion and guiding the commission towards certain conclusions. Even when well-intended or unintended, the perception by the average citizen could have a negative backlash and should be discouraged. To be fair, I don't know that I could remain neutral had I been put in that position.

Maybe the open house could have been conducted as more of a small groups exercise like the Dallas Vision 2030 sessions.

For the most part city staff did an excellent job providing background and support for this complicated endeavor and should be commended.

I appreciate the hard work the commission has done and thank you in advance for the work that is yet to be done to revise and strengthen the Dallas sign code.

Thank you for the opportunity to be heard.



Joseph E Koubek

Red  
3/11/14



**AGENDA**  
**City of Dallas Planning Commission**  
**TUESDAY March 11, 2014 - 7:00 p.m.**  
**City Hall Council Chambers**  
**187 SE Court Street**

---

- |  |    |   |
|--|----|---|
| <b>Planning Commission</b>                       | 1. | CALL TO ORDER   |
| President<br>Chuck Lerwick                       | 2. | ROLL CALL   |
| Vice President<br>Dave Shein                     | 3. | APPROVAL OF MINUTES - Regular meeting of February 11, 2014  |
| Commissioner<br>Chris Castelli                   | 4. | PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.) |
| Commissioner<br>Denise Jones                     | 5. | PUBLIC HEARINGS   |
| Commissioner<br>Carol Kowash                     | A) | Revision of Dallas Sign Code  |
| Commissioner<br>Les Oehler                       | 6. | OTHER BUSINESS  |
| Commissioner<br>Bob Wilson                       |    | None  |
| <b>Staff</b>                                     | 7. | COMMISSIONER COMMENTS   |
| Community<br>Development Director<br>Jason Locke | 8. | STAFF COMMENTS  |
| City Attorney<br>Lane Shelterly                  | 9. | ADJOURN   |
| Planner<br>John Swanson                          |    |   |
| Recording Secretary<br>Patti Senger              |    |   |

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Dallas City Hall is handicapped-accessible. Any requests for accommodation should be made at least 48 hours before the meeting to the Community Development Department, 503-831-3565 or TDD 503-623-7355.

For questions or comments on the agenda, contact: John Swanson at 503.831.3572 or [john.swanson@ci.dallas.or.us](mailto:john.swanson@ci.dallas.or.us)



**City of Dallas  
Planning Commission  
Council Chambers - City Hall  
February 11, 2014 - 7:00 p.m.**

**DRAFT**

**MINUTES**

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Carol Kowash, Les Oehler, David Shein,  
5 Denise Jones, and Robert Wilson.

6 Staff present: City Attorney Lane Shetterly, Community Development Director Jason  
7 Locke, Planner John Swanson, and Recording Secretary Patti Senger.

8 **APPROVAL OF MINUTES**

9 President Chuck Lerwick presented the minutes of the regular meeting of January 14, 2014.  
10 Commissioner Bob Wilson made a motion to approve the minutes; it was duly seconded and the  
11 minutes were accepted as presented.

12 **PUBLIC COMMENT**

13 President Chuck Lerwick explained the rules for making public comment.

14 Gene Henshaw, 2424 SW Oakwood Drive, Dallas, Oregon, commented that the process for the sign code  
15 revision with the open house and the upcoming public hearings was good. He stated it allowed everyone  
16 to be heard and involved.

17 **PUBLIC HEARING**

18 There was no public hearing.

19 **OTHER BUSINESS**

20 **Work session: Review of Sign code Open House Results and Draft of Sign Code**

21 Jason Locke stated the materials presented to the Commission for the meeting included a letter from  
22 the Chamber of Commerce, a synopsis of comments from the open house held on February 5, 2014,  
23 results of the survey, a post open house memo, and a working draft of the revised sign code dated  
24 February 11, 2014. He indicated the goal was to accomplish a draft that would be ready for the public  
25 hearing on March 11, 2014. Mr. Locke explained that after the public hearing there would be time to

26 make revisions based on testimony received before it went to the next public hearing in front of City  
27 Council where it would ultimately be adopted.

28 Mr. Locke identified technical issues in the draft sign code and areas where there was confusion or non-  
29 clarity that needed to be addressed. These included temporary signs, signs for home occupations, off-  
30 site and off-site directional signs, and electronic video signs.

31 Mr. Locke discussed the portion of the letter from the Chamber of Commerce that asked to allow signs  
32 for home occupations in residential zones. He explained there were about 200 home businesses in  
33 Dallas and the original idea was for them to be conducted in a manner that did not give an outward  
34 appearance of being a business. He added that when people apply for home occupations they generally  
35 do not ask about signage for their home and most indicated they were not interested in having signs. In  
36 addition, the Development Code would need to be amended. President Lerwick asked about businesses  
37 such as adult foster care homes and if signs were allowed and Mr. Locke explained that signs were  
38 allowed in Commercial Zones but not in Residential Zones.

39 Mr. Locke talked about off-site signs and off-site directional signs. He stated there were not many  
40 jurisdictions that allowed them and the ones that did were usually larger and allowed billboards. He  
41 suggested that off-site directional signs, if allowed, would need to have clear criteria.

42 Mr. Locke stated that electronic digital video signs, similar to flat screen televisions, were prohibited in  
43 the current draft but electronic changeable copy signs with less movement were allowed.

44 The Commission reviewed the draft sign code page by page.

45 There was discussion about the purpose statement and the scope. It was the consensus of the  
46 Commission to leave those as written and address them if they came up at the public hearings. Lane  
47 Shetterly stated the definitions provided clarity. Mr. Locke added that the definitions were the industry  
48 standard and sign professionals and other jurisdictions used the same language.

49 The Commission talked about signs placed inside of buildings that were visible from the public right-of-  
50 way. Mr. Shetterly explained that signs inside buildings were not regulated and were permitted. Mr.  
51 Shein indicated the code should allow a sign to advertise a sale but not allow video signs to hang in the  
52 window. Mr. Locke said the new code specified only 50% of the windows could be used for signs. Les  
53 Oehler asked what determined if it could be viewed from the right-of-way, indicating driving and  
54 walking provided different views.

55 Mr. Locke explained some signs were exempt from the code such as roadway signs put up by city,  
56 county, state, or federal agencies that generally were located in the public right-of-way. He stated that  
57 hand-held signs were also exempt and they could only be used on private property. Mr. Locke explained  
58 there were times when it was appropriate to allow temporary signs on a public right-of-way such as A-  
59 frame signs in the downtown area to add visual interest to the streetscape, but the City was not under  
60 obligation to allow them.

61 There was discussion about the banners that hung across Main Street; Mr. Shetterly suggested deleting  
62 “official” from the language, and the Commission agreed.

63 Mr. Shetterly pointed out that the content or message of a sign could not be regulated, only the sign  
64 itself. Mr. Locke added that signs for advertising could be regulated and if they were not advertising it  
65 was a different issue.

66 Mr. Oehler asked about covered flyer boxes attached to real estate signs and it was decided to change  
67 the language to “associated with”.

68 Mr. Locke talked about prohibited signs and noted that a business could have an open sign that flashed  
69 if it was less than two square feet.

70 Mr. Locke explained that in an effort to streamline the process, the City Manager would approve  
71 exceptions for temporary/portable signs and sign-spinners in the public right-of-way rather than City  
72 Council. There would be a one-page application that explained the rules the applicant would be required  
73 to comply with.

74 There was discussion about electronic and video signs. Carol Kowash asked about the demand for those  
75 and Mr. Locke indicated that there had been one telephone inquiry in the past five years. Mr. Shein  
76 commented that subject did not draw as much debate as others at the open house.

77 Mr. Shein talked about off-site directional signs and stated he was looking for a compromise. He brought  
78 up the Hayward off-site directional sign. Mr. Locke reported the history of that sign and explained the  
79 owner specifically leased office space in the complex to put up a sign at that location. President Lerwick  
80 suggested a kiosk that was mentioned at a previous meeting by Ms. Kowash. Mr. Locke noted a kiosk  
81 would be for pedestrians and off-site directional signs with arrows would be for drivers. Mr. Wilson  
82 pointed out that the majority of people now use GPS technology reducing the need for directional signs.  
83 Mr. Oehler stated that something should be allowed with restrictions on size, location, and appearance.  
84 Mr. Wilson asked about how to handle multiple businesses that wanted to post signs on the same  
85 corner. Mr. Shein stated that you would not want off-site directional signs in the commercial business  
86 district. Mr. Swanson clarified not allowing permanent signs but A-frames could be permitted. There was  
87 discussion about the process of putting up off-site directional signs and Mr. Locke explained that it  
88 would need to go through an exception process for the Planning Commission to review. Mr. Shein  
89 thought that was excessive and Mr. Oehler agreed. Mr. Shetterly said the draft code had it listed as a  
90 quasi-judicial action and noted that the exceptions process was not available to something that was  
91 prohibited in the code. He suggested changing the language to open the exception process to directional  
92 signs. Mr. Castelli confirmed conditions could be added by the Planning Commission and the consensus  
93 of the Commission was to make the change.

94 Mr. Locke stated the language was changed to clarify that temporary signs were not counted against  
95 allowance for total area of a permanent sign. He indicated the draft limited temporary signs to three per  
96 building and two per business in a multi-complex and they were not allowed to be attached to  
97 permanent sign structures, awnings, trees, or utility poles. Mr. Castelli asked about the change from 30

98 to 90 days. Mr. Locke indicated that it was in line with what other jurisdictions allowed. Mr. Locke stated  
99 election signs could be erected 30 days prior to an election and removed 10 days following one and that  
100 the standardized size was 2' x 3' or six square feet. Mr. Castelli stated he would support that and  
101 suggested reviewing the code periodically after adoption.

102 Mr. Locke reported that the garage sale sign section was straight out of City Code and had not been  
103 changed.

104 There was discussion about residential signs not being prohibited; in cases of hardship, an approval  
105 process was available. President Lerwick noted the neighbors would be notified during the process and  
106 it was the consensus of the Commission to keep the language as presented.

107 The Commission discussed awnings as signs and Mr. Shein noted the language should remain as  
108 presented.

109 Mr. Locke reviewed changeable copy signs and explained only one sign per site for multi-tenant  
110 complexes would be allowed. The electronic changeable copy portion would be calculated at two times  
111 the rate of other signs.

112 President Lerwick asked about local sign shop owners and Mr. Locke stated that they wanted clarity of  
113 the code so they know how to design a sign package for their clients. Mr. Swanson added that most of  
114 the inquiries from sign companies were about temporary signs.

115 Mr. Swanson reported that signs over six feet tall require building permits to ensure structural integrity.

116 Mr. Locke stated that abandoned signs need to come down within 45 days after a business closed.

117 There was further discussion about variances and Mr. Shetterly stated the burden of proof would be on  
118 the applicant. Mr. Shein asked if Type III rules would apply and Mr. Shetterly stated they would.

119 Mr. Castelli asked about enforcement. Mr. Locke explained that a clear code would clarify expectations  
120 and would aid enforcement.

121 Mr. Shetterly advised listing the flashing two-foot open sign as permitted rather than an exception to  
122 prohibited signs. The consensus of the Commission was to accept the change.

123 There was further discussion about grandfathered in signs and President Lerwick asked about  
124 replacement of the existing billboard if it was damaged beyond repair. Mr. Locke stated it could not be  
125 replaced. When asked about the sign at Polk County Mr. Locke indicated it could be rebuilt in the same  
126 circumstance and the display would continue to be regulated.

127 Ms. Kowash thanked staff for the open house and the articles published in the newspaper and Mr. Shein  
128 acknowledged the number of man hours of work that were put into it.

129 Mr. Locke summarized that the revisions to the draft sign code would be made and an updated version  
130 would be forwarded to the Planning Commission. Mr. Shetterly advised Commissioners to forward

131 comments to staff. Mr. Locke stated that after the March 11, 2104, public hearing the Planning  
132 Commission would take testimony. After that, it could take a couple of meetings to incorporate the  
133 changes prior to forwarding it to City Council. President Lerwick stated that they would work on the sign  
134 code as long as it took until they were comfortable with it before forwarding to City Council.

135 Mr. Locke reminded the Commission that the public had been educated and it is up to the  
136 Commissioners to decide how much weight to give to any one person's testimony.

137 **COMMISSIONER COMMENTS**

138 Mr. Shein stated the meeting had been time well spent.

139 **STAFF COMMENTS**

140 Mr. Locke pointed out that they had received the Land Use Monthly Activity Report and that he was  
141 expecting a subdivision application to come in soon.

142 The meeting adjourned at 9:15 p.m.

**APPROVED:**

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

**CITY OF DALLAS  
PLANNING COMMISSION**

**STAFF REPORT  
DATE: MARCH 4, 2014**

<b>FILE NO.</b>	N/A
<b>HEARING DATE</b>	<b>MARCH 11, 2014 7:30 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338</b>
<b>OWNER</b>	N/A
<b>REQUEST</b>	<b>REVISE THE DALLAS SIGN CODE AND ADD THE SIGN CODE TO THE CITY OF DALLAS DEVELOPMENT CODE, ARTICLE 3.6</b>
<b>LOCATION</b>	<b>CITY OF DALLAS</b>
<b>RECOMMENDATION</b>	<b>HOLD THE PUBLIC HEARING, TAKE TESTIMONY, MAKE CHANGES AS DETERMINED NECESSARY, AND FORWARD TO THE CITY COUNCIL FOR APPROVAL.</b>

## **BACKGROUND INFORMATION**

### **Revision of the Dallas Sign Code**

The Dallas Sign Code was identified as one of the development regulations that were to undergo review and update following adoption of the current Development Code in 2010. The existing Sign Code was in need of modernization to reflect new sign technology and the needs of the business community and the public. The old sign code, while amended from time to time to address a particular issue, has not undergone a thorough review for over 20 years.

This is the Planning Commission's first hearing on the Sign Code revision. It follows a work session conducted with the Planning Commission at the regular meeting on February 11, 2014 and a public Open House conducted on February 5, 2014.

The following highlights key changes proposed to the Sign Code document based on staff research, public input, and Planning Commissioner's input.

1. Remove the Sign Code from the general Municipal Code to its appropriate place in the Dallas Development Code.
2. The existing Sign Code is obsolete in that it addresses signage practices no longer in common use, such as mechanical signs, and doesn't address new sign types and technology such as electronic or digital signs. The proposed revised Sign Code addresses these issues.
3. The revised Sign Code is based on Sign Code language in use in many jurisdictions in Oregon and across the country.
4. The revised Sign Code is intended to be explicit, understandable, and hold objective standards for both the business community in their use of signs and the City of Dallas in administration of Sign Code application and approval processes.
5. The revised Sign Code does not attempt to change those sections of the existing code that are working well and meets the standards of modern practices.

### **TEMPORARY SIGNS**

The current Sign Code does not adequately address the use of "temporary signs." It defines the nature or composition of a temporary sign and the materials it may be made of (vinyl, fabric, plywood, plastic, paper, etc), but it doesn't appropriately address the length of time a "temporary" sign may be displayed. Over time, signs meant to be temporary become de-facto permanent. There are a good number of vinyl signs currently in use in Dallas that are used as permanent signs.

The proposed revised Sign Code specifically addresses the length of time a temporary sign may be erected as follows: Temporary signs shall be placed for a period of not longer than 90 days.

No permit is required, but the sign must be dated in the lower right corner at the time of installation. A time limit set for the use of temporary signs is the primary change between the existing code and the revised code. Additionally, the revised Sign Code restricts temporary signs to three (3) per building or two (2) per business in a multi-tenant complex. The permitted sizes of a temporary signs shall not exceed sixteen (16) square feet in area per sign.

### **ON-PREMISIS COMMERCIAL SIGNS**

Currently, under the existing Sign Code, on premises commercial signs are permitted in Commercial and Industrial Zoning Districts with a permit and a fee set by the City Council. The existing code limits the square foot area of a sign based on the length of street frontage of the building or storefront. The proposed revised code functions in the same way except that it allows more flexibility and clarity allowing one (1) square foot of signage for every two (2) linear feet of street frontage on the primary and (1) square foot of signage for every four (4) linear feet of street frontage on the side of a building (not the primary side as determined by the applicant.)

Another minor change from the existing Sign Code and the revised Code is the use of signs in street front windows. Current code permits signs installed in windows without regulation or permitting. The proposed revision is to allow no more than 50% of window space be used for signs.

Ground-mounted commercial signs are permitted under the revision similar to their permitted use under the current code. Both a Sign Permit and a Building Permit are required for ground-mounted signs. Permanent signs are better defined in the proposed revised Sign Code as to type, and includes illustrations of permitted sign types.

### **SIGNS IN RESIDENTIAL DISTRICTS**

Permanent commercial signs are prohibited in Residential Zoning Districts in the current code and remain prohibited in the revised code.

The use of temporary signs in residential are permitted as follows:

- a. Real estate sales and lease
- b. Political signs during an election cycle (further explained below)
- c. Garage sale signs (in accordance to Dallas garage sale permit and regulations)
- d. One temporary sign, not exceeding six (6) square feet in area, during the time of construction, remodeling, or landscaping provided that the sign be removed within thirty (30) days upon completion of work.

### **POLITICAL CANDIDATE / BALLOT MEASURE ELECTION SIGNS**

Temporary political signs are permitted in all Zoning Districts including residential neighborhoods during election cycles in both the current Sign Code and the revised Sign Code with one minor change as follows: Signs not exceeding six (6) square feet each in area during the period prior to a regular or special election until fourteen (14) days following the election are permitted. The change between the existing code and the proposed code consists of the maximum size of any one political sign; six (6) square feet as described above.

### **ELECTRONIC CHANGABLE COPY SIGNS**

- a. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.
- b. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above existing ground level.
- c. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.
- d. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.
- e. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.
- f. No temporary sign is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.
- g. Electronic changeable copy signs must be permanently mounted to the ground or a structure.

To be permitted under this section, an electronic changeable copy sign must meet the following standards:

- The sign may not be illuminated by a flashing light or a light that varies in intensity.
- The sign may not have a display surface that creates the appearance of movement.
- The sign must not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of 150 feet.
- The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.
- The sign must be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.
- The change from one message to another message may not be more frequent than once every thirty seconds and the actual change process must be accomplished in two seconds or less.

**Conclusions:** The Sign Code is in need of updating both for content and administration purposes. There have been numerous drafts as well as public input that have been incorporated into this hearing draft.

### **Recommendation:**

Hold a public hearing on the proposed Sign Code on March 11, 2014. At that time, the Commission can close the hearing and can make a recommendation to the City Council or decide to continue the hearing process or deliberations to a future meeting. (When a final draft is approved, the revision is referred to City Council for action, which will include another public hearing on the matter. The City Council makes the final decision to revise the Sign Code.

## Chapter 3.6 SIGNS

PC Hearing Draft March 11, 2014

### Sections:

3.6.010	Purpose
3.6.020	Scope
3.6.030	Definitions
3.6.040	Exempted Signs
3.6.050	Prohibited Signs
3.6.060	Temporary Signs
3.6.065	Garage Sale Signs
3.6.070	Permanent Signs
3.6.075	Murals
3.6.080	Sign Permits
3.6.090	Abandoned Signs
3.6.100	Construction and Maintenance Standards
3.6.110	Nonconforming Signs
3.6.120	Exceptions
3.6.130	Enforcement
3.6.140	Sign Type Illustrations

**3.6.010 Purpose.** The City finds that signs provide an important medium through which individuals and businesses may convey a variety of messages.

The standards contained in this chapter are primarily intended to balance the needs of businesses and individuals to convey their messages through signs, and the right of the public to be protected against the proliferation of signs and their effect on public and traffic safety and the aesthetic qualities of the City. In an attempt to achieve that balance, the purpose of this chapter is to:

- A. Improve the visual qualities of Dallas's streetscape environment through the use of equitably applied sign height, size, and location standards;
- B. Provide minimum, consistent, and enforceable sign standards by regulating sign location, size, height, illumination, construction, and maintenance;
- C. Minimize visual clutter caused by temporary signs by limiting their numbers and duration of use;
- D. Protect citizen safety by prohibiting hazardous signs;
- E. Ensure compliance with state and federal laws regarding advertising by providing rules and standards that are content neutral; and
- F. Provide for near term and longer term improvements to signage through the use of appropriate amortization and incentive policies.

**3.6.020 Scope.** All signs visible from the public right-of-way or private areas open to public travel within the City limits shall be within the scope of this chapter. The content of signs is not

regulated by this chapter. No sign shall be permitted in the City of Dallas unless it is in accordance with the provisions of this chapter or unless it is determined to be legally nonconforming to the requirements of this chapter, with the exception that where a planned development overlay exists, any sign regulations adopted with that planned development overlay shall take precedence.

**3.6.030 Definitions.** For the purpose of this chapter, certain terms and words are defined as follows: words used in the present tense include the future; the word “shall” is mandatory; the word “may” is discretionary; the phrase “used for” shall include the phrases “arranged for,” “designed for,” “maintained for,” and “occupied for”; and the word “business” shall be associated with the zoning terms and activities of “permitted use” and “conditional use.” The following terms shall mean:

Abandoned Sign - A sign or sign structure where either: (1) the sign is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by cessation of use of the property where the sign is located for the use or purpose associated with the sign; or (2) the sign has been damaged, and repairs and restoration have not been started within forty-five (45) days of the date the sign was damaged, or, once started, are not diligently pursued to completion.

Accessory Sign - Signage which is an integral part of outdoor display structures associated with a commercial or industrial use such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures, equipment or uses.

Alteration — Any change in the size, shape, method of illumination, construction, or supporting structure of a sign.

Area (of a sign) —

(1) Projecting, Portable, and Freestanding: The area of the sign shall be measured as follows: The area around and enclosing the perimeter of the cabinet in which the sign is contained shall be totaled to determine the aggregate sign area. If the sign is composed of two or more sign cabinets, the area enclosing the entire perimeter of all cabinets within a single, continuous geometric figure shall be the area of the sign. The perimeter of measurable area shall not include embellishments such as pole covers, framing, and decorative roofing, provided that there is no written copy on such embellishments. All face areas of any multi-faced sign shall be counted in calculating its area. For a double-faced sign in a single cabinet, only the area of one face is counted.

(2) Wall Signs: The area around or enclosing each sign cabinet, or, where sign cabinets are not used, the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the message.

Awning — A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window or a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.

Balloon Sign — A sign made from a nonporous bag of tough, light material normally filled with heated air or a gas lighter than air so as to rise and float, and displaying graphics, symbols or written copy, or a combination of graphics, symbols and written copy.

Canopy — An awning supported by at least two columns. A canopy is able to extend further from a building than an awning, as in the case of an entrance to a restaurant or retail store.

Canopy Sign - A sign painted on, printed on, or attached flat against the surface of a canopy or awning.

Changeable Copy Sign (Electronic) – A sign on which the copy changes by any electronic process or remote control.

Changeable Copy Sign (Manual) – A sign on which copy is changed manually, for example, the panel permanently affixed as part of a larger sign on which copy is placed, commonly used to advertise specials for commercial businesses.

Clearance (of a sign) – The vertical distance measured from the lowest point of the sign to the natural surface grade beneath the sign.

Copy – The message on a sign surface in either permanent or removable letter form.

Double-Faced Sign – A sign with advertising on two (2) faces wherein the faces are parallel or within ten degrees of parallel.

Electronic Changeable Copy Sign -- See Changeable Copy Sign (Electronic).

Electronic Digital (Video) Sign – An electronic sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy or pictures in a wide spectrum of colors, shades, and light intensities.

Face (of a sign) – The area of a sign on which the advertising is placed.

Festoons – A string of ribbons, tinsel, small flags, or pinwheels.

Flashing Sign — A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. “Flashing sign” does not include electronic changeable copy signs or signs which, through reflection or other means, create an illusion of flashing of intermittent light.

Freestanding Sign - A sign supported upon the ground by a frame, pole(s), or other support structure(s) that is not attached to any building. A freestanding sign constitutes one sign, even if it has two or more faces.

Frontage - The length of the property line of a lot or parcel along a public right-of-way on which it borders.

Hanging Sign - A sign that hangs beneath a marquee, canopy, or awning and is perpendicular to the building face.

Hazardous Sign - A sign that is detrimental to the public health, welfare or safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign that is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign that has lighting which temporarily blinds or impairs one’s vision; and any sign that is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.

Height (of a sign) - The vertical distance measured from the highest point of the sign to the natural surface grade beneath the sign.

Illuminated Sign - A sign with an artificial light source incorporated internally (direct illumination), or with an external light source directed to illuminate the exterior surface of the sign (indirect illumination). This definition includes signs with light sources that are disconnected from power.

Incidental Sign – A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on a premises, such as a credit card sign or a sign indicating hours of business.

Maintenance - For the purposes of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign, or to achieve a change in sign face, in a manner that does not alter the basic design or structure of the sign.

Marquee - A permanent roof-like projection from a building above the building entrance.

Monument Sign - A freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground. "Monument sign" does not include pole or pylon signs.

Mounted Sign - A sign permanently attached to a building, including a Canopy sign, Projecting sign, Hanging sign and Wall sign.

Moving Sign — A sign that uses mechanized movement to attract attention, depict action, or to create a special effect or scene, and includes dancing inflatable displays.

Multi-tenant complex - A development consisting of one or more lots and two or more businesses sharing appurtenant facilities, such as driveways, parking and pedestrian walkways, and is designed to provide varied products and services at a single location.

Mural – Any painting, design, or image, including incidental copy, that is applied directly to the exterior of a building for artistic, informational, historic, or aesthetic purposes, and does not contain advertising.

Nonconforming Sign – An existing sign, lawful before enactment of this chapter, which does not conform to the requirements of this chapter.

Off-site sign – A sign not located on the site of the activity or business being advertised.

Permanent Sign – A sign structurally affixed to the ground or to a building and intended for permanent display.

Pole Sign -- See "Pylon sign."

Portable Sign – A sign not permanently affixed to a sign structure, a building, or the ground, (such as an A-frame sign) that can be easily moved.

Projecting Sign – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Pylon Sign - A freestanding sign, usually double-faced, mounted on one or two supports above ground level, also referred to as a "Pole sign."

Roof Sign – A mounted sign that projects above the top of a wall, eave, or parapet.

Sign – Any device, structure, fixture, placard, and any related support structure erected for the purpose of displaying graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any business, person, institution, commodity, service, entertainment, or activity. "Sign" includes graphics, symbols and written copy painted or otherwise affixed directly on a building surface.

Site - A lot, parcel, or tract of land under common ownership, or developed together as a single development site, regardless of how many uses occupy the site.

Temporary Sign –

- (1) A sign constructed of fabric, vinyl, paper, cardboard, plywood, or other light material, with or without a frame, that may or may not be attached to a building;
- (2) A sign intended to be displayed for a specific and limited period of time; or
- (3) A sign that will be rendered obsolete after the occurrence of an event or series of events.

(4) Temporary signs typically include, but are not limited to: portable signs, special event signs, "for sale" and "for lease" signs, "feather signs", and political campaign signs.

Wall Sign – A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letters, and cabinet signs.

Window Sign – An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

**3.6.040 Exempted Signs.** The following signs shall not require planning approval for their use, though some may require a building permit. Use of the signs in this section does not affect the amount or type of signage otherwise allowed by this chapter. All signs listed in this section are subject to all other applicable requirements of this chapter and other applicable provisions of the Dallas City Code and Dallas Development Code.

- A. Signs placed or authorized by the city, county, state, or federal government in the publicly-owned right-of-way as well as signs required by city, state, or federal government located on private property;
- B. Flags adopted or endorsed by a governmental agency;
- C. Tablets, cornerstones, or commemorative plaques;
- D. Window displays;
- E. Festoons;
- F. Balloon signs of less than twenty-four (24) inches in diameter;
- G. Seasonal decorations on private property;
- H. Signs erected by a recognized neighborhood watch group advertising the organization or program;
- I. Onsite handheld signs;
- J. Accessory signs;
- K. Signs for hospital or emergency services and railroads;
- L. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than five (5) signs allowed for each permitted structure;
- N. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area, used to identify or locate a property feature;
- O. Any sign that is not visible to motorists or pedestrians on any public highway, sidewalk, street, alley, or other area open to public travel;
- P. One indirectly illuminated or non-illuminated wall sign not exceeding one and one-half square feet in area placed on any residential building, used as a name or address plate;
- Q. Signs placed in or attached to a motor vehicle, bus, or railroad car that is regularly used for purposes other than the display of signs;
- R. Signs, up to four (4) square feet and no taller than four (4) feet, constructed or placed within a parking lot, to direct traffic and parking;
- S. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected to indicate a danger to the public or to designate where public access is prohibited;
- T. Signs located within a sports stadium or athletic field, or other outdoor assembly area, which are intended and oriented for viewing by persons within the facility;
- U. Covered flier boxes under one (1) square foot in area when attached to or associated with a temporary or permanent sign;
- V. Temporary signs, subject to Section 3.6.060
- W. Signs giving notice that a structure on a premises is protected by alarm or security service, provided such signs are not larger than one (1) sq.ft. and are located within 5 feet of the structure.

- X. School Activity Signs. A sign denoting the participation of an occupant of the residence on the lot in a public or private school sport or activity, provided such sign is no larger than six (6) sq.ft.
- Y. Signs promoting non-commercial community-wide events provided such sign is no larger than six (6) sq.ft. and is removed after the event occurs.
- Z. One flashing open/closed sign not exceeding two sq. ft.

**3.6.050 Prohibited Signs.** The following signs are prohibited:

- A. Hazardous signs.
- B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.
- C. Signs within or which overhang streets, except as allowed in this chapter.
- D. Portable signs in the following categories:
  1. Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 Q.
  2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Moving signs.
- F. Balloon signs twenty-four (24) inches in diameter or greater.
- G. Electronic Digital (Video) signs.
- H. Flashing signs, except as provided in 3.6.040Z.
- I. Roof signs.
- J. Signs that appear similar in shape, color, size or copy to traffic control devices.
- K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.
- L. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

**3.6.060 Temporary signs.**

- A. Temporary signs may be erected and maintained only in compliance with this section.
  1. Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.
  2. Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.
  3. With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.
  4. Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.
  5. Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.

6. With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.

7. Temporary signs are not counted against the total area of permanent sign allowance.

B. Temporary signage shall be allowed as follows:

1. Residential (RL, RM, RH) Zones:

Two temporary signs, not exceeding thirty two (32) square feet in area, are allowed per subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. No such sign may be erected for an inhabited residence.

2. Commercial (CG, CN, and CBD) and Industrial (I) Zones:

Temporary signs shall be limited to three (3) per building or two (2) per business in a multi-tenant complex, and shall not exceed sixteen (16) square feet in area per side per sign. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.

3. All Zones:

a. Signs not exceeding six (6) square feet each in area, advocating for or against a candidate or measure on a national, state or local election ballot. These signs must be removed 14 days after an election.

b. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of sale, lease or rental of the lot or structure on the lot, provided that the sign is removed within thirty (30) days after the sale, lease or rental of the lot or structure.

c. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within thirty (30) days after the completion of such construction, landscaping, or remodeling.

### **3.6.065 Garage Sale Signs.**

(1) Only one sign shall be posted upon the premises on which the garage sale, as defined and regulated by DCC 7.500 et. seq., is to be held.

(2) One off premise sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals at no cost. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one

hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

**3.6. 070 Permanent Sign Regulations.** Permanent signs may be erected and maintained only in compliance with the following specific provisions:

**A. Residential Zones.**

1. Each subdivision or multi-family complex is permitted one permanent non-illuminated monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area.

2. Each public school is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; and a wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than eight (8) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty two (32) square feet in area and any subsequent sign may be no larger than twelve (12) square feet in area. Each church is permitted one (1) wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

**B. Central Business District (CBD) and Neighborhood Commercial (CN) Zones.** Signs in the CBD and CN zones may be directly or indirectly lit. Each building or multi-tenant complex may have any combination of wall sign, monument sign, canopy sign, hanging sign, projecting sign, or freestanding sign not to exceed, in total, two (2) square feet for each foot of lot frontage on a street. In the case of two frontages, the larger frontage will be used to compute total sign size. Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

**C. General Commercial (CG) and Industrial (I) Zones.** Signs in the general commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of the zone.

1. **Freestanding Signs:** Each site or multi-tenant complex is allowed one (1) permanent monument sign not to exceed forty-eight (48) square feet in area and six (6) feet in height per street frontage. In addition, each site or multi-tenant complex is allowed one (1) permanent

pylon sign per 500 feet of frontage, not to exceed two (2) per site or multi-tenant complex, each not to exceed 125 square feet in area and thirty (30) feet in height.

2. Mounted Signs: In the case of a property with a single street frontage, the total area of all signs shall not exceed one square foot for each two lineal feet of lot frontage on that street. In the case of a property on a corner, or with multiple street frontages, the total area of signs shall not exceed one square foot for each two lineal feet of lot frontage along the primary street (which shall be determined by the property owner), plus one square foot for each four lineal feet along the other secondary street(s), provided those additional signs are located along the respective secondary street.

3. Window signs: Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

D. Supplemental permanent sign provisions. (All zones)

1. No signs are permitted within a public right-of-way unless authorized by the public agency or agencies having jurisdiction over the right-of-way.

2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.

3. Maximum square footage restrictions include changeable copy signs and exclude accessory and incidental signs.

4. Minimum vertical clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.

5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over sixteen (16) square feet in area.

6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet vision clearance requirements.

E. Electronic changeable copy signs are subject to the following standards:

1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.

2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above existing ground level.

3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.

4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.

5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.

6. No temporary sign is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.

8. To be permitted under this section, an electronic changeable copy sign must meet the following standards:

- a. The sign may not be illuminated by a flashing light or a light that varies in intensity.
- b. The sign may not have a display surface that creates the appearance of movement.
- c. The sign must not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of 150 feet.
- d. The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.
- e. The sign must be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.
- f. The change from one message to another message may not be more frequent than once every thirty seconds and the actual change process must be accomplished in two seconds or less.

### **3.6.075 Murals.**

- 1) A permit must be obtained for a mural as required in 3.6.080(B), except that the application must include a detailed rendering of the proposed mural including content, colors, and type of paint/material, and a plan for maintenance after completion.
- 2) A mural must be compatible with the architectural and aesthetic components of the building, not detract from the character of the district in which it is located, and not be detrimental to the public health, safety, and welfare.

### **3.6.080 Sign Permits.**

#### **A. General Provisions.**

- 1. Except as provided in subsection (2), below, no sign that is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining approval by the City.
- 2. Unless otherwise provided in this chapter, such approvals are not required for temporary signs, mounted signs that protrude less than twelve (12) inches, signs listed as exempt, or for routine sign maintenance.

#### **B. Sign Permit.**

- 1. Permit Requirements. An applicant for a sign permit shall supply the following information on forms provided by the City:
  - a. Size, height, location, description, and material of the sign;
  - b. Name of the manufacturer, contractor, owner, and business advertised;
  - c. Scaled drawing(s) and description of copy, structure, and lighting;
  - d. Photo(s) or drawing(s) of the proposed sign location(s); and
  - e. Signature(s) of property the owner(s) or authorized designee(s).
  - f. Other information required to demonstrate compliance with this Chapter.
- 2. Permit Approval. Permits shall be reviewed as a Type I procedure in accordance with Chapter 4.1.020.

3. Sign Permit Fee. The fee for a sign permit shall be set by a resolution adopted by the City Council.

4. Building Permit. If a separate building permit is required for a sign, a building permit shall be obtained prior to construction or installation.

### **3.6.090 Abandoned Signs.**

Abandoned signs must be removed or made conforming within forty-five (45) days of the date they are deemed abandoned.

**3.6.100 Construction and Maintenance Standards.** The following standards apply to the construction and maintenance of signs in the City:

A. All permanent signs shall be constructed and erected in accordance with the applicable design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.

B. All illuminated signs shall be subject to the provision of the State Electrical Specialty Code. It shall be the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.

C. All signs shall be maintained at all times in a state of good repair, and no person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

### **3.6.110 Nonconforming Signs.**

A. The following will require that a nonconforming sign be brought into compliance with this chapter: physical modification of a nonconforming sign or any action on a nonconforming sign that requires a building permit. This does not include replacement of a sign face without modification of the frame or general sign maintenance and repair.

B. All temporary or portable signs not in compliance with the provisions of this Chapter on the effective date of this Chapter shall be removed or made compliant within 45 days of the effective date.

C. Amortization. Any freestanding, roof, or animated sign that was lawfully established before the effective date of this Chapter, but which does not conform with the provisions of this ordinance, shall be removed or brought into conformance with this ordinance within ten (10) years from the date of its adoption, or sooner, at the time of occurrence of any of the actions set forth in subsection A, above.

**3.6.120 Exceptions.** The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs

prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

A. No exception shall be granted unless it can be established that:

1. The request is necessary to prevent an unnecessary hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
3. The request will not be detrimental to community standards and the appearance of the city.

B. Exceptions shall not be granted for the convenience of the applicant or for the convenience of regional or national businesses that wish to use a standard sign size that may exceed the limits in this code.

C. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a Type III application.

**3.6.130 Enforcement.** Nothing contained herein shall preclude the issuance of citations for violations of this chapter, either prior to, concurrently with, or after action is commenced to declare a sign to be unlawful or to remove an unlawful sign.

A. General Provisions.

1. Any sign that does not conform to the requirements of this Chapter or other applicable provision of this code is considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

2. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his or her designee as follows:

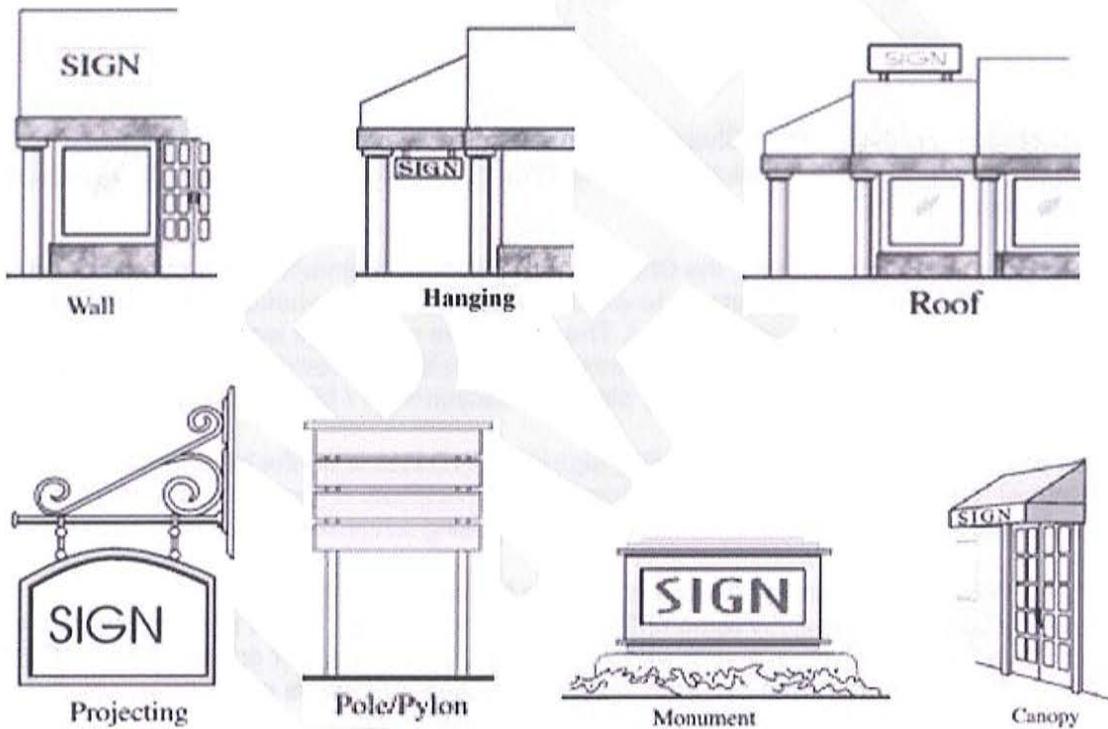
1. Immediate confiscation without prior notice to the owner of the sign.
2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise lawfully permitted to be in that location; and c) that the City has confiscated the sign and will destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full

3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign shall then be destroyed.

4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.

C. Any violation of this Chapter or other applicable provisions of this code are considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

### 3.6.140 Sign Type Illustrations



January 21, 2014

COPY

Mr. Chuck Lerwick, President  
City of Dallas Planning Commission  
187 SE Court Street  
Dallas, OR 97338

Re: Revisions to the City of Dallas Sign Code

Dear Mr. Lerwick;

On behalf of the Dallas Area Chamber of Commerce, we are submitting the following comments and recommendations for changes to the draft of the Dallas sign code dated "PC Working Draft: December 10, 2013".

Over the past several months, the Chambers' public policy committee has gathered comments from the areas business owners as to what changes would be beneficial to them in addressing signage issues they have encountered. The goal of the committee was to "Have a sign ordinance that is simple and clearly written for interpretation, provides businesses the opportunity to advertise and inform or direct the consumer to / of the business."

General concerns were that the existing sign code in Dallas is confusing at best, difficult to interpret, and the application of regulations was inconsistent. A general summary of the comments discussed by the committee which are being advanced to you is:

- Allow for off premise directional signs to business location
- Allow Temporary, A-Frame or Sandwich Board signage in and or on public right of way in the front of the business when no impediment of vehicular or pedestrian traffic occurs.
- Exempt promotional and or directional signage for city wide promotions, events
- Allow signs for home occupations in residential zones
- Allow Banners/ribbons/feather signs property or store front at a business location
- Allow using Humans as directional and advertisement signage at the business location on or off right of way
- Additionally the committee recommended industry standard sizes be used with a minimum sign size of 6 square feet per side or 2'x3'. Fee schedules should be minimum. Fee schedule should differentiate "temporary vs permanent".

**Specific Comments are as follows:**

1. On page 1; 3.6.010 Purpose
  - a. In the second paragraph insert after the word "messages" "for services and or direction". This will clarify that signs serve a dual purpose for information and direction.
2. On page 2, 3.6.020 Scope
  - a. In the first sentence after the word "right of way" insert "on property and or the exterior of the building where the business is located". This clarifies that signs or displays in the interior of the building or business is not subject to the ordinance.
3. On page 2, 3.6.030 Definitions
  - a. Area of sign. We would ask that this definition be accompanied by drawings depicting the intent of the definition or rewrite the definition in simpler terms.
  - b. Wall signs: Clarify that an awning is only subject to the ordinance if the awning has the name of the business on the awning.
4. On page 3, Definitions continued.
  - a. Insert the standard industry definition of a "feather" sign.
  - b. Insert a definition of a home business sign being fixed to the property and a maximum of 6 square feet.
  - c. Temporary Signs: delete the phrase "typically include but are not limited to" and list a definitive list of those signs that are temporary. Include feather, ribbon and pylon signs.
  - d. Stipulate that temporary signs, while may needing a permit, are not subject to fees imposed by the ordinance or council resolution.
5. On Page 6; 3.6.060 Prohibited Signs
  - a. Remove item G, Electronic Digital (Video) signs and list in 3.6.070 as a permitted permanent sign but is subject to City Manager or Planning Commission review and conditions as to the lumens allowed.
  - b. Item H. allow for flashing signs which only display the word "open"
  - c. Item K. except directional signage to businesses
  - d. Item L. remove and list in 3.6.07 as a permitted sign provided the signs in and or on public right of way in the front of the business do not impede vehicular or pedestrian traffic.
6. On page 7; 3.6.070 Temporary Signs
  - a. (3) Remove the prohibition of temporary signs in or on the public right of way when no impediment of vehicle or pedestrian traffic.
  - b. B.2. Add a new section authorizing temporary for a period longer that 90 for signs such as sandwich boards upon approval of the City Manager.



c. B.3. Add a new sub (d) to read: "Temporary Promotional and/or directional signage for the duration of a public or private city-wide promotions or events . Such signs shall be allowed for the duration of the event and shall be removed immediately upon cessation of such event or promotion."

7. On page 8, 3.6.070 Permanent Sign Regulations

- a. Residential Zones: Add signs up to 6 square feet for Home Businesses.
- b. (C.3) Delete this reference to window signs.

We appreciate the effort by staff to address concerns, but would ask that additional effort be made to clarify and simplify the language.

Thank you for the opportunity to comment and we look forward to working with you on this ordinance.

Sincerely

A handwritten signature in black ink, appearing to read "Robert Brannigan". The signature is written in a cursive, flowing style.

Robert Brannigan  
Board President

cc: Chamber Board of Directors  
Jim Williams, Chair of Public Policy Committee  
Gene Henshaw, Chair of Business Signage Task Force  
Chelsea Pope, Executive Director  
Brian Dalton, Mayor  
Ron Foggin, City Manager  
Jason Locke, Community Development Director



## OPEN HOUSE – Dallas Sign Code Revision

Thursday, February 5, 2014, 5:30 p.m., Dallas Civic Center

### Comments/Questions/Concerns:

1. Who will enforce the code after the revisions?
2. Does the code for signs on vehicles allow other household members (such as a spouse) to advertise on their cars. Stated they disagreed if the code would not allow that.
3. Salem doesn't regulate temporary signs so we shouldn't either.
4. Who makes the final decision to adopt the code?
5. Asked staff what was wrong with temporary signs?
6. Accused staff of being against temporary signs and attacking business.
7. Modern signs include "Feather" signs.
8. Feather signs are festive and happy.
9. It is only a small group of people (PC and Council) who set the community standard, they do not represent everyone.
10. Our code is different from other communities and behind the times.
11. Our perspective is limited in scope.
12. It was pointed out there was an error on political sign sizes on page six in the PowerPoint presentation – it should have read six feet and not eight feet.
13. Offsite directional signs are important to getting customers off the beaten path.
14. Prohibiting signs for hundreds of home occupations contradicts with the vision 2030 statement on economic development and they should be allowed.
15. Home occupation signs allow the community to identify with the businesses.
16. Suggested that the words "A-frame" and "sandwich boards" be added to the temporary sign portion 3.6.060.
17. Asked for clarity if permanent sign calculations included the dimensions of temporary signs as well.
18. Asked for the ordinance to be more explicit than the document presented in regards to the temporary signs and the permanent signs. (clean up the language)
19. Asked for exceptions to policy during certain situations such as construction.
20. Councilor Stewart thanked the participants for coming and sharing their views. It allowed the elected officials to make better-informed decisions. He asked them to return for the public hearings.
21. Asked about clarity on "Open" signs mounted inside of businesses, especially the restriction of flashing signs that were less expensive for new businesses. Would like to allow the less obnoxious ones that can be seen from the ROW.
22. Old neon signs are expensive for repair and replacement. LED is the new thing and those tend to have many display/lighting options.
23. New technology such as LED, video signs, and flat panel displays should be able to be used inside without regulation.

24. Discussed the difference between advertising versus visual pollution. The city should only regulate hazards.
25. Polk County's electronic sign is not fair – different rules for government and citizens.
26. Process for a variance can hinder a business. They could lose revenue while going through the process and in some cases, it could cause the business to close.
27. The code needs to be very clear (black & white) for interpretation by everyone.
28. The city prohibits growth.
29. Wondered why the process is taking longer than six months, it isn't that complicated.
30. Asked if testimony provided at Planning Commission earlier and conversations with staff would be forwarded to the decision makers.
31. Asked about coming into City Hall every two weeks to have a temporary sign signed and suggested it would be cumbersome for staff.
32. Asked for clarification if temporary signs needed to be changed every 60 days or just the wording.
33. The length of time in between temporary signs needed to be regulated.
34. Against temporary signs and visual clutter but for businesses and shops local.
35. More signs = more business. More business = more jobs.
36. Appropriate number of temporary signs is four per business.
37. Consideration needs to be made on enforcement and how that the businesses be treated with care when violations occur.
38. Enforcement needs to be fair across the board.

**Staff Summarized:**

- ✓ Staff would not be making the decision, the decision would be made by Planning Commission and City Council
- ✓ Email [john.swanson@dallasor.gov](mailto:john.swanson@dallasor.gov) for further comments and questions.
- ✓ The next Planning Commission meeting is February 11, 2014, a work session, not a public hearing.
- ✓ The next Planning Commission meeting on March 11, 2014, will be a public hearing and there will be public comment.
- ✓ The Planning Commission will forward the revised code to City Council where another public hearing with public comment will take place before adoption.

## Sign Code Revision Survey – RESULTS (2/5/2104)

### 1. Rate your overall opinion of signs currently in Dallas.

GOOD – 5

NO OPINION – 2

- *Neutral*

POOR – 7

- *Too many sandwich boards*
- *I think the code is very narrow compared to the means available today to advertise*

NO ANSWER – 0

### 2. Signs –

Too many? - 3

Too few? – 3

- *Too few nice historic style hanging signs and awnings in downtown.*

Just right – 7

NO ANSWER – 2

- *The ability to be flexible with businesses is important even in advertising*

### 3. Do you think there are areas of Dallas with “sign clutter?”

YES – 7

- *Ellendale*
- *Ellendale, Main Street (maybe more)*
- *North Dallas, sometimes corner of Washington & Main*
- *Thrifty Market, SE corner at Main & Ellendale*
- *North Dallas Area*

NO – 7

- *I wouldn't say we have any issues to speak of*

NO ANSWER – 1

### 4. Rate your opinion of temporary signs used in Dallas

GOOD – 4

- *The telephone poles are “clean” and visual clutter takes away from the small town feel of Dallas*
- *We need more*
- *I am for a limited number of temporary signs*

NO OPINION – 3

POOR – 3

NO ANSWER – 5

- *Don't block sidewalk*
- *Needs improvement*
- *Needs clarification. I don't mind within reason*
- *?*

**5. Should commercial advertising signs be permitted on different property from the property occupying the business (off-premises signs)? i.e. billboards**

YES - 5

- *But within a very close proximity (10' maybe)*

NO - 10

NO OPINION - 1

NO ANSWER - 0

**6. Should commercial directional signs be permitted on different property from the property occupying the advertised business?**

YES - 9

- *To a limit - a couple - but not goes on for miles*
- *With sideboards*
- *With limits*
- *But be careful*
- *As needed*
- *Small, limited.*

NO - 2

NO OPINION - 2

- *50/50*

NO ANSWER - 2

**7. Do you favor advertising signs in residential neighborhoods?**

YES - 4

- *One small wall mounted sign on a home is appropriate*
- *Within size restrictions*
- *Small temporary signs should be allowed*

NO - 7

- *And please enforce whatever the end result is*

NO OPINION - 4

- *With size restrictions and quantity limits*

NO ANSWER - 0

## **February 11, 2014 Planning Commission Meeting Comments on the Working Draft Sign Ordinance; Chapter 3.6**

I reviewed the draft sign code dated February 14, 2014, the letter from the Dallas Area Chamber of Commerce dated January 21, 2014 and the Post Open House Memo to the Planning Commission dated February 11, 2014. Additionally, I reviewed the sign code for the City of Monmouth, Independence and McMinnville. I also had an opportunity to speak with a few residents and business owners in Dallas prior to this meeting, and hope to speak with more before the March Planning Commission meeting.

### **Draft Sign Code**

#### **3.6.040(I) Onsite handheld signs**

I would like some clarification on this exemption. Is this in reference to "Humans as directional and advertisement signage" as described in the Chambers letter dated January 21, 2014?

Note: As a consumer, human sign holders do not attract me to a business. I would be interested to see any data regarding the effectiveness of this sort of advertising.

#### **3.6.060(B)(2) Temporary signs 90 days of placement**

This seems too large as written. It is a dramatic change from the language in the July 2013 draft which stated "for a period of not longer than 30 days,"

Suggest: "not longer than 60 days unless approved by the City Manager." This allows for some flexibility which should help meet the concerns of the Chamber.

#### **3.6.060(3)(a) Political signs**

I find this difficult to support.

1. As a resident, I do not want to see a free for all of political signs in my neighborhood.
2. The draft code is inconsistent with what is in place in any of our neighboring communities.

Suggest: Using the draft language from the Planning Department's July 2013 draft.  
Alternatively: "Signs not exceeding 6 square feet, advocating for or against a candidate or measure on a current national, state or local election ballot. Such signs may be erected during the campaign for a period of 60 days prior to the election, and shall be removed not later than the fifth day following the election."

Concern: This is such a drastic change from earlier drafts of the sign code and what other communities are allowing. What made you propose this?

### **3.6.130(c) Enforcement**

There have been a number of comments from business owners regarding the perceived subjectivity of sign enforcement. I would recommend adding language to (c) to clarify the process for addressing a sign that is out of compliance with code, including potential civil penalties and the appeals process.

Suggest: Reviewing the City of Monmouth's sign code sections 81.120 and 81.130.

### **Other: Periodic review of the sign code.**

The Administrative Procedures Act (ORS 183.405) requires state agencies to review their administrative rules every five years.

Suggest: A new section in the sign code stating that the Planning Department and Commission will review this ordinance every five years to evaluate its effectiveness and make revisions as needed. This will help avoid having a sign code that is extremely out of date, and therefore requires major revisions. Major re-writes of codes and ordinances can be expensive, controversial and time consuming.

## **Comments on some topics that were discussed in the Chamber's letter dated January 21, 2014**

### **Off Premise directional signs**

I am open to discussing this concept, but it appears to have significant policy issues as described in the Planning Departments Memo to the Planning Commission dated February 11, 2014.

### **A-Frame/Sandwich Board signs**

I am supportive of this type of advertising provided that signs are brought in at the close of business, and do not interfere with automobile, bicycle or pedestrian traffic. I thought that a stakeholder at the open house made a good point that a sandwich board sign provides business exposure perpendicular to foot and vehicle traffic. This is easier to read than storefront signs that are situated parallel to traffic.

Suggest: Reviewing the City of Independence sign code for sandwich boards (58.040(N)).

### **Signage for home occupations in residential zones**

I am generally not supportive of this type of advertising for a number of reasons. It appears to be restricted by the Development Code (see Planning Departments Memo to

the Planning Commission dated February 11, 2014) and therefore will not be considered in the sign code at this time.

I look forward to discussing these issues further with staff, the Commission and other community stakeholders. I am very interested in hearing more from the business community regarding:

1. Their type of business (retail, service, manufacturing, etc.)
2. The types of advertising they employ and the effectiveness of those advertising methods.
3. The role of storefront signage in advertising their business.

**SIGN CODE**

**9.900 Short Title.** This shall be known as the "Sign Ordinance" and may be so cited and pleaded and shall be cited herein as "this ordinance."

**9.901 Definitions.** As used in this ordinance, unless the context requires otherwise, the following definitions shall apply:

**Abandoned Sign.** A sign, associated with a business, product, use or activity which has ceased to exist or is no longer conducted or available.

**Area.** The area contained within the lines drawn between the outer most points of a sign, but does not include essential sign structure, foundations or supports. The area of a sign having two display surfaces facing in opposite traffic directions shall be computed by measuring the largest face.

CURRENT  
SIGN CODE

[Text continued on page 9:22]

Awning. A temporary shelter supported entirely from the exterior wall of a building.

Bulletin Board. A board for public use in posting notices.

Canopy. A structure, other than an awning, made of cloth or metal with frames attached to a building and carried by a frame supported by the ground or sidewalk.

Director. The director of community development for the city of Dallas or a designee of the director.

Erect. To build, construct, attach, hang, place, suspend, or affix, and the painting of wall signs.

Facing or Surface. The surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Ground Sign - Permanent. A sign supported by one or more uprights or braces permanently affixed, attached to or implanted in the ground, and not attached to any building.

Ground Sign - Temporary. A temporary sign supported by one or more uprights, braces or sides which is supported directly by the ground but is not permanently affixed, attached to or implanted in the ground, such as A-board or A-frame signs.

Illuminated Sign. Any sign which has characters, letters, figures or designs illuminated by electric lights or luminous tubes as a part of the sign proper.

Incombustible Material. Material which will not ignite at or below a temperature of one-thousand two hundred degrees Fahrenheit and will not continue to burn or glow at that temperature.

Marquee. A permanent roofed structure attached to and supported by the building and projected over public property.

Mural. Any painting, design or image applied to the exterior of a commercial building for artistic or aesthetic purposes, that may or may not exceed the dimensional requirements for a commercial sign as defined by this code.

Off Premise Sign. A sign which identifies, is associated with or gives directions to a use or activity and which sign is located on premises other than where the activity or use is located and which is not a temporary sign.

On Premise Sign. A sign which identifies, is associated with or gives directions to a use or activity and which sign is located on the premises where the activity or use is located and which is not a temporary sign.

Obscene Sign. A sign which contains words or pictures in which the dominant theme, taken as a whole, appeals to the prurient interest in sex or is patently offensive because it affronts the contemporary community standard relating to the description or representation of sexual material which is without redeeming social value.

Portable Merchandise Display. An outside display of merchandise which is not permanently attached or affixed to the ground or a building.

Projecting Sign. Any sign which is attached perpendicular to a building or other structure and extends 12 inches beyond the line of the building or structure or 12 inches or more beyond the surface of that portion of the building or structure to which it is attached.

Roof Sign. A sign erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof of the structure.

Sign. Any written message, light, other than a light used primarily to illuminate a building or premises, time-temperature display, street clock, emblem, mannequin located outside of a building, painting, drawing, portable merchandise display or any devise, structure or fixture which:

(a) Is designed, used or intended for advertising purposes or to inform or to attract the attention of the public; and

(b) Is viewable from a public street, public right-of-way or private area open to public vehicular traffic; and

(c) Is not a national flag or a flag of a political subdivision.

A sign includes the sign structure, display surface and all other parts of the sign.

Street Clock. Street clock shall mean any timepiece erected upon a standard, upon the sidewalk or on the exterior of any building or structure and placed and maintained by some person for the purpose of advertising their place of business.

**Structural Trim.** Structural trim shall mean the molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

**Temporary Sign.** A sign constructed of cloth, canvas, light fabric, cardboard, plywood, wood, wall board, plastic, sheet metal or other similar light material, with or without frames, which is not permanently erected or permanently affixed to any sign structure, sign tower, or building and which is not an electric sign or an internally illuminated sign and which is to be displayed for a limited period of time.

**Structural Code.** The State of Oregon Structural Specialty Code as adopted by the city of Dallas, Oregon, a copy of which is on file in the office of the director.

**Wall Facade for Signs.** A sign structure erected upon the top of a wall or the face of a wall of a building in the same general plane as the wall of the building, which sign structure is intended for the placement of principal or secondary signs.

**Wall Sign.** All flat signs of solid face construction which are placed against a building or other structure and attached to the exterior front, rear, or side wall of any building, or other structure, or any other sign applied to, or mounted upon the wall or surface or which is parallel to the supporting surfaces and which does not extend more than 12 inches beyond the building line and is not attached to a wall at a height of less than 9 feet above the sidewalk or ground.

[Section 9.901 amended by Ordinance No. 1683, passed February 4, 2008.]

## **DIVISION I - GENERAL REQUIREMENTS**

### **A. PERMITS**

#### **9.902 Permits Required, Information Required in Application.**

It shall be unlawful for any reason to erect, repair, alter or relocate within the city any sign without first obtaining any required sign permit from the director and paying any fee required by section 9.906 hereof or to erect a sign not specifically authorized by this ordinance. Applications for sign permits shall be made upon forms provided by the director. The director may require the filing of sufficient information to determine compliance with the sign ordinance and the zoning ordinance.

**9.903 Permit Issuance.** It shall be the duty of the director, upon filing of an application for a sign permit to examine the plans and specifications and other data and the premises upon which the sign will be erected and if it shall appear that the proposed sign is in compliance with all the requirements of this ordinance and all other laws and ordinances of the city, the sign permit shall then be issued.

**9.904 Permit - Void if Sign Not Erected in Six Months.** If the work authorized under a sign permit has not been completed within six months after date of issuance, the permit shall become null and void.

**9.905 Exemptions for Certain Signs.** The following signs shall be constructed, located, erected, displayed, and maintained so as to comply with all provisions and regulations of this ordinance, provided, however, that no fee and no permit or application will be required for such signs:

(1) Temporary signs as provided in sections 9.978 to 9.987 of this ordinance, except for temporary signs for special events which require a permit but for which no fee will be charged.

(2) Professional name plates not exceeding one square foot in area.

(3) On premise bulletin boards not over ten square feet.

(4) A sign denoting the architect, engineer or contractor engaged upon a project under construction when placed upon the job site and not exceeding thirty-two (32) square feet in area. Such signs shall be removed within five (5) days after completion of the project.

(5) Occupational signs denoting only the name and profession of an occupant in a commercial building, public institutional building or dwelling house, and not exceeding two square feet in area.

(6) Memorial signs or tablets, names and dates of buildings when cut into any masonry surface or when constructed of incombustible materials.

(7) Traffic or other governmental signs, legal notices, railroad crossing signs, danger signs, and such temporary emergency signs as may be approved by the director.

**9.906 Permit Fees.** Every applicant, before being granted a permit hereunder, shall pay to the director the following permit fee for each sign for which a permit fee is required by this ordinance:

(1) Every applicant, before being granted a permit hereunder, shall pay to the Director a permit fee for each sign for which a permit fee is required by the Sign Code, in an amount to be set by resolution of Council.

(2) For a repair permit (to remove an existing sign from its structure for repair and to replace the sign on the sign structure without making structural alterations), one-half (1/2) of the fee that would be charged if the sign was being erected as a new sign.

(3) For alteration of nonconforming signs, the same fee that would be charged if the sign was being erected as a new sign.

[Subsection (1) amended by Ordinance No. 1608, passed April 2, 2001.]

**9.907 Permit – Revocable at Will.** All rights and privileges acquired under the provisions of this ordinance or any amendment thereto, are mere permits revocable at any time by the city council.

**9.908 Revocation of Permits.** The director is hereby authorized and empowered to revoke any permit issued under this ordinance upon failure of the holder thereof to comply with any provision of this ordinance or conditions of the permit.

## B. MAINTENANCE

**9.909 Signs Must be Maintained.** All signs, together with all of their supports, braces, guys and anchors will be kept in good repair and be maintained in a safe, neat, clean and attractive condition, free from rust, corrosion, peeling paint or other surface deterioration. Any sign structure or supports that are no longer in use shall be removed within thirty (30) days of notification by the director. The property owner, permit holder and sign owner shall be responsible for maintaining the sign.

**9.910 Unsafe or Illegal Signs to be Removed or Repaired; Procedure for Removal by City.** If the director shall find that any sign regulated herein is unsafe or insecure or has been constructed or erected or is being maintained in violation of the provisions of this ordinance or of the Structural Code, written notice shall be given to the permit holder. If the permit holder fails to remove or alter the sign so as to comply with the standards herein set forth within thirty (30) days after such notice, such sign is hereby declared a nuisance and may be removed, altered or repaired by the director at the expense of the permit holder and the owner of the property upon which the sign is located. The director shall not issue a permit to any permit holder or owner of property who refuses to pay costs so assessed. The director may cause any sign which imminently endangers human life or property to be removed summarily and without notice. Should the permit holder or owner of the property fail to remove or alter the sign as directed, they shall be subject to the penalties under the provisions of section 9.995 of this ordinance.

**9.911 Abandoned and Damaged Signs to be Removed or Repaired.** Any abandoned sign shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure or property upon which the sign is located or the sign permit holder within thirty (30) days after written notification from the

director, and upon failure to comply with such notice within the time specified in such order, the director is hereby authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the property on which the sign is located and the sign permit holder. Any sign or supporting structure which is torn, damaged, defaced or destroyed shall be repaired, replaced or removed within thirty (30) days of the damage. If a sign or structure is torn, damaged, defaced or destroyed and not repaired or replaced within thirty (30) days of said casualty, the director shall give written notice to the property owner and sign permit holder that the sign requires repair or removal within thirty (30) days. In the event said owner or permittee does not remove or repair the sign pursuant to said notice, the director is authorized to cause the removal of the sign and any expense incident thereto shall be paid by the property owner and the sign permittee.

### C. PROHIBITED SIGNS

**9.912 Certain Signs Prohibited.** It shall be unlawful for any person to erect, display or maintain, and no permit shall be issued for the erection, display or maintenance of any sign falling within any of the following descriptions:

(1) **Animated Sign.** Except for time-temperature displays, no sign shall be wholly or partially illuminated by an internal light source that is flashing or intermittent. Signs may rotate at a speed not to exceed 4 r.p.m. No other forms of animation by electric, mechanical or kinetic means shall be permitted. Rotary beacon lights, flashing lights, strobe lights, or similar devices shall not be attached to, nor be incorporated in, any sign nor shall they be erected or maintained.

(2) **Roof signs.**

(3) **Signs in the public right-of-way** unless the city council's consent is first obtained.

(4) **Obscene signs.**

(5) **Signs attached to or located on a stationary trailer** which is visible from a

public right-of-way, and infrequently moved or moved primarily for display of the sign.

### D. NONCONFORMING SIGNS

**9.913 Compliance with Ordinance Upon Alteration.** Any sign which was lawfully erected but which does not comply with this ordinance may remain in its lifetime, but if the sign is structurally altered, relocated, or replaced it shall immediately comply with all provisions of this ordinance except that:

(1) Such signs may be repaired and maintained and may have the advertising copy thereon changed including the change of the name of the business or owner thereof. A sign may be removed from its sign structure for the purpose of repair and maintenance under this subsection if a sign and repair permit has been obtained.

(2) Signs may be structurally altered where such alteration is necessary for structural safety.

(3) Such signs may be reconstructed if they are moved for construction or repair of public works or public utilities and such reconstruction is completed within one year.

(4) Such signs may be reconstructed if they are damaged by an act of God or an accident, provided that such damage does not exceed 50 percent of the cost of reconstruction of the entire sign and provided that such sign is reconstructed within six months of the date the sign was damaged.

**9.914 Nonconforming Signs on Lands Annexed to the City.** All signs on lands annexed to the city shall comply with all provisions of this ordinance within thirty (30) days of the effective date of the annexation unless a longer period for compliance is approved by the city council.

**9.915 Variance for Proposed Signs.** Notwithstanding the provisions hereinbefore set forth, any person who at the time of the adoption of this ordinance was a party to a valid contractual obligation for the construction and erection of a sign, which

sign was permitted prior to the effective date of this ordinance, but not permitted under the provisions of this ordinance, shall have the privilege of applying to the city council for a variance from the provisions of this ordinance. The city council may in such circumstances grant a permit for the erection of such sign, provided, however, that in no event shall such variance be constructed to alter the nonconforming status of such sign nor shall such variance relieve the person from the duty of compliance with all other provisions and requirements of this ordinance.

## E. SIGNS WITHIN SETBACKS

### 9.916 Agreement to Remove Required.

Where the supporting member of any sign is to be erected within a special setback area established pursuant to the Dallas Zoning Ordinance, no permit shall be issued for the sign until the person who will own the sign and the owner of the premises upon which the sign will be erected, enter into a written agreement with the city providing for removal of such supporting member when necessary. The agreement shall provide that the sign owner and the owner of the premises, their administrators, executors, heirs, successors and assigns shall be jointly and severally liable for removal of the sign after 60 days written notice from the director.

**9.917 Removal After Notice.** Notice to remove the sign shall be given only when a public agency is to widen the street into the setback area. The agreement shall further provide that if the persons responsible for removal of the supporting member do not remove it, the city of Dallas may do so at the expense of such person and that the cost or expense shall be a lien against such land or premise and may be collected or foreclosed in the same manner as liens entered in the docket of the city.

**9.918 No Compensation for Removal of Sign.** The agreement shall also provide that the owner of the affected premises and the owner of the sign shall not be

entitled to any damages or compensation on account of moving or removing the supporting member or portion thereof. This provision shall not be construed as denying the owner of such property the right to compensation for any land taken for the widening of any street.

**9.919 Signing and Recording of Agreement.** The agreement shall be acknowledged and the city manager shall have the agreement recorded at the Polk County Clerk's office.

## DIVISION II - UNIFORM CONSTRUCTION STANDARDS

### A. GENERALLY

**9.920 Signs Not to Obstruct Doors, Fire Escapes, etc.** No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape.

### 9.921 Signs Must be Water Repellant.

All exposed parts of a sign shall be constructed of such materials or treated in such a manner that normal rainfall or other moisture shall not harm, deface or otherwise affect the sign.

**9.922 Spotlights on Signs Extending Over Public Property.** It shall be unlawful for any person to maintain any sign which extends over public property which is wholly or partly illuminated by flood lights or spot lights which reflect into or upon any street or alley.

**9.923 Sign Close to Street Lines Must be Smooth and Without Projections; Exception.** All signs which are constructed on street lines, or within five feet thereof, shall have a smooth surface and no nails,

tacks, or wires shall be permitted to protrude therefrom, except electrical reflectors and devices which may extend over the top and in front of the sign.

**9.924 Visual Clearance and Traffic Hazard Prohibited.** No sign shall be erected, project or extend into a visual clearance area; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP", "LOOK", "DRIVE-IN", "DANGER" or any other words, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

**9.925 Goose-neck Reflectors Permitted.** Gooseneck reflectors and lights shall be permitted on ground signs and wall signs; provided, however, the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.

**9.926 Signs Permitted for Second Story Businesses.** Businesses maintained on the second floor of a two story building, except businesses which also occupy all or a portion of the first floor, shall be entitled to fifty percent of the dimensions and distances set forth in this ordinance, except that no projecting signs shall be permitted for such second floor businesses, nor shall any separate sign be permitted above the second story of the building, unless otherwise provided in this ordinance.

**9.927 Attachments of Letters.** All letters, figures, characters or representations maintained in conjunction with, attached to, or super-imposed upon any sign shall be safely and securely built or attached to the sign structure.

## B. ILLUMINATED AND ELECTRIC SIGNS

**9.928 Information as to Permit Number, Voltage, etc., Required on Signs.** Every electric sign shall have placed within easy view the following information which shall be of sufficient size and contrast to be readable from a reasonable distance:

- (1) The name of the sign erector.
- (2) Date of erection.
- (3) Underwriters Laboratory Label.

**9.929 Illuminated Signs to Conform to Electrical Codes.** All illuminated signs shall be subject to the provisions of all state requirements for electrical hookups and permit fees required thereunder.

**9.930 Internally Illuminated Signs.** All internally illuminated signs shall be constructed with incombustible material except that the trim display surface and cutouts may be constructed with combustible material.

**9.931 Illuminated Signs to be Approved by Electrical Inspector.** The application for a permit for erection of a sign in which electrical wiring and connections are to be used shall be submitted to the state electrical inspector. The state electrical inspector shall examine the plans and specifications respecting all wiring and connections to determine if the same complies with all state requirements for electrical hookups and the permit shall be approved if the plans and specifications do comply with such requirements. This action of the state electrical inspector shall be taken prior to submission of the application to the director for final approval or disapproval of the sign permit. No sign permit shall be issued until all required state electrical permits have been issued and proof thereof has been furnished to the director.

**9.932 Outline Illumination.** In commercial zones only, buildings or parts thereof may be outlined with white or clear electric lights, which can be flashing lights, provided the lights used do not exceed 7.5 watts. No permit or fee shall be required for such outline illumination. No other outline illumination shall be permitted.

### C. SIGNS IN RESIDENTIAL AREAS

**9.933 Signs in an RA, RS, RLD, RMD, RHD or RT Zones.** Except as provided in Division II C, no sign shall be permitted in any residential zone.

**9.934 Limitations on Lighting and Animation.** All lights shall be directed away from and not reflect upon adjacent premises. No illumination of any sign shall be permitted between midnight and 7:00 a.m. Ground signs shall not be internally illuminated nor be illuminated by neon tubing. No permitted sign shall be animated, shall rotate, or shall contain moving parts.

**9.935 Limitations on Location.** Where a building fronts on two or more streets, the permitted sign shall be erected and maintained on or in front of the principal side of the building. No ground sign shall be erected or maintained within two feet of a street front property line.

**9.936 Permitted Signs.** Only wall, ground, and those signs described in section 9.905 of this ordinance are permitted.

**9.937 Limitations on Number and Size.** In addition to any other applicable requirements of this ordinance, the following restrictions shall apply to signs in residential zones:

(1) One permanent sign for a building housing a main use, other than a dwelling, which may be one ground sign not exceeding 32 square feet in area with a maximum height of five feet and length of eight feet or one wall sign not exceeding 32 square feet.

(2) One permanent sign not exceeding eight square feet in area for each subdivision or planned unit development. Such sign shall denote only the name of the subdivision or planned unit development. It shall be located only at the principal entrance to the subdivision or planned unit development.

(3) One permanent sign for apartment houses and rest homes which may be one ground sign not exceeding 32 square feet in area with a maximum height of five feet and length of eight feet or one wall sign not exceeding 32 square feet in area.

### DIVISION III - SPECIFIC SIGNS

#### A. PROJECTING SIGNS

**9.938 Limitation on Location.** Off premise projecting signs are not permitted.

**9.939 Maximum Projection.** The maximum projection of signs over public property is as follows:

(1) Distance. Except for barber poles which may project up to eighteen (18) inches, the minimum clearance from the grade or sidewalk below to the lowest portion of the sign shall be nine (9) feet.

(2) Height. The maximum height shall be not more than three feet above the top of the parapet wall or the roof line at the wall, whichever is higher.

(3) Projection. The maximum projection may be four feet over public property. No projecting sign shall exceed twenty-four (24) square feet in area. The spacing between the first erected and any later erected projecting sign, measured opposite the traffic direction in the nearest adjacent traffic lane, shall either be:

(a) Six feet between the signs for each foot of reduction of the later erected sign; or

(b) Eight feet between signs for each foot of reduction in height above the grade of the bottom of the later erected sign below the level of

the top of the first erected sign, as measured using the grade below the first erected sign.

**9.940 "A-Frame" Supports Prohibited.**

Except as provided in this section, no projecting sign shall be supported by a frame, commonly known as an "A-Frame", or other visible frame located on the roof of a building. Where the director finds that such a frame is required for safe erection and maintenance of a projecting sign and that there is no other safe and feasible method of supporting such sign and further finds that such sign is of reasonable size and conforms to all the other applicable provisions of this ordinance, the director may permit the use of such frame. The director shall limit and restrict the visible supporting members of such frame to those absolutely necessary for the safe erection and maintenance of the sign.

**B. GROUND SIGNS**

**9.941 Projection Over Private Property.**

The physical limitations or projection of signs over private property, as given above, shall also apply to signs projecting above areas or private property in which the public is invited to enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, awaiting transportation, etc., except where the projecting sign is located over a parking or loading area or a service driveway, the minimum clearance from the grade below the sign to the lowest portion of the sign shall be 14 feet.

**9.942 Height Limitation.** Thirty feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level.

**9.943 Space Between Signs.** One or two sign poles supporting a ground sign may be located within the vision clearance area if they are necessary for the support of the sign, if they do not exceed a combined total width of twelve inches and if no other

portion of the sign proper is located within the vision clearance area between two and seven feet above grade.

**9.944 Sign Poles Within Vision Clearance Areas.** No more than two on premise ground signs may be installed for each separate business which is under the same ownership and there shall be a minimum distance of seventy-five feet separating such ground signs.

**9.945 Projecting Limitations.** No ground sign shall project over public property unless the consent of the city council is first obtained.

**9.946 Size Limits for On Premise Ground Signs in Commercial or Industrial Zones.**

(1) One hundred square feet maximum area.

(2) Maximum height of sign including supporting structure shall be thirty (30) feet or eighty percent of the street frontage of the property on which the sign is located, whichever is the lesser.

**9.947 Bracing, Anchorage and Supports.**

All ground signs shall be securely built and be constructed and erected upon posts or foundation supports in or upon the ground. Nothing in this subsection prohibits the use of standardized outdoor advertising signs and stringers customarily used for the support of sections or the display surface.

**9.948 Supports to be Treated.** All posts, anchors and bracing of wood shall be treated to protect them from moisture when they rest upon or enter into the ground.

**9.949 Premises to be Kept Clean.** All ground signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

**9.950 Off Premise Ground Sign.** In addition to the requirements set forth in Division III B, off premise ground signs are subject to the provisions of Division III H.

### C. WALL SIGNS

**9.951 Limitation on Placement.** No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached.

**9.952 Projection Above Sidewalks and Setback Line.** No on premise wall sign shall be permitted to extend more than twelve inches beyond the building line, and shall not be attached to a wall at a height of less than nine (9) feet above the sidewalk or ground.

**9.953 Number of Signs Permitted.** One sign displayed or painted on or applied or attached to each wall of a building or store front facing on a public street.

**9.954 Size Limits for Signs in Commercial or Industrial Zones.**

(1) On a building wall or store front having a street frontage of twenty-five feet or less, a maximum area of forty square feet.

(2) On a building wall or store front having a street frontage of more than twenty-five feet and not more than seventy-five feet, a maximum area of fifty square feet or 10 percent of the gross face area of that portion of the building occupied by the business, whichever is greater.

(3) On a building wall or store front having a street frontage in excess of seventy-five feet, a maximum area of one hundred square feet or five percent of the gross face area of that portion of the building occupied by the business whichever is greater.

(4) Signs on the side walls of buildings, i.e., those walls not directly fronting on the street, shall be limited in area to forty square feet.

(5) The area of signs for individual businesses in shopping areas or shopping centers shall be determined by the face area of the particular business, whether the same

fronts on a mall or a parking area or a street, rather than by the use of the total building face area of the shopping center complex itself.

**9.955 Limitation on Illumination.** No wall sign shall be illuminated unless the wall of the building or store on which such sign is displayed or painted, or to which such sign is applied or attached, faces upon a street where the property on the opposite side thereof is in a commercial or industrial zone or unless a written waiver is obtained from all residents and property owners within 100 feet line sight distance who may view such illuminated sign from their premises or unless a time clock is installed so that the sign is not illuminated between the hours of midnight and 7:00 a.m. No wall sign shall be so placed or illuminated as to be hazardous to pedestrians or traffic or to in any manner tend to create a nuisance to the occupants of any other building or premises.

**9.956 Off Premise Wall Signs.** In addition to any applicable requirements set forth in Division III C, off premise wall signs are subject to the provisions of Division III H.

### D. WALL FACADES

**9.957 Length and Height.** Wall facades for a sign may extend the full length of the wall to which they are attached but shall not exceed a height above the roof line of the wall or the top of the parapet greater than four (4) feet.

**9.958 Supporting Structure.** The supporting structure for any wall facade for a sign shall be completely enclosed so as not to be visible from any public street, alley or adjacent property.

**E. MARQUESS**

**9.959 Materials Required.** All marquees, including the anchors, bolts, supports, rods and braces thereof shall be constructed in compliance with the Structural Code.

**9.960 Limitation on Signs Attached to Marquees.** Signs attached to, or hung from a marquee shall be completely within the borderline of the marquee outer edge. Signs located on the faces of a marquee shall be regulated as wall signs. Signs may be located under a marquee if a vertical clearance of seven feet six inches is maintained between the sign and the grade below. No supporting member of any sign suspended under a marquee shall pierce or extend through the marquee. Under the marquee signs shall be limited to a vertical height of 14 inches and a maximum sign area of six square feet.

**9.961 Limitation on Location.** Off premise marquees are not permitted.

**F. AWNINGS AND CANOPIES**

**9.962 Materials.** Awnings and canopies shall be constructed in compliance with the Structural Code.

**9.963 Signs on Awnings and Canopies.** Signs on canopies and awnings shall not exceed 2 feet in height and shall be located only on the front or sides of the canopy or awning.

**9.964 Limitation on Location.** Off premise awnings or canopies, which are signs as defined in this ordinance, are not permitted.

**G. STREET CLOCKS AND TIME-TEMPERATURE DISPLAYS**

**9.965 Size Regulations.**

(1) The dial of a street clock shall be not less than 30 inches nor more than 40 inches in diameter.

(2) The area of a time-temperature display shall not exceed 16 square feet.

**9.966 Construction Requirements.** Only safety glass shall be used. All moveable parts, such as a cover or service opening, shall be securely fastened by metal hinges.

**9.967 Clocks and Time-Temperature Displays on Walls.**

(1) All clocks and time-temperature displays on the exterior of any building or structure shall comply with the requirements set forth in Division III C of this ordinance regulating wall signs.

(2) Clocks and time-temperature displays supported on the corner of any building or structure at the intersection of two streets shall not be less than nine feet above the sidewalk and shall not project from the face or wall of the building or structure in any direction.

**9.968 Clocks and Time-Temperature Displays on Sidewalks.** Any person erecting a street clock or time-temperature display on any public sidewalk shall obtain the permission of the city council in addition to all other permits required hereunder. The request for placement on a sidewalk shall not be considered an appeal or a request for a variance. Every clock and time-temperature display erected on a sidewalk shall be supported upon a post of ornamental design, the total height of which shall not be less than fifteen feet, shall be not more than twenty inches from the outer edge of the curb, and shall be at least twenty feet from the point of the intersection of the lines of any street, measured parallel with the street.

**9.969 Limitation on Location.** Only on premise street clocks and time-temperature displays are permitted unless the city council gives its consent to the placement on a sidewalk adjoining the premises.

**9.970 Special Permit for Time-Temperature Display Required.** Only the city council may issue a permit for a time-temperature display. The request for such a permit shall not be considered an appeal or a request for a variance.

**9.971 Limitation on Number.** One street clock or time-temperature display for any place of business, at any one location.

**9.972 Limitation as to Advertising.** Only the name of the owner, proprietor or manager of the place of business erecting and maintaining such clock or time-temperature display shall be permitted on the clock or time-temperature display.

**9.973 Maintenance.**

(1) Street clocks and time-temperature displays shall at all times provide accurate information and if this condition is not complied with, the clock or time-temperature display shall be promptly repaired or removed.

(2) All bulbs and light sources shall operate and shall be maintained and or replaced as often as necessary to ensure a complete and understandable message.

## H. OFF PREMISE SIGNS

**9.974 Types of Signs Permitted.** Subject to the exception for street clocks and time-temperature displays set forth in section 9.969, only off premise ground signs, wall signs, and temporary signs (excluding off premise temporary ground signs) are permitted.

**9.975 Limitations on Location.** Off premise signs may be located only in commercial or industrial zones except that no off premise signs shall be permitted in the

area bounded by Washington, Jefferson and Church Streets and Rickreall Creek.

**9.976 Size Limitations.** The size of an off premise ground sign shall not exceed 32 square feet.

**9.977 Sign Permit.** Permits for off premise signs may be approved only by the city council after a public hearing. The city council shall consider the following factors in determining whether to permit an off premise sign:

(1) The proposed location of the sign and its proximity to existing off premise signs.

(2) Whether the sign will be illuminated and if so whether the illumination will have an adverse impact on surrounding properties.

(3) Whether the size and design of the sign will be as attractive as its location warrants and will not have an adverse impact on the aesthetics of the area where the sign is to be located.

## I. TEMPORARY SIGNS

**9.978 Permit Not Required, Exception.**

No permit or fee is required for a temporary sign, except for temporary signs for special events for which a permit is required but for which no fee will be charged.

**9.979 Construction and Maintenance Standards for Temporary Signs.**

All exposed parts of the sign shall be constructed of such materials or treated in such a manner that normal rainfall or other moisture shall not harm, deface or otherwise affect the sign. All temporary signs shall be properly maintained. If a temporary sign has fallen over or is in any other way defaced, damaged or destroyed, or if it has not been removed within the period of time required by this ordinance, the director may remove the sign, and the person who erected the temporary sign and/or the owner of the property upon which the sign is located shall be charged the cost of removing the sign.

### 9.980 Temporary Signs for Special Events.

(1) The director shall determine whether temporary advertising of bazaars, picnics, breakfasts, holidays, events and promotions related to holidays, luncheons, parades, store openings, sidewalk sales, festivals, recreational events and other such events of general public interest for profit or nonprofit businesses or organizations may be erected. Such signs may not emit any noise. Lighting of such signs will be reviewed as part of the application, and may be allowed depending on impact to the surrounding area.

(2) The applicant shall include all information deemed by the director to be proper and necessary to determine whether the sign conforms with this ordinance. The extent of signage allowed and the location of the signage is at the discretion of the director. All such signs shall be erected no earlier than two (2) weeks before the event advertised and shall be removed no later than one day following the event being advertised, except that store opening signs may be displayed for up to 30 days following occupancy or change of ownership.

**9.981 Temporary Political Signs.** Temporary political signs may be erected on private property for a period of sixty (60) days prior to the election in which such candidates or issues are to be voted upon. The signs shall be removed not later than the fourth day following the election.

**9.982 Temporary "For Sale" and "Open House" Signs.** One temporary "For Sale" sign not exceeding six (6) square feet in area or a maximum dimension of four (4) feet, may be erected on private property, provided that it advertises the sale, lease or rental of only the property upon which it is erected. A "For Sale" sign shall be removed immediately after the property is no longer for sale. Two (2) off-premises "Open House" signs are permitted provided each sign:

(1) Does not exceed six (6) square feet in area or a maximum dimension of four (4) feet.

(2) Is used only to provide directions to an open house sales event for property for sale and does not contain any other information.

(3) Is posted on private property, with the consent of the property owner, or on public right-of-way, outside the visual clearance area, not farther from the open house property than the closest arterial street.

(4) Is professionally constructed and printed and is not homemade or hand-written, except for the address of the open house property.

(5) Is posted only during the open house itself, and is taken down immediately upon the close of the open house. [Section 9.982 amended by Ordinance No. 1665, passed September 18, 2006.]

**9.983 Temporary Subdivision Signs.** A temporary subdivision sign may be erected upon a tract of land or a subdivision advertising the sale of the tract or the lots in the tract. The sign shall not exceed 42 square feet in area and shall be reduced in size by six square feet for each lot less than seven in the subdivision. The sign shall be removed immediately after the tract or all lots in the subdivision have been sold.

**9.984 Temporary Window Signs.** Temporary window signs are permitted outright.

**9.985 Temporary Ground Signs.** The following regulations shall apply to temporary ground signs.

(1) No off premise temporary ground signs are allowed.

(2) Temporary ground signs shall be located only in commercial zones.

(3) One temporary ground sign per parcel of property is allowed unless the property is bordered by more than one street in which case two temporary ground signs shall be allowed, provided each sign is facing a separate street.

(4) The temporary ground sign shall not exceed 16 square feet per side, with maximum dimensions of 4 feet in height and 4 feet in width per side.

### 9.986 Portable Merchandise Displays.

The following regulations shall apply to portable merchandise displays.

(1) Only the name and price of the merchandise being displayed is permitted.

(2) No attached lights or internal illumination may be used.

(3) No off premise portable merchandise displays are permitted.

(4) The portable merchandise display shall be in good condition, be well maintained and be aesthetically appropriate to the surrounding area.

**9.987 Garage Sale Signs.**

(1) Only one sign shall be posted upon the premises on which the garage sale, as defined and regulated by DCC 7.500 et. seq., is to be held. [Section 9.987(1) amended by Ordinance No. 1462, passed June 1, 1992.]

(2) One off premise sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals at no cost. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost. [Section 9.987(2) added by Ordinance No. 1462, passed June 1, 1992.]

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale. [Section 9.987(3) added by Ordinance No. 1462, passed June 1, 1992.]

**DIVISION IV – APPEALS AND VARIANCES**

**9.988 Duties of the City Council.** The City Council will receive, hear and rule upon appeals from denials of permits, requests for off premise signs, time-temperature display permits, and requests for variances. [Section 9.988 amended by Ordinance No. 1683, passed February 4, 2008.]

**9.989 Grounds for Variance – Generally.** Except as provided in section 9.915, a variance to the provisions of this ordinance shall be approved only if the applicant demonstrates that the architectural design of the building, or the location of the building upon a building site, is so unusual or unique that a hardship will be created which will deny the applicant the same opportunity to erect a sign as other persons not burdened with such unusual or unique architectural design or building site would have. [Section 9.989 amended by Ordinance No. 1683, passed February 4, 2008.]

**9.990 Filing Deadline and Filing Fees.**

- (1) Reserved.
- (2) A request for a variance under section 9.915 shall be filed with the director within

sixty (60) days of the effective date of this ordinance.

(3) At the time an appeal from the denial of a permit, a request for a variance (including a variance under section 9.915), or a request for an off premise sign is filed, the applicant shall pay a filing fee of \$50.00. [Subsection (1) repealed by Ordinance No. 1619, passed 11-19-01; Section 9.990 amended by Ordinance No. 1683, passed February 4, 2008.]

**9.991 Hearings.** The city council shall hold a public hearing on an appeal, a request for variance or an off premise sign. Public notice shall be published in a newspaper of general circulation within the city at least seven days prior to the date of the hearing. The city council may continue its hearing on an appeal or variance from time to time, but in no event longer than thirty (30) days from its first hearing date. The decision of the city council shall be communicated to the applicant within ten (10) days of the final hearing. [Section 9.991 amended by Ordinance No. 1525, passed August 5, 1996; Section 9.991 amended by Ordinance No. 1683, passed February 4, 2008.]

**DIVISION V – CONSTRUCTION, REPEAL OF CONFLICTING ORDINANCES, PENALTIES**

**9.992 Construction.** Any finding by any court of competent jurisdiction that any portion of this ordinance is unconstitutional or invalid shall not invalidate any other portion of this ordinance. [Amended by Ordinance No. 1683, passed February 4, 2008.]

**9.993 Repeal of Conflicting Ordinances.** Ordinance No. 1049, and all amendments thereto, and Ordinance No. 760, and all amendments thereto, of the city of Dallas are hereby repealed.

**9.994 Mural Signs.**

(1) Mural permit defined. As used in DCC 9.994 through 9.995, a “mural permit” is a permit that ensures a mural enhances the architecture or aesthetics of a building or wall, does not detract from the character of a district in which it is located, and is not detrimental to the public health, safety or welfare.

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 5b</b>	<b>Topic:</b> Public Hearing: 2014 CDBG Senior Center Grant
<b>Prepared By:</b> Jeremy Teal	<b>Meeting Date:</b> September 15, 2014	<b>Attachments:</b> Yes <input type="checkbox"/> No
<b>Approved By:</b> Ron Foggin		

**RECOMMENDED ACTION:**

Hold the public hearing and *then move to authorize the City of Dallas apply for the 2014 Community Development Block Grant for the Dallas Senior Center to be located at 950 SW Church Street in Dallas.*

**BACKGROUND:**

The City of Dallas is preparing an application for a 2014 Community Development Block Grant from the Oregon Business Development Department Infrastructure Finance Department for the Dallas Area Senior Center to be located at 950 SW Church Street in Dallas for the purpose of serving Dallas area seniors ages 60 or more. It is estimated that the proposed project will benefit at least 1,820 persons, of whom 100% will be low or moderate income.

**FISCAL IMPACT:** There is no match required of the city or its partners.

**ATTACHMENTS:**

- 1) Public Hearing Notice

### Public Notice and Notice of Public Hearing

The City of Dallas is eligible to apply for a 2014 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes. Approximately \$12 million will be awarded to Oregon non-metropolitan cities and counties in 2014. The maximum grant that a city or county can receive is \$3,000,000.

The City of Dallas is preparing an application for a 2014 Community Development Block Grant from the Oregon Business Development Department for the Dallas Area Senior Center to be located at 950 SW Church Street in Dallas for the purpose of serving Dallas area seniors ages 60 or more. It is estimated that the proposed project will benefit at least 1,820 persons, of whom 100% will be low or moderate income.

A public hearing will be held by the Dallas City Council at 7:00PM on Monday, September 15, 2014 at the Dallas City Hall, 187 SE Court Street, Dallas, OR 97338. The purpose of this hearing is for the Dallas City Council to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and must be received by 5:00PM September 15, 2014 at Dallas City Hall, 187 SE Court Street, Dallas, OR 97338. Both oral and written comments will be considered by the Dallas City Council in deciding whether to apply.

The location of the hearing is accessible to persons with disabilities. Please contact Emily Gagner, Human Resources Manager, at the City of Dallas at 503.831.3557 if you

will need any special accommodations to attend or participate in the meeting.

More information about Oregon Community Development Block Grants, the proposed project and records about the City of Dallas' past use of Community Development Block Grant funds is available for public review at Dallas City Hall, 187 SE Court Street during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Emily Gagner, Human Resources Manager, at the City of Dallas at 503.831.3557 so that appropriate assistance can be provided.

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low-moderate income housing that is demolished or converted to another use will be replaced.

#### Aviso Público y

#### Noticia de Audiencia Pública

La ciudad de Dallas es elegible para aplicar para un subsidio en 2014 del Community Development Block Grant (Bloque Subsidiario para el Desarrollo Comunitario) de la Oregon Business Development Department (Departamento de Desarrollo de Negocios de Oregon). Fondos del Community Development Block Grant vienen desde el U.S. Department of Housing and Urban Development (Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos). Los subsidios se pueden utilizar para instalaciones públicas y mejoras de vivienda, sobre todo para las personas con ingresos moderados o bajos.

Aproximadamente \$12 millones serán otorgados en 2014 a ciudades y condados no metropolitanos de Oregon. La subvención máxima que una ciudad o condado puede recibir es de \$3,000,000. La ciudad de Dallas está preparando una aplicación en 2014 para el subsidio del Community Development Block Grant que viene del Oregon Business Development Department para el Centro de Mayores del Área de Dallas con el propósito de servir a las personas mayores de la zona de Dallas edades de 60 o más. Se estima que el proyecto propuesto beneficiará al menos a 1,820 personas, de los cuales 100% serán de in-

gresos moderados o bajos.

Una audiencia pública se llevará a cabo por el Consejo de la Ciudad de Dallas a las 7:00 pm del Lunes, 15 de Septiembre 2014 en el Ayuntamiento de Dallas 187 SE Court Street, Dallas, OR 97338. El propósito de esta audiencia es para el Ayuntamiento de Dallas obtener opinión de los ciudadanos y para responder a preguntas y comentarios sobre: desarrollo comunitario y necesidades de vivienda, especialmente las necesidades de personas con ingresos moderados y bajos, así como otras necesidades en la comunidad que podrían ser asistido con un subsidio del proyecto Community Development Block Grant y el proyecto propuesto.

Los comentarios escritos son también bienvenidos y deben ser recibidos de la 5:00 pm 15 de Septiembre 2014 en Dallas City Hall, 187 SE Court Street, Dallas, OR 97338. Ambos comentarios escritos y orales serán considerados por el Consejo de la Ciudad de Dallas para decidir si se debe aplicar.

La ubicación de la audiencia es accesible para personas con incapacidades. Por favor, póngase en contacto con Emily Gagner, Gerente de Recursos Humanos de la Ciudad de Dallas al 503.831.3557 si necesita arreglos especiales para asistir o participar en la reunión. Más información sobre el Oregon Community Development Block Grants, el proyecto propuesto y los pasados registros sobre el uso de los subsidios del Community Development Block Grant de la Ciudad de Dallas están disponibles para la revisión pública en Dallas City Hall, 187 SE Court Street durante las horas regulares de oficina. Se requiere del aviso anticipado. Si las acomodaciones especiales son necesarias, por favor notifique a Emily Gagner, Gerente de Recursos Humanos de la Ciudad de Dallas al 503.831.3557 de modo que la asistencia apropiada pueda proveerse.

Desplazamiento involuntario permanente de personas o empresas no se prevé como resultado del proyecto propuesto. Si el desplazamiento se hace necesaria, las alternativas serán examinados para minimizar el desplazamiento y proporcionar beneficios requeridos y razonables a las personas desplazadas. Cualquier vivienda de ingreso bajo o moderado que está demolida o convertida a otro uso será reemplazado.

The following notice of public hearing was published in the legal section of the Statesman Journal on September 6, 2014 with an affidavit of publication provided September 10, 2014. The notice was published in both English and Spanish because 5.9% of the population is identified as Hispanic or Latino in the 2010 census.

#### Public Notice and Notice of Public Hearing

The City of Dallas is eligible to apply for a 2014 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes. Approximately \$12 million will be awarded to Oregon non-metropolitan cities and counties in 2014. The maximum grant that a city or county can receive is \$3,000,000.

The City of Dallas is preparing an application for a 2014 Community Development Block Grant from the Oregon Business Development Department Infrastructure Finance Department for the Dallas Area Senior Center to be located at 950 SW Church Street in Dallas for the purpose of serving Dallas area seniors ages 60 or more. It is estimated that the proposed project will benefit at least 1,820 persons, of whom 100% will be low or moderate income.

A public hearing will be held by the Dallas City Council at 7:00PM on Monday, September 15, 2014 at the Dallas City Hall, 187 SE Court Street, Dallas, OR 97338. The purpose of this hearing is for the Dallas City Council to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low- and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and must be received by 5:00PM September 12, 2014 at Dallas City Hall, 187 SE Court Street, Dallas, OR 97338. Both oral and written comments will be considered by the Dallas City Council in deciding whether to apply.

The location of the hearing is accessible to persons with disabilities. Please contact Emily Gagner, Human Resources Manager at the City of Dallas at 503.831.3557, 48 hours prior to the meeting, if you will need any special accommodations to attend or participate in the meeting.

More information about Oregon Community Development Block Grants, the proposed project and records about the City of Dallas' past use of Community Development Block Grant funds is available for public review at Dallas City Hall, 187 SE Court Street, during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Emily Gagner, Human Resources Manager at the City of Dallas at 503.831.3557 so that appropriate assistance can be provided.

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low-moderate income housing that is demolished or converted to another use will be replaced.

These minutes are supplemented by electronic recordings of the meeting, which may be reviewed upon request to the City Recorder. Audio files from City Council meetings from August 4, 2014, forward can be found online at <http://www.dallasor.gov/archive> under the corresponding agenda date. Staff reports, resolutions, ordinances, and other documents related to this meeting are also available at that site in the "Council Agendas" archive.

<b>DALLAS CITY COUNCIL</b>	<b>Monday, August 4, 2014</b>
The Dallas City Council met in regular session on Monday, August 4, 2014, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.	
<b>Council:</b> Council President LaVonne Wilson, Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, and Councilor Murray Stewart. Excused: Councilor Ken Woods, Jr.	
<b>Staff:</b> City Manager Ron Foggin, City Attorney Lane Shetterly, Chief of Police Tom Simpson, Fire Chief Fred Hertel, Community Development/Operations Director Jason Locke, Director of Engineering and Environmental Services Fred Braun, Finance Director Cecilia Ward, City Recorder/HR Manager Emily Gagner, and Recording Secretary Jeremy Teal.	
<b>Pledge of Allegiance:</b> Mayor Dalton led the Pledge of Allegiance.	

<b>AGENDA</b>	<b>ACTION</b>
<b>1:00 EMPLOYEE INTRODUCTION</b>	Mr. Foggin introduced Mark Greenhalgh-Johnson as the new Library Manager.
<b>2:45 COMMENTS FROM THE AUDIENCE</b>	Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce and Visitor's Center, 119 SW Court St, Dallas, noted Summerfest was extremely successful this year and thanked the City staff for the extra effort to make the event happen. She stated that Sounds of Summer and Bounty Market were every Thursday and the County Fair and Oregon State Fair were coming up. She noted the Travel Oregon Rural Tourism Workshops were coming in the future.
<b>PUBLIC HEARINGS</b>	
<b>7:01 CONSENT AGENDA</b> Item approved by the Consent Agenda: July 21, 2014, City Council meeting minutes.	It was moved by Councilor Marshall <i>to approve the Consent Agenda as submitted.</i> The motion was duly seconded and carried with a vote of 8-0.
<b>ITEMS REMOVED FROM CONSENT AGENDA</b>	
<b>7:31 REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS</b>	

<p>REPORT OF THE JULY 28, 2014, ADMINISTRATION COMMITTEE</p> <p>REPORT OF THE JULY 28, 2014, BUILDING &amp; GROUNDS COMMITTEE</p>	<p>Councilor Brown advised the Committee discussed the utility billing policy update and heard from the Finance Director that the City was awarded the CAFR award and the HR Manager had been busy hiring.</p> <p>Councilor Lawson advised the Committee discussed the Carnegie Building and the possible outcome for it, the repair work on the aquatic center and heard from the Community Development Director about the pump station repair at Bridlewood.</p>
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<p><b>REPORTS FROM CITY MANAGER AND STAFF</b></p>	
<p><b>13:50</b> AUGUST 18 MEETING</p>	<p>Mr. Foggin stated the August 18 Council meeting had no items for the agenda and he would like to cancel it.</p> <p>It was moved by Councilor Stewart <i>to cancel the August 18, 2014 Council Meeting</i>. The motion was duly seconded and passed by a vote of 8-0.</p>
<p><b>14:45</b> OTHER</p>	<p>Mr. Foggin invited the Council to the City employee picnic on August 18 in the City Park and the National Night Out gatherings around town to help promote neighborhood watch awareness.</p>

<p><b>17:39 RESOLUTIONS</b></p>	
<p><b>Resolution No. 3301</b> – A Resolution calling for an election to submit to the electors of the City of Dallas the question of amending the Dallas City Charter; and adopting a ballot title for the election.</p>	<p>A roll call vote was taken and Mayor Dalton declared Resolution No. 3301 to have PASSED BY A VOTE OF 8-0 with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Council President LaVonne Wilson voting YES.</p>
<p><b>FIRST READING OF ORDINANCE</b></p> <p><b>SECOND READING OF ORDINANCE</b></p>	
<p><b>OTHER BUSINESS</b></p>	<p>There was none.</p>

<p><b>ADJOURNMENT</b></p>	<p>There being no further business, the meeting adjourned at 7:21 p.m.</p>
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Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_

ATTEST: Mayor

\_\_\_\_\_ City Manager

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 6 b</b>	<b>Topic:</b> Modification to OLCC Application for Pressed Coffee & Wine Bar
<b>Prepared By:</b> Jeremy Teal	<b>Meeting Date:</b> September 15, 2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

With approval of the consent agenda, the Council would be recommending to the OLCC to grant the request for full on-premises sales license for Pressed Coffee & Wine Bar.

BACKGROUND:

Douglas Graven and Rachel Phelps are requesting a modification to their existing OLCC application to allow full on-premises.

Staff has reviewed the OLCC application and found no discrepancies with the information provided by Mr. Graven and Mrs. Phelps.

FISCAL IMPACT:

None

ATTACHMENTS:

Memo from Police Department  
OLCC Application for Pressed Coffee & Wine Bar

# MEMO

TO: RON FOGGIN  
CITY MANAGER

FROM: TOM SIMPSON   
CHIEF OF POLICE

RE: *Pressed Coffee & Wine Bar*

DATE: August 7, 2014

Application is being made for "Full On-Premises" sales to be granted for the above-referenced business establishment located at *788 Main Street*. The applicants, Douglas Graven and Rachel Phelps are applying as a Limited Liability Company.

A routine background check has been completed and has revealed no items of concern.



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

08-05-T4A08:34 RCVD

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
Commercial Establishment
Caterer
Passenger Carrier
Other Public Location
Private Club
Limited On-Premises Sales (\$202.60/yr)
Off-Premises Sales (\$100/yr) with Fuel Pumps
Brewery Public House (\$252.60)
Winery (\$250/yr)
Other:

ACTIONS

- Change Ownership
New Outlet
Greater Privilege
Additional Privilege
Other

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
Corporation
Limited Liability Company
Individuals

CITY AND COUNTY USE ONLY

Date application received:

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
Denied

By: (signature) (date)

Name:

Title:

OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 7.31.14

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

- 1. Pressed Coffee and Wine, LLC
2.

2. Trade Name (dba): Pressed Coffee & Wine Bar

3. Business Location: 788 Main Street, Dallas, OR 97338

4. Business Mailing Address:

5. Business Numbers: (503) 751-1666

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Pressed Coffee and Wine LLC Type of License: Limited Off & Off Premises Sales

8. Former Business Name: Pressed Coffee & Wine Bar

9. Will you have a manager? Yes No Name:

10. What is the local governing body where your business is located? City of Dallas, OR

11. Contact person for this application: Douglas Graven
788 Main Street, Dallas, OR 97338

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

[Signatures and dates: 7/30/14]

RECEIVED

JUL 30 2014

SALEM REGIONAL OFFICE

AUG 6 2014 [Signature]



OREGON LIQUOR CONTROL COMMISSION  
INDIVIDUAL HISTORY

PRIORS  RAIN  COP   
DMV-w  DL  CCH   
N-DEX  OJIN  Oth   
By: DW Date 8/6/14

- 1. Trade Name Pressed Coffee and Wine, 2. City Dallas
- 3. Name Phelps, Rachel [REDACTED]  
(Last) (First) (Middle)
- 4. Other names used (maiden, other) Jahn
- 5. \*SSN [REDACTED] 6. Place of Birth [REDACTED] 7. DOB [REDACTED] 8. Sex  M  F

\*SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a). If you consent to these uses, please sign here:

Applicant Signature: \_\_\_\_\_ JUL 31 2014

- 9. Driver License or State ID # [REDACTED] 10. State Oregon
- 11. Residence Address [REDACTED] INITIALS: [Signature]  
(number and street) (city) (state) (zip code)
- 12. Mailing Address (if different) \_\_\_\_\_  
(number and street) (city) (state) (zip code)
- 13. Contact Phone [REDACTED] 14. E-Mail address (optional) [REDACTED]

15. Do you have a spouse or domestic partner?  Yes  No  
If yes, list his/her full name: James Phelps

16. If yes to #15, will this person work at or be involved in the operation or management of the business?  
 Yes  No

17. List all states, other than Oregon, where you have lived during the past ten years:  
California, Florida

18. In the past 12 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or any other state of driving a car with a suspended driver's license or driving a car with no insurance?  
 Yes  No  Unsure If yes, list the date(s), or approximate dates, and type(s) of convictions.  
If unsure, explain. You may include the information on a separate sheet.

19. In the past 12 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or any other state of a misdemeanor or a felony ?  Yes  No  Unsure  
If yes, list the date(s), or approximate dates, and type(s) of convictions. If unsure, explain. You may include the information on a separate sheet.

20. Trade Name Pressed Coffee and Wine, 21. City Dallas, OR

22. Do you have any arrests or citations that have not been resolved?  Yes  No  Unsure  
If yes or unsure, explain here or include the information on a separate sheet.

23. Have you ever been in a drug or alcohol **diversion program** in Oregon or any other state? (A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense.)  Yes  No  Unsure  
If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

24. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license in Oregon or another US state? (Note: a service permit is not a liquor license.)  Yes  No  Unsure  
If yes, list the name(s) of the business, the city (or cities) and state (or states) where located, and the date(s) of the license(s). If unsure, explain. You may include the information on a separate sheet.

Pressed Coffee and Wine, LLC

25. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the US?  
 Yes  No  Unsure If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

**Questions 26 and 27 apply if you, or any legal entity that you are part of, are applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license.** If you are not applying for one of those licenses, mark "N/A" on Questions 26 & 27.

26. Do you have any ownership interest in any other business that makes, wholesales, or distributes alcohol?  N/A  Yes  No  Unsure If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

27. Does, or will, a maker, wholesaler, or distributor of alcohol have any ownership interest in your business?  
 N/A  Yes  No  Unsure If yes or unsure, explain:

**Question 28 applies if you, or any legal entity that you are part of, are applying for a Brewery, Brewery-Public House, Distillery, Grower Sales Privilege, Warehouse, Wholesale Malt Beverage & Wine, or Winery license.** If you are not applying for one of those licenses, mark "N/A" on Question 28.

28. Do you, or any legal entity that you are part of, have any ownership interest in any other business that sells alcohol at retail in Oregon?  N/A  Yes  No  Unsure If yes or unsure, explain:

You must sign your own form (you can't have your attorney or a person with power of attorney sign your form).

I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: 

Date: 7/30/2014



20. Trade Name Pressed Coffee and Wine, 21. City Dallas, OR

22. Do you have any arrests or citations that have not been resolved?  Yes  No  Unsure  
If yes or unsure, explain here or include the information on a separate sheet.

23. Have you ever been in a drug or alcohol **diversion program** in Oregon or any other state? (A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense.)  Yes  No  Unsure  
If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

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If yes, list the name(s) of the business, the city (or cities) and state (or states) where located, and the date(s) of the license(s). If unsure, explain. You may include the information on a separate sheet.  
Pressed Coffee and Wine, LLC

25. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the US?  
 Yes  No  Unsure If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

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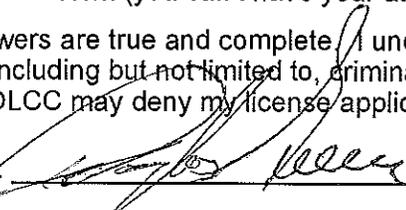
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 N/A  Yes  No  Unsure If yes or unsure, explain:

**Question 28 applies if you, or any legal entity that you are part of, are applying for a Brewery, Brewery-Public House, Distillery, Grower Sales Privilege, Warehouse, Wholesale Malt Beverage & Wine, or Winery license.** If you are not applying for one of those licenses, mark "N/A" on Question 28.

28. Do you, or any legal entity that you are part of, have any ownership interest in any other business that sells alcohol at retail in Oregon?  N/A  Yes  No  Unsure If yes or unsure, explain:

You must sign your own form (you can't have your attorney or a person with power of attorney sign your form).

I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: 

Date: 7/30/2014



# OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Pressed Coffee and Wine, LLC

Applicant Name: Douglas Glaven

Phone: [REDACTED]

Trade Name (dba): Pressed Coffee and Wine, BAR

Business Location Address: 788 Main St.

City: Dallas OR

ZIP Code: 97338

## DAYS AND HOURS OF OPERATION

### Business Hours:

Sunday	<u>7:00am</u> to <u>1:00am</u>
Monday	<u>      </u> to <u>      </u>
Tuesday	<u>      </u> to <u>      </u>
Wednesday	<u>      </u> to <u>      </u>
Thursday	<u>      </u> to <u>      </u>
Friday	<u>      </u> to <u>      </u>
Saturday	<u>      </u> to <u>      </u>

### Outdoor Area Hours:

Sunday	<u>7:00am</u> to <u>1:00am</u>
Monday	<u>      </u> to <u>      </u>
Tuesday	<u>      </u> to <u>      </u>
Wednesday	<u>      </u> to <u>      </u>
Thursday	<u>      </u> to <u>      </u>
Friday	<u>      </u> to <u>      </u>
Saturday	<u>      </u> to <u>      </u>

The outdoor area is used for:

- Food service Hours: 7:00am to 1:00am
- Alcohol service Hours: 7:00am to 1:00am
- Enclosed, how \_\_\_\_\_

The exterior area is adequately viewed and/or supervised by Service Permittees.

\_\_\_\_\_  
(Investigator's Initials)

Seasonal Variations:  Yes  No If yes, explain: \_\_\_\_\_

## ENTERTAINMENT

Check all that apply:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Live Music     | <input type="checkbox"/> Karaoke                |
| <input checked="" type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games    |
| <input type="checkbox"/> DJ Music                  | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing                   | <input type="checkbox"/> Social Gaming          |
| <input type="checkbox"/> Nude Entertainers         | <input type="checkbox"/> Pool Tables            |
|  | <input type="checkbox"/> Other: _____           |

## DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	<u>7:00am</u> to <u>1:00am</u>
Monday	<u>      </u> to <u>      </u>
Tuesday	<u>      </u> to <u>      </u>
Wednesday	<u>      </u> to <u>      </u>
Thursday	<u>      </u> to <u>      </u>
Friday	<u>      </u> to <u>      </u>
Saturday	<u>      </u> to <u>      </u>

## SEATING COUNT

Restaurant: 65 Outdoor: 12

Lounge: \_\_\_\_\_ Other (explain): \_\_\_\_\_

Banquet: \_\_\_\_\_ Total Seating: 77

OLCC USE ONLY	
Investigator Verified Seating: _____ (Y) _____ (N)	
Investigator Initials: _____	
Date: _____	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature]

Date: 7/30/14

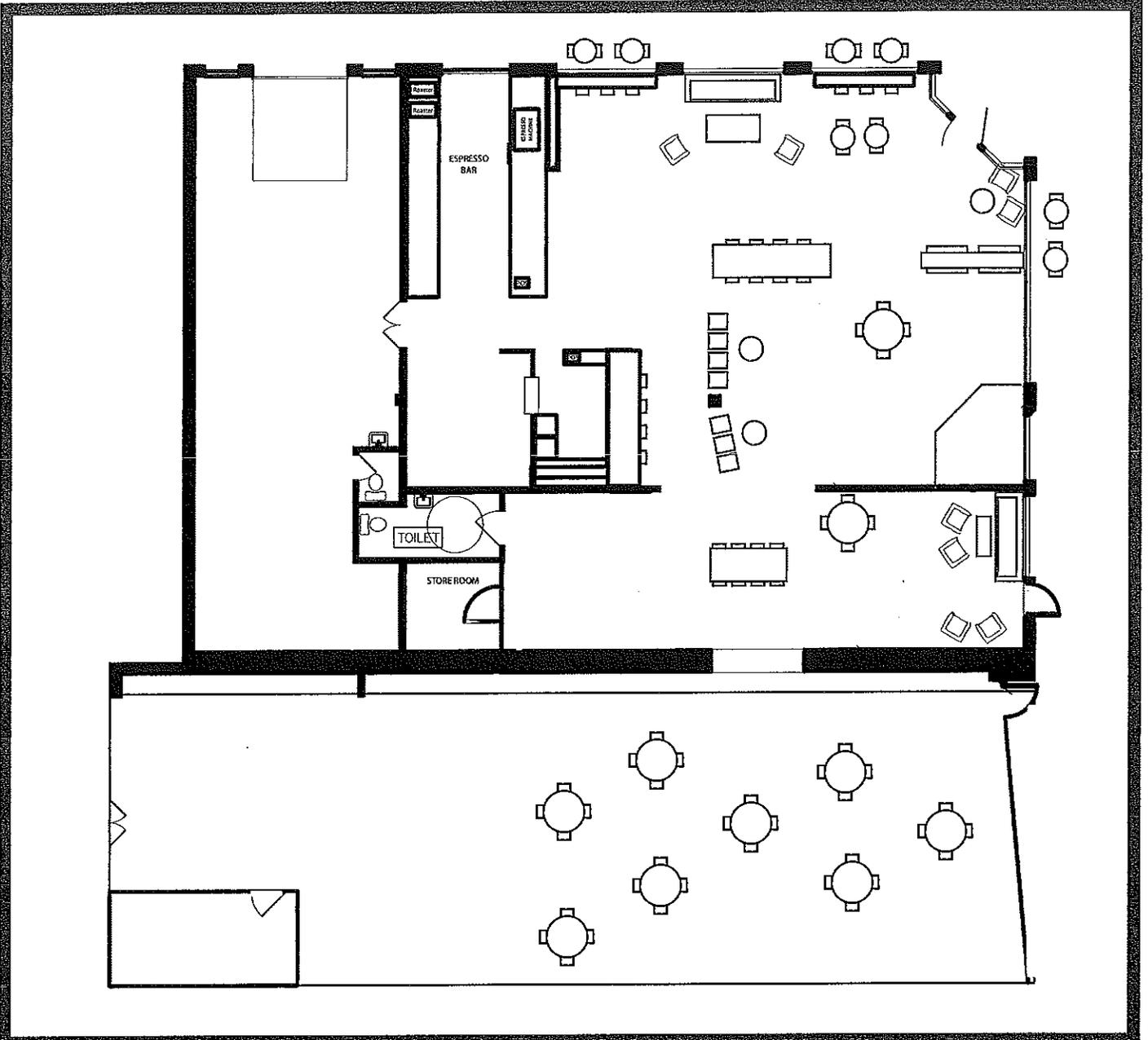
1-800-452-OLCC (6522)

www.oregon.gov/olcc



# OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- **Your floor plan must be submitted on this form.**
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



Pressed Coffee and Wine LLC  
 Applicant Name  
Pressed Coffee & Wine Bar  
 Trade Name (dba):  
Dallas OR 97338  
 City and ZIP Code

.....OLCC USE ONLY.....  
 MINOR POSTING ASSIGNMENT(S)  
 Date: \_\_\_\_\_ Initials: \_\_\_\_\_

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 6 c</b>	<b>Topic:</b> OLCC Application for The Dallas Forty
<b>Prepared By:</b> Jeremy Teal	<b>Meeting Date:</b> September 15, 2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

With approval of the consent agenda, the Council would be recommending to the OLCC to grant the request for full on-premises sales license for The Dallas Forty.

BACKGROUND:

Robert May is requesting an OLCC application to allow full on-premises alcohol sales.

Staff has reviewed the OLCC application and found no discrepancies with the information provided by Mr. May.

FISCAL IMPACT:

None

ATTACHMENTS:

Memo from Police Department  
OLCC Application for The Dallas Forty

# MEMO

TO: RON FOGGIN  
CITY MANAGER

FROM: TOM SIMPSON  
CHIEF OF POLICE 

RE: *The Dallas Forty Bar & Grill*  
962 Main Street

DATE: September 11, 2014

An OLCC "*New Outlet*" application has been made requesting "*Full On-Premises Sales.*" A subsequent application for "*Amusement Games*" was also filed and is requesting approval for the above-referenced business establishment. The applicant, Robert May, is applying as a Limited Liability Company.

A routine background check has been completed and has revealed no items of concern.



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

09-03-14 A08:55 RCVD

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
Commercial Establishment
Caterer
Passenger Carrier
Other Public Location
Private Club
Limited On-Premises Sales (\$202.60/yr)
Off-Premises Sales (\$100/yr)
Brewery Public House (\$252.60)
Winery (\$250/yr)
Other:

ACTIONS

- Change Ownership
New Outlet
Greater Privilege
Additional Privilege
Other

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
Corporation
Limited Liability Company
Individuals

CITY AND COUNTY USE ONLY

Date application received:

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
Denied

By: (signature) (date)

Name:

Title:

OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 9-2-14

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

The Dallas Forty LLC

2. Trade Name (dba): The Dallas Forty

3. Business Location: 962 main st. Dallas Polk OR 97338

4. Business Mailing Address: [Redacted]

5. Business Numbers: [Redacted]

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Type of License:

8. Former Business Name:

9. Will you have a manager? Yes No Name:

10. What is the local governing body where your business is located? City of Dallas

11. Contact person for this application: Robert May

[Redacted address and phone information]

I understand that if my answers are not true and complete, the OLCC may deny my license application

Applicant(s) Signature(s) and Date:

[Signature] Date 9/2/14

[Signature] Date

RECEIVED
OREGON LIQUOR CONTROL COMMISSION
Date
SEP 02 2014
Date



OREGON LIQUOR CONTROL COMMISSION  
INDIVIDUAL HISTORY

PRIORS  RAIN  COP   
DMV-w  DL  CCH   
N-DEx  OJIN  Oth   
By: JD Date 9/8/14

1. Trade Name Dallas Forty 2. City Dallas  
3. Name May Robert [REDACTED]  
(Last) (First) (Middle)  
4. Other names used (maiden, other) \_\_\_\_\_  
5. \*SSN [REDACTED] 6. Place of Birth [REDACTED] 7. DOB [REDACTED] 8. Sex  M  F  
(State or Country) (mm) (dd) (yyyy)

\*SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a). If you consent to these uses, please sign here:

Applicant Signature: [Signature]

9. Driver License or State ID # [REDACTED] 10. State OR  
11. Residence Address [REDACTED]  
(number and street) (city) (state) (zip code)  
12. Mailing Address (if different) \_\_\_\_\_  
(number and street) (city) (state) (zip code)  
13. Contact Phone [REDACTED] 14. E-Mail address (optional) [REDACTED]

15. Do you have a spouse or domestic partner?  Yes  No  
If yes, list his/her full name: \_\_\_\_\_

16. If yes to #15, will this person work at or be involved in the operation or management of the business?  
 Yes  No

17. List all states, other than Oregon, where you have lived during the past ten years:  
N/A

18. In the past 12 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or any other state of driving a car with a suspended driver's license or driving a car with no insurance?  
 Yes  No  Unsure If yes, list the date(s), or approximate dates, and type(s) of convictions.  
If unsure, explain. You may include the information on a separate sheet.

19. In the past 12 years, have you been **convicted** ("convicted" includes paying a fine) in Oregon or any other state of a misdemeanor or a felony?  Yes  No  Unsure  
If yes, list the date(s), or approximate dates, and type(s) of convictions. If unsure, explain. You may include the information on a separate sheet.

20. Trade Name Dallas Forty 21. City Dallas

22. Do you have any arrests or citations that have not been resolved?  Yes  No  Unsure  
If yes or unsure, explain here or include the information on a separate sheet.

23. Have you ever been in a drug or alcohol **diversion program** in Oregon or any other state? (A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense.)  Yes  No  Unsure  
If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

Diversion completed 1999

24. Do you, or any legal entity that you are a part of, **currently hold** or **have previously held** a liquor license in Oregon or another US state? (Note: a service permit is not a liquor license.)  Yes  No  Unsure  
If yes, list the name(s) of the business, the city (or cities) and state (or states) where located, and the date(s) of the license(s). If unsure, explain. You may include the information on a separate sheet.

Woodburn Bowl LLC 435 N Pacific Hwy Woodburn, OR 97071 "current"

25. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate **denied or cancelled** by the OLCC or any other governmental agency in the US?  
 Yes  No  Unsure If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

Questions 26 and 27 apply if you, or any legal entity that you are part of, are applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license. If you are not applying for one of those licenses, mark "N/A" on Questions 26 & 27.

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27. Does, or will, a maker, wholesaler, or distributor of alcohol have any ownership interest in your business?  
 N/A  Yes  No  Unsure If yes or unsure, explain:

Question 28 applies if you, or any legal entity that you are part of, are applying for a Brewery, Brewery-Public House, Distillery, Grower Sales Privilege, Warehouse, Wholesale Malt Beverage & Wine, or Winery license. If you are not applying for one of those licenses, mark "N/A" on Question 28.

28. Do you, or any legal entity that you are part of, have any ownership interest in any other business that sells alcohol at retail in Oregon?  N/A  Yes  No  Unsure If yes or unsure, explain:

You must sign your own form (you can't have your attorney or a person with power of attorney sign your form).

I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 9/2/14



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: The Dallas Forty LLC Phone: [Redacted]

Trade Name (dba): Dallas Forty

Business Location Address: 962 Main St

City: Dallas ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 8:30 Am to 12:00 Am
Monday 10 Am to 1 Am
Tuesday 10 Am to 1 Am
Wednesday 10 Am to 1 Am
Thursday 10 Am to 1 Am
Friday 10 Am to 2 Am
Saturday 10 Am to 2 Am

Outdoor Area Hours:

Sunday N/A to N/A
Monday [down arrow] to [down arrow]
Tuesday [down arrow] to [down arrow]
Wednesday [down arrow] to [down arrow]
Thursday [down arrow] to [down arrow]
Friday [down arrow] to [down arrow]
Saturday [down arrow] to [down arrow]

The outdoor area is used for:

Food service, Alcohol service, Enclosed show
The interior area is adequately viewed and/or supervised by Service Permittees.
(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply:

- Live Music, Recorded Music, DJ Music, Dancing, Nude Entertainers, Karaoke, Coin-operated Games, Video Lottery Machines, Social Gaming, Pool Tables, Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday N/A to N/A
Monday [down arrow] to [down arrow]
Tuesday [down arrow] to [down arrow]
Wednesday [down arrow] to [down arrow]
Thursday [down arrow] to [down arrow]
Friday [down arrow] to [down arrow]
Saturday [down arrow] to [down arrow]

SEATING COUNT

Restaurant: 0 Outdoor: 0
Lounge: 59 Other (explain): 5
Banquet: 0 Total Seating: 57

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 9/2/14

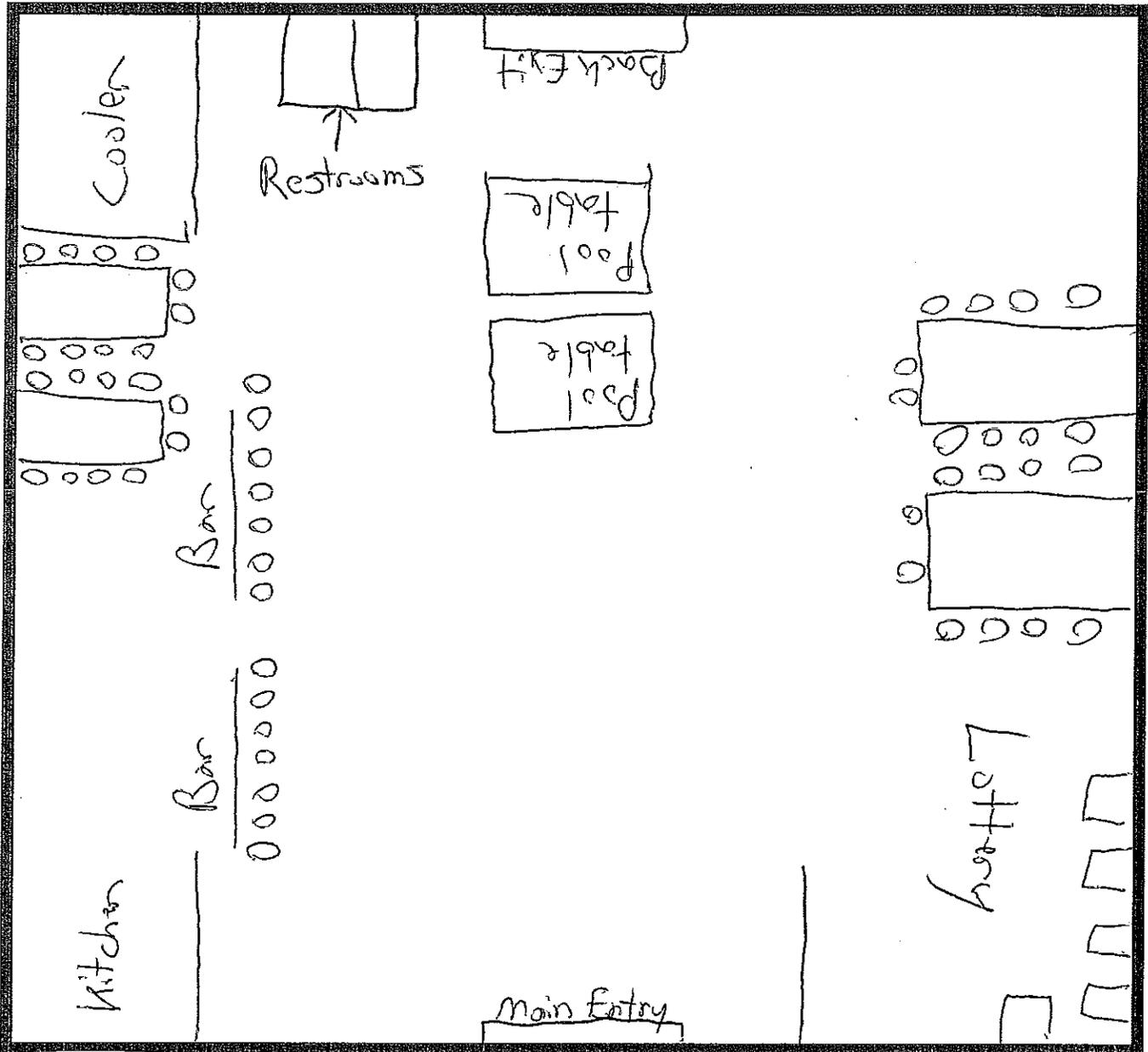
1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)



# OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- Your floor plan must be submitted on this form.
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



The Dallas Forty LLC  
Applicant Name

The Dallas Party  
Trade Name (dba):

Dallas 97338  
City and ZIP Code

.....OLCC USE ONLY.....  
MINOR POSTING ASSIGNMENT(S)

Date: \_\_\_\_\_ Initials: \_\_\_\_\_

1-800-452-OLCC (6522)  
[www.oregon.gov/olcc](http://www.oregon.gov/olcc)

(rev. 09/12)

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 6 d</b>	<b>Topic:</b> Planning Commission Appointment
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> September 15, 2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED ACTION:

Approval of the Consent Agenda would appoint Marc Pazina to the Planning Commission.

BACKGROUND:

Denise Jones recently resigned her position on the Planning Commission. We recently received an application from Marc Pazina indicating an interest in serving on the Planning Commission. Jason Locke, Community Development/Operations Director interviewed Mr. Pazina and feels he would be an asset to the Planning Commission. Staff recommends appointing Marc Pazina to the Planning Commission to serve out Ms. Jones' term, which expires December 31, 2015.

FISCAL IMPACT:

None

ATTACHMENTS:

Application from Mr. Pazina



08-26-14 11:08 RCVD

CITIZEN COMMITTEE INTEREST FORM

Name: Marc Pazina

Address: [Redacted]

Mailing Address: Same

Phone: Work: [Redacted] Home: [Redacted]

E-mail Address: [Redacted] Yrs as Dallas Resident: 7

Occupation and Employer: Sales Rep - ATI Specialty Alloys & Components

Employer's Address and Telephone: 1600 Old Salem Rd Ne, Albany, OR 97321

May we contact you at work?  Yes  No

I am interested in serving on the following Committee(s):

- Budget Committee
- Citizens Advisory Committee for the Comprehensive Plan
- Economic Development Commission
- Library Board
- Parks and Recreation Board
- Planning Commission
- Urban Renewal District Advisory Committee
- Utility Rate Advisory Group

I am interested in being on a waiting list if there are no current vacancies.

Please write a brief narrative describing your interest, qualifications, and what you hope to accomplish in this position. Include the skills, experience, and knowledge you possess that would help you contribute in this position. Feel free to attach a resume or other information you feel would be helpful.

See attachments

**Educational Background**

High School: North Eugene

Graduated  GED

College: University of Oregon

Degree: M.Ed. & B.S.

**Previous Volunteer/Committee Experience:**

Volunteer Agency: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Duties: \_\_\_\_\_

Have you ever been convicted of a felony?  Yes  No

**AUTHORIZATION WAIVER**

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I may be subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Dallas may decline my volunteer application or volunteer services at any time.

  
Applicant's Signature

8-19-14  
Date

Please return completed application to:  
City Manager's Office  
City of Dallas  
187 SE Court St  
Dallas, OR 97338  
503-831-3502

.....  
Date received at City Hall: \_\_\_\_\_ Date appointed: \_\_\_\_\_

Board, Commission or Committee: \_\_\_\_\_

August 19, 2014

Ron Foggin  
City Manager  
187 SE Court Street  
Dallas, OR 97338

Dear Ron,

As a newer member to this community and as a property owner, I feel that it is my civic duty to serve on this Planning Commission for the City of Dallas. Although this would be my first opportunity serving on a council, I feel that my degree in Political Science has given me the essential knowledge and background to make critical and sound decisions for this community on a geopolitical level. In addition, I have received a Master's Degree in Education which gives me the essential skills to effectively plan and develop programs that will have a long-term impact on the community.

I'm very passionate and enthusiastic about future planning and the growth of the City of Dallas. I feel that my passion and enthusiasm as a resident in addition to my educational background, is essential for the economic success of Dallas. In this position I hope to propose and plan potential land development use that will benefit the citizens of Dallas and the surrounding communities.

Sincerely,

Marc Pazina

  
Dallas, OR 97338



**Marc A. Pazina**

Dallas, OR 97338

## **WORK EXPERIENCE**

Aerospace Sr. Sales Rep, ATI Specialty Alloys & Components 2013 - Present

- Selling Titanium and Hafnium alloy products for the aerospace industry
- Project management lead for ATI qualification on Titanium Aluminide
- Contract negotiating for aircraft engine OEM's
- Maintain customer accounts within US, Europe and Asia
- Maintain \$13M in current customer accounts
- Accurately forecast sales to meet company financial goals
- Providing quotes for material cost to customers

Zr CPI Sr. Sales Rep, ATI Specialty Alloys & Components 2011 - 2013

- Selling Zirconium mill products for the chemical process industry
- Accurately forecast sales to meet company financial goals
- Managed and maintained Zr 702 Service Center inventory
- Maintain customer accounts within US, Europe and Asia
- Providing quotes for material cost to customers

Commercial Nuclear Sr. Sales Rep, ATI Specialty Alloys & Components 2008 - 2011

- Selling Zirconium and Hafnium mill products for nuclear reactors
- Accurately forecast sales to meet company financial goals
- Negotiated long term contracts to major nuclear fuel suppliers in excess of \$10M
- Maintained \$65M in current customer accounts
- Maintained customer accounts in Canada, Europe and Argentina
- Planned production schedule to meet customer material demand
- Project Management for key Nuclear Fuel Suppliers
- Providing quotes for material cost to customers

Titanium Aerospace Sales, ATI Specialty Alloys & Components 2007-2008

- Selling Titanium for aerospace applications
- Providing quotes for material cost to customers
- Accurately forecast sales to meet company financial goals
- Maintained \$45M in current customer accounts
- Maintain customer relationships within the US and Europe
- Proficient use in Oracle Sales Applications

Healthcare Representative, Sciele Pharma, Inc (Portland, OR) 2007

- Selling pharmaceutical products to internal medicine doctors
- Managing the Portland Oregon/Vancouver Washington territory
- Adhering to monthly budget to maximize territory sales
- Operated a company vehicle
- Developing business plan to maximize sales

Healthcare Representative, Pfizer Inc. (Vancouver, WA)

2006

- Selling pharmaceutical products to family practice doctors
- Managing the Vancouver Washington territory
- Maintaining monthly budget to maximize territory sales
- Operating a company vehicle
- Setting appointments for Various Product Launches

## **EDUCATIONAL BACKGROUND**

M.Ed., Middle/Secondary Teacher Education  
University of Oregon (Eugene, OR)  
Certified in Social Studies

B.S., Political Science  
University of Oregon (Eugene, OR)

## **CERTIFICATIONS**

OSHA Certified

2010

## **COMMITTEE GROUPS**

Joint Health and Safety Committee, ATI Wah Chang

2008 – 2010

- Performed monthly safety inspections
- Attended monthly safety meetings
- Participated in various safety training as needed

## **SKILLS**

- Contract negotiations
- Project management for new product qualification
- Significant international business experience
- Proficient in MS Word, Excel, PowerPoint, and Outlook Express
- Proficient in usage of medical terminology
- Excellent Communication Skills with customers and managers
- Superior group presentation ability
- Proficient use in Oracle Sales Applications

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Members Present: Chair Ken Woods, Jr., Jim Fairchild, Kelly Gabliks, and Beth Jones.

Also Present: City Manager Ron Foggin, City Attorney Lane Shetterly, Lt. Jerry Mott, Deputy Chief Todd Brumfield, Community Development/Operations Director Jason Locke, Engineering and Environmental Services Director Fred Braun, and Recording Secretary Jeremy Teal.

Chair Woods called the meeting to order at 5:00 p.m.

**TRANSPORTATION SYSTEM DEVELOPMENT CHARGE (SDC)**

Mr. Braun gave a brief background on the Transportation SDC. He stated a consultant had reviewed the SDC and noted that the City should be collecting \$2,600 per household and was collecting less than \$1,200 per household. He noted that staff recommended beginning the process of rewriting the Transportation SDC.

Councilor Woods asked that the information be laid out in a clear and concise format for the public to understand the complexity of it.

It was moved by Councilor Gabliks *to move the Transportation SDC to the City Council for consideration.* The motion was duly seconded and carried by a vote of 4-0.

**REPUBLIC SERVICES PROPOSAL**

Mr. Foggin stated Republic Services would like to move to a small yearly increase rather than a lump sum every 3 or 4 years. The ability to respond to people wanting weekly recycling pick up, as well as leaf pickup had been a priority for Republic Services. He noted leaf collection was expensive for City staff to orchestrate every year and that Republic Services could pick up leaves in Dallas in one day.

After discussion it was decided that Mr. Foggin would add leaf collection to Option 1 and bring it back to the Council.

**ENGINEERING DIRECTOR'S REPORT**

Mr. Braun reported the City water supply was doing well and the ASR was filling up. He stated it held roughly 20 million gallons of water, 30% more than last year. He noted that the property at the end of Alexander Drive had been split into lots and created utility easements with every lot. He noted the owner was asking for the abandonment process to remove the easements from each lot.

**COM DEV/OPS DIRECTOR'S REPORT**

Mr. Locke noted the Bridlewood pump station refit was complete and preconstruction activities for subdivisions were underway. He commented that the new City Planner was on board and was quite an asset.

**OTHER**

**ADJOURNMENT**

There was no other business and the meeting was adjourned at 5:33 p.m.



# **AGENDA**

**August 25, 2014**

**5:00 PM**

**Council Chambers  
Dallas City Hall  
187 SE Court St  
Dallas, OR 97338**

## **COMMITTEE**

**Chair Ken Woods, Jr.**

**Jim Fairchild**

**Kelly Gabliks**

**Beth Jones**

- A. Call to Order**
- B. Transportation SDC**
- C. Republic Services proposal**
- D. Engineering Director's report**
- E. Com Dev/Ops Director's report**
- F. Other**
- G. Adjournment**



## Public Works Committee Staff Report

August 22, 2014

**RE: Transportation Systems Development Charge (SDC)**

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### **Recommendation:**

Recommendation to the City Council to begin the process of updating the City's Transportation SDC.

### **Background:**

In April 2008, Staff reported on the status of the various systems development charges that the City has in place. Attached is a copy of the report for your information. At that time, Staff reported that the transportation SDC was inadequate and did not have a good basis. Since that time, Staff has completed the Transportation Systems Plan and contracted with a consultant to evaluate the current transportation SDC.

Based upon the attached consultant analysis, the transportation SDC should be \$2,646 per single family dwelling unit. The consultant calculated the SDC based upon roadway projects included within the Transportation Systems Plan. Bike and Pedestrian projects were not included in the recommended fee. Inclusion of bike and pedestrian projects would more than double the recommended fee. The City currently collects \$1,199 per dwelling.

Systems development charges (SDC) are charges imposed upon new development to provide the needed infrastructure for the development. ORS Sections 223.297 to 223.314 govern the establishment of SDC's.

The above-stated ORS sections allow for the imposition of SDC's to fund various growth related projects. Systems Development Charges must:

(a) Be established or modified by ordinance or resolution setting forth a methodology that is available for public inspection and demonstrates consideration of:

- (i) The projected cost of the capital improvements identified in the plan and list adopted pursuant to ORS 223.309 that are needed to increase the capacity of the systems to which the fee is related; and
- (ii) The need for increased capacity in the system to which the fee is related that will be required to serve the demands placed on the system by future users.

(b) Be calculated to obtain the cost of capital improvements for the projected need for available system capacity for future users.

(c) Any local government that proposes to establish or modify a system development charge shall maintain a list of persons who have made a written request for notification prior to adoption or amendment of a methodology for any system development charge.

(d) Written notice must be mailed to persons on the list at least 90 days prior to the first hearing to establish or modify a system development charge, and the methodology supporting the system development charge must be available at least 60 days prior to the first hearing.

City of Dallas  
2014 Transportation SDC Study  
Schedule of Transportation SDCs by Land Use for PM Peak Vehicle Trips

ITE Code	Land Use	Percent of			Diverted/Linked and pass-by Trip Adjustment	Primary Trip Ends	Total Unit SDC	Basis for Calculating a Customer's SDC
		Total Trip Ends	Diverted/Linked Trips	Pass-by Trips				
110	General light industrial	0.97	0.00%	0.00%	-	0.97	2,567	1,000 square feet of gross floor area
130	Industrial park	0.85	0.00%	0.00%	-	0.85	2,249	1,000 square feet of gross floor area
140	Manufacturing	0.73	0.00%	0.00%	-	0.73	1,932	1,000 square feet of gross floor area
151	Mini-warehouse	0.26	0.00%	0.00%	-	0.26	688	1,000 square feet of gross floor area
160	Data center	0.09	0.00%	0.00%	-	0.09	238	1,000 square feet of gross floor area
210	Single family detached housing	1.00	0.00%	0.00%	-	1.00	2,646	Dwelling unit
220	Apartment	0.62	0.00%	0.00%	-	0.62	1,641	Dwelling unit
230	Residential condominium/townhouse	0.52	0.00%	0.00%	-	0.52	1,376	Dwelling unit
240	Mobile home park	0.59	0.00%	0.00%	-	0.59	1,561	Occupied dwelling unit
254	Assisted living	0.22	0.00%	0.00%	-	0.22	582	Bed
310	Hotel	0.60	0.00%	0.00%	-	0.60	1,588	Room
320	Motel	0.47	0.00%	0.00%	-	0.47	1,244	Room
417	Regional park	0.20	0.00%	0.00%	-	0.20	529	Acre
430	Golf course	0.30	0.00%	0.00%	-	0.30	794	Acre
444	Movie theater with matinee - Friday pm peak hour	45.91	0.00%	0.00%	-	45.91	121,478	Movie screen
492	Health/fitness club	3.53	0.00%	0.00%	-	3.53	9,340	1,000 square feet of gross floor area
495	Recreational community center	2.74	0.00%	0.00%	-	2.74	7,250	1,000 square feet of gross floor area
520	Elementary school	1.21	0.00%	0.00%	-	1.21	3,202	1,000 square feet of gross floor area
522	Middle school/junior high school	1.19	0.00%	0.00%	-	1.19	3,149	1,000 square feet of gross floor area
530	High school	0.97	0.00%	0.00%	-	0.97	2,567	1,000 square feet of gross floor area
540	Junior/community college	2.54	0.00%	0.00%	-	2.54	6,721	1,000 square feet of gross floor area
560	Church	0.55	0.00%	0.00%	-	0.55	1,455	1,000 square feet of gross floor area
565	Day care center	12.34	0.00%	0.00%	-	12.34	32,652	1,000 square feet of gross floor area
590	Library	7.30	0.00%	0.00%	-	7.30	19,316	1,000 square feet of gross floor area
610	Hospital	0.93	0.00%	0.00%	-	0.93	2,461	1,000 square feet of gross floor area
620	Nursing home	0.74	0.00%	0.00%	-	0.74	1,958	1,000 square feet of gross floor area
710	General office building	1.49	0.00%	0.00%	-	1.49	3,943	1,000 square feet of gross floor area
720	Medical-dental office building	3.57	0.00%	0.00%	-	3.57	9,446	1,000 square feet of gross floor area
750	Office park - pm peak hour	1.48	0.00%	0.00%	-	1.48	3,916	1,000 square feet of gross floor area
760	Research and development center - pm peak hour	1.07	0.00%	0.00%	-	1.07	2,831	1,000 square feet of gross floor area
770	Business park - pm peak hour	1.26	0.00%	0.00%	-	1.26	3,334	1,000 square feet of gross floor area
812	Building materials and lumber store	4.49	0.00%	0.00%	-	4.49	11,881	1,000 square feet of gross floor area
813	Free standing discount superstore	4.35	0.00%	28.00%	1.22	3.13	8,287	1,000 square feet of gross floor area
815	Free standing discount store	4.98	35.25%	17.00%	2.60	2.38	6,292	1,000 square feet of gross floor area
816	Hardware/paint store	4.84	29.50%	26.00%	2.69	2.15	5,699	1,000 square feet of gross floor area
817	Nursery (garden center)	6.94	0.00%	0.00%	-	6.94	18,363	1,000 square feet of gross floor area
820	Shopping center	3.71	15.86%	34.00%	1.85	1.86	4,922	1,000 square feet of gross leasable area
826	Specialty retail center	2.71	0.00%	0.00%	-	2.71	7,171	1,000 square feet of gross floor area
841	Automobile sales	2.62	0.00%	0.00%	-	2.62	6,933	1,000 square feet of gross floor area
843	Automobile parts sales	5.98	13.00%	43.00%	3.35	2.63	6,962	1,000 square feet of gross floor area
848	Tire store	4.15	3.33%	28.00%	1.30	2.85	7,540	1,000 square feet of gross floor area
850	Supermarket	9.48	25.25%	36.00%	5.81	3.67	9,720	1,000 square feet of gross floor area
851	Convenience market (open 24 hours)	52.41	6.47%	61.00%	35.36	17.05	45,106	1,000 square feet of gross floor area
853	Convenience market with gasoline pumps	50.92	17.80%	66.00%	42.67	8.25	21,827	1,000 square feet of gross floor area
854	Discount supermarket	8.34	23.20%	23.00%	3.85	4.49	11,872	1,000 square feet of gross floor area
857	Discount club	4.18	0.00%	0.00%	-	4.18	11,060	1,000 square feet of gross floor area
862	Home improvement superstore	2.33	8.00%	48.00%	1.30	1.03	2,713	1,000 square feet of gross floor area
880	Pharmacy/drugstore without drive-through	8.40	4.67%	53.00%	4.84	3.56	9,409	1,000 square feet of gross floor area
881	Pharmacy/drugstore with drive-through	9.91	13.00%	49.00%	6.14	3.77	9,964	1,000 square feet of gross floor area
890	Furniture store	0.45	10.33%	53.00%	0.29	0.17	437	1,000 square feet of gross floor area
911	Walk-in bank	12.13	0.00%	0.00%	-	12.13	32,096	1,000 square feet of gross floor area
912	Drive-in bank	24.30	25.67%	47.00%	17.66	6.64	17,575	1,000 square feet of gross floor area
925	Drinking place	11.34	0.00%	0.00%	-	11.34	30,006	1,000 square feet of gross floor area
931	Quality restaurant	7.49	13.50%	44.00%	4.33	3.18	8,423	1,000 square feet of gross floor area
932	High-turnover (sit down) restaurant	9.85	17.25%	43.00%	5.93	3.92	10,360	1,000 square feet of gross floor area
933	Fast-food restaurant without drive-through	26.15	17.25%	43.00%	15.76	10.39	27,504	1,000 square feet of gross floor area
934	Fast-food restaurant with drive-through	32.65	9.06%	50.00%	19.28	13.37	35,373	1,000 square feet of gross floor area
936	Coffee/donut shop without drive-through	40.75	17.25%	43.00%	24.55	16.20	42,860	1,000 square feet of gross floor area
937	Coffee/donut shop with drive-through	42.80	9.06%	50.00%	25.28	17.52	46,369	1,000 square feet of gross floor area
938	Coffee/donut kiosk	75.00	9.06%	50.00%	44.29	30.71	81,254	1,000 square feet of gross floor area
944	Gasoline/service station	13.87	23.00%	42.00%	9.02	4.85	12,845	Vehicle fueling position
945	Gasoline/service station with convenience market	13.51	31.22%	56.00%	11.78	1.73	4,568	Vehicle fueling position
946	Gasoline/service station with car wash	13.86	27.11%	49.00%	10.55	3.31	8,761	Vehicle fueling position

Source: ITE, Trip Generation Manual, 9th edition  
PM peak vehicle trips expressed in trip ends on a weekday, peak hour of adjacent street traffic, one hour, between 4:00 pm and 6:00 pm unless otherwise noted

City of Dallas  
2014 Transportation SDC Methodology Update  
Transportation Reimbursement Fee SDC Calculations

	Original Cost	Accumulated Depreciation	Book Value	Capacity Remaining
<b>Twentieth Century Investments:</b>				
Pre 1960's	\$ 54,658	\$ 54,658	\$ -	0.00%
1960 - 1969	499,165	499,165	-	0.00%
1970 - 1979	3,829,882	3,829,882	-	0.00%
1980 - 1989	5,394,695	5,394,695	-	0.00%
1990 - 1999	54,569,225	34,715,018	19,854,207	36.38%
<b>Recent vintage Investments:</b>				
2000 - 2009	7,835,307	3,533,690	4,301,617	54.90%
2010	306,176	91,937	214,239	69.97%
2011	215,188	53,709	161,479	75.04%
2012	173,902	17,390	156,512	90.00%
2013	<u>237,162</u>	<u>-</u>	<u>237,162</u>	<u>100.00%</u>
	\$ 73,115,360	\$ 48,190,143	\$ 24,925,217	34.09%

Book value of the City's investments in transportation infrastructure	\$ 24,925,217
Estimate of remaining capacity in book value of transportation infrastructure	<u>34.09%</u>
Book value of transportation infrastructure available to serve growth	\$ 8,497,072
less:	
Principal outstanding on transportation infrastructure long term debt	\$ -
Grants and contributed capital	-
Streets reimbursement fee fund balance	-
Reimbursement fee basis	<u>\$ 8,497,072</u>
Future PM peak hour vehicle trips created by growth	5,746
Transportation improvement fee per PM peak hour vehicle trip	<u>\$ 1,479</u>

City of Dallas  
 2014 Transportation SDC Methodology Update  
 Transportation Improvement Fee SDC Calculations

TSP projects to serve growth:

Extend Hawthorne Avenue south to Barberry Avenue	\$ 170,000	
Extend Hankel Street east to Fir Villa Road	573,333	
Extend Academy Street east to Fir Villa Road	920,000	
Extend Barberry Avenue east to East Ellendale Avenue	676,667	
Signalize Dallas-Rickreall Highway at Fir Villa Road	250,000	
Signalize Dallas-Rickreall Highway at Barberry Avenue	300,000	
Extend Hawthorne Avenue north to connect with new east-west circulation road	250,000	
Extend LaCreole Drive north to Kings Valley Highway	853,333	
Build new east-west circulation road connecting Polk Station Road and Hawthorne Avenue	446,667	
Add southbound left turn lane to West Ellendale Avenue from James Howe Road	40,000	
Extend Wyatt Street north to city limits	533,333	
Extend River Drive north to city limits	590,000	
Create east-west connector road from James Howe Road to Denton Avenue and Fairhaven Lane	396,667	
New connector west from Fairview Avenue to serve southwest quadrant of the city	<u>896,667</u>	
Total SDC-eligible TSP project costs	\$ 6,896,667	\$ 6,896,667
less: transportation improvement fee fund balance as of June 30, 2013		<u>193,745</u>
Net transportation improvement fee basis		\$ 6,702,922
Future PM peak hour vehicle trips created by growth		5,746
Transportation improvement fee per PM peak hour vehicle trip		<u>\$ 1,167</u>

City of Dallas  
 2014 Transportation SDC Methodology Update  
 Transportation System Plan - Capital Improvement Plan (Summary by Identified Funding source)

Project Name	Transportation System Plan-Identified Funding Sources										Total	
	SDCs		Streets	Parks	Developer Contributions	LIDs	General Fund	Urban Renewal District (TIF)	Polk County	Federal and State		Bike/Ped
	Streets	Parks										
Next Ten Years:	\$ 6,000,000	\$ 640,000	\$ 12,000,000	\$ 1,000	\$ -	\$ 3,172,600	\$ -	\$ -	\$ 3,330,000	\$ 2,554,900	\$ 27,698,500	
10 - 15 Years:	-	1,730,000	-	3,030,000	1,490,000	1,200	-	-	3,850,000	1,998,500	12,099,700	
15 - 20 Years:	896,667	-	1,793,333	4,330,000	-	-	5,990,000	1,060,000	1,060,000	4,086,000	18,155,000	
<b>Grand Total</b>	<b>\$ 6,896,667</b>	<b>\$ 2,370,000</b>	<b>\$ 13,793,333</b>	<b>\$ 7,361,000</b>	<b>\$ 1,490,000</b>	<b>\$ 3,173,800</b>	<b>\$ 5,990,000</b>	<b>\$ 8,240,000</b>	<b>\$ 8,240,000</b>	<b>\$ 8,639,400</b>	<b>\$ 57,954,200</b>	

# Public Works Staff Report

April 15, 2008

RE: Systems Development Charge (SDC) Status Report

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## **Recommendation:**

Receive Information.

## **Background:**

Systems development charges (SDC) are charges imposed upon new development to provide the needed infrastructure for the development. The City currently has SDC's for Water, Sewer, Storm Drainage, Transportation and Parks. ORS Sections 223.297 to 223.314 govern the establishment of SDC's.

The above-stated ORS sections allow for the imposition of SDC's to fund various growth related projects. Systems Development Charges must:

- (a) Be established or modified by ordinance or resolution setting forth a methodology that is available for public inspection and demonstrates consideration of:
  - (i) The projected cost of the capital improvements identified in the plan and list adopted pursuant to ORS 223.309 that are needed to increase the capacity of the systems to which the fee is related; and
  - (ii) The need for increased capacity in the system to which the fee is related that will be required to serve the demands placed on the system by future users.
- (b) Be calculated to obtain the cost of capital improvements for the projected need for available system capacity for future users.
- (c) Any local government that proposes to establish or modify a system development charge shall maintain a list of persons who have made a written request for notification prior to adoption or amendment of a methodology for any system development charge.
- (d) Written notice must be mailed to persons on the list at least 90 days prior to the first hearing to establish or modify a system development charge, and the methodology supporting the system development charge must be available at least 60 days prior to the first hearing.

**Summary of City SDC's:**

The following is a list of the fees, authorizing Resolutions and dates of adoption of the various SDC's imposed by the City:

SDC Type	Amount	Resolution	Adoption Date	Methodology Date
Water	\$3425	3054	Sept. 7, 2004	May 2004
Sewer	\$3500	3054	Sept. 7, 2004	Feb. 1999
Storm	\$ 812	3054	Sept. 7, 2004	Sept. 2004
Parks	\$1985	3113	Dec. 18, 2006	June 2006
Transportation	\$ 1016	3097	June 5, 2006	Feb. 1999

Note: Table indicates SDC's per single family residence.

Storm drainage is the most recently established SDC. The fee is up to date and does not need to be revised at this time.

The Parks SDC was updated in 2006, and is adequate for the next 5-8 years.

The Water SDC is adequate for the next 3-5 years based upon an analysis in 2004.

The Sewer SDC is not recommended for review until the Phase II WWTP analysis is completed in early 2009. Upon completion of the analysis the capital costs of any needed expansion of the plant will be known, as well as any other identified projects.

The Transportation SDC was developed in 1999. Based upon projects identified in the proposed TSP, the SDC is inadequate. **Staff recommends a review and update of the Transportation SDC based upon the identified projects.**

\$ 1199<sup>-</sup>

# DALLAS CITY COUNCIL

## PUBLIC WORKS SUBCOMMITTEE REPORT

**TO: COUNCIL PUBLIC WORKS SUBCOMMITTEE**

<i>City of Dallas</i>	<b>Agenda Item No.</b> C	<b>Topic:</b> Republic Services Rate Increase
<b>Prepared By:</b> Ron Foggin	<b>Meeting Date:</b> August 25, 2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

Motion to recommend the Council adopt by resolution Option 2 proposed by Republic Services, which would build in a small yearly increase to cover the cost of doing business as well as add fall leaf collection and weekly recycling pick up. If the Council Committee does not want the level of service increase, I would recommend Option 1.

BACKGROUND:

Republic Services has a franchise agreement with the City of Dallas to provide garbage and recycling services. This agreement has been in place since 1982. The company currently serves 4,300 of the roughly 4,400 residential customers in the City.

Under the franchise agreement Republic Services can request rate increases based on revenue shortfall, rising costs of operations and/or replacement or addition of capital equipment. According to the agreement the City Council must approve garbage service rate increases by resolution. The agreement requires the City Council to give due consideration to rate increases.

Over the years the City Council has approved garbage rate increases about every three or four years. There is nothing in the franchise agreement that allows Republic Services to adjust rates based on the cost of doing business so the rate increases over the years have seemed sizeable. The last garbage rate increase was in 2011 and Republic Services received Council approval to raise rates 8%.

Republic Services is again asking for a rate increase due to the Refuse Rate Increase (RRI), which is to say the cost of hauling and processing solid waste has increased over the last three years. The company understands one time large rate increases every three to four years are frowned on by customers so they are proposing something different this time. Republic Services is asking the Council to approve an RRI that would provide small increases every year for the next four years. The company is also proposing two additional options that would be a service increase. The two additional service options will add a combination of fall leaf collection, weekly recycling pick up, and weekly yard debris pick up.

In the last citizen survey, we asked citizens what they thought about garbage collection and recycling service. The service received a very high overall rating from the citizens. With that said, there is one reoccurring complaint from citizens that I am aware of regarding the garbage

service and that is recycling cans are not picked up weekly. Republic Services' management team is keenly aware of this reoccurring complaint, as well and that is the reason they are suggesting a service increase that would add weekly recycling pick up.

Once in a while citizens complain that yard debris carts are not picked up on a weekly basis, but these complaints are far fewer than the recycling pick up concerns. Republic Services did include weekly yard debris pick up as an option if the City Council wants to address all the citizens' concerns about the service.

**Option 1**

RRI Only

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
	0.0%	2.0%	2.0%	2.0%	2.0%
32 gal cart		\$16.32	\$16.65	\$16.98	\$17.32
90 gal cart		\$26.42	\$26.95	\$27.49	\$28.03

**Option 2**

RRI + Leaf Collection + Weekly Recycling

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>5 Yr Average</u>
	4.5%	0.0%	4.6%	3.5%	3.0%	3.12%
32 gal cart	\$16.72	\$16.72	\$17.49	\$18.10	\$18.64	
90 gal cart	\$27.07	\$27.07	\$28.31	\$29.30	\$30.18	

**Option 3**

RRI + Leaf Collection + Weekly Recycling + Weekly Yard Debris

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>5 Yr Average</u>
	6.15%	0.0%	6.05%	5.0%	4.0%	4.24%
32 gal cart	\$16.98	\$16.98	\$18.01	\$18.91	\$19.67	
90 gal cart	\$27.49	\$27.49	\$29.16	\$30.61	\$31.84	

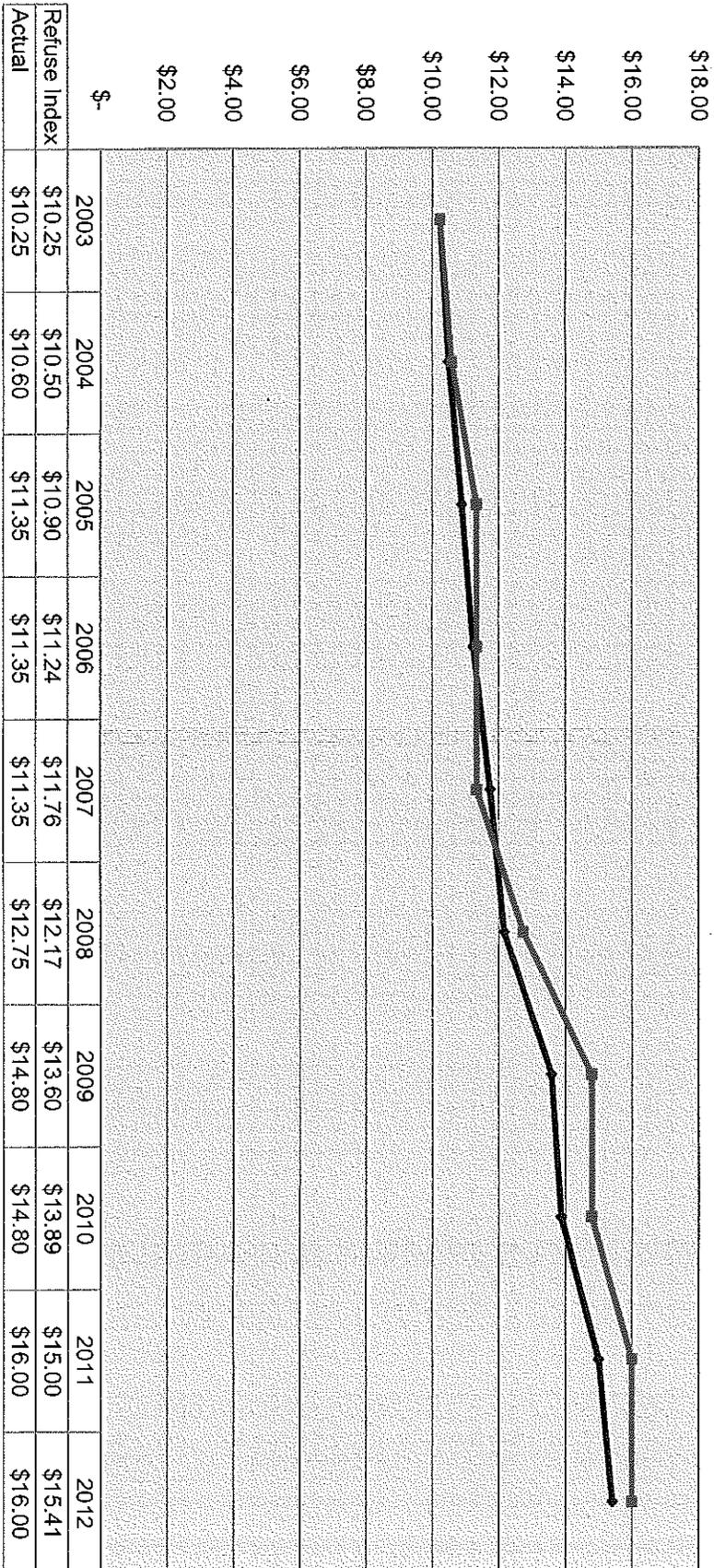
FISCAL IMPACT:

Option 1 has no fiscal impact. Option 2 and Option 3 would result in an estimated cost savings of \$60,000 for fall leaf collection.

ATTACHMENTS:

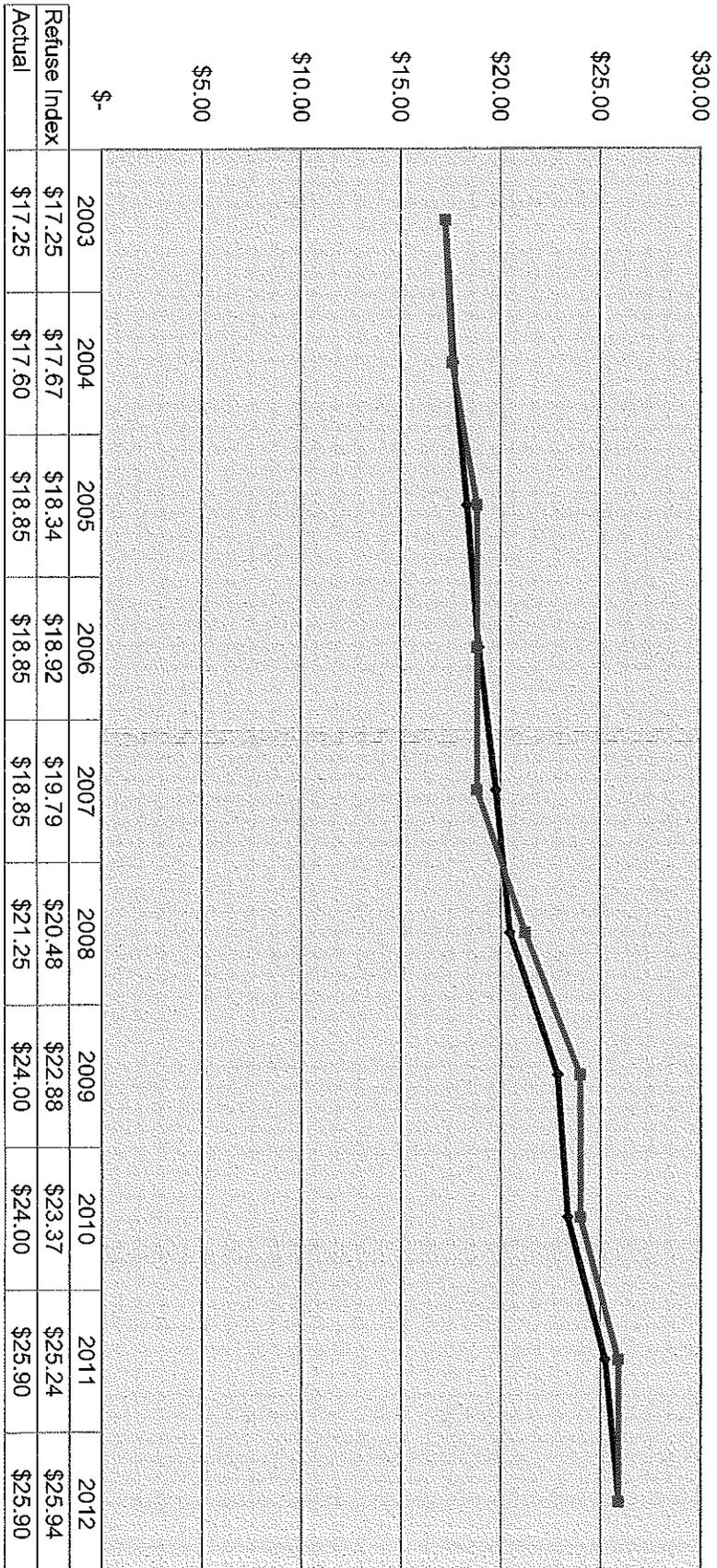
32 Gallon Cart History  
90 Gallon Cart History  
Rate Comparison

City of Dallas  
32 Gallon Cart History



—■— Refuse Index    - - - ■ - - - Actual

City of Dallas  
90 Gallon Cart History



—■— Refuse Index    - - - ■ - - - Actual

# Rate Comparison

City of Dallas  
1/1/2014

Company	City served	32 gal cart	90 gal cart	2 cu. Yd container emptied once weekly
Republic Services	Dallas	\$16.00	\$25.90	\$132.80
Republic Services	Falls City	\$18.28	\$30.28	\$157.50
Republic Services	Lebanon	\$ 17.15	\$ 26.70	\$ 157.50
Republic Services	Albany	\$ 17.40	\$ 27.37	\$ 160.60
Republic Services	Tangent	\$ 17.45	\$ 29.35	\$ 174.50
Sweet Home Sanitation	Sweet Home	\$21.59	\$27.00	\$168.45
Republic Services	Adair Village	\$ 17.15	\$ 29.85	\$ 164.92
Republic Services	Corvallis	\$18.96	\$31.52	\$162.25
Brandt's Sanitary	Monmouth	\$ 19.03	\$ 32.32	\$84.75 (1.5yd only)

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Members Present: Chair Kelly Gabliks, Jim Fairchild, Beth Jones, and Chair Ken Woods, Jr.

Also Present: City Manager Ron Foggin, City Attorney Lane Shetterly, Deputy Fire Chief Todd Brumfield, Lt. Jerry Mott, and Recording Secretary Jeremy Teal.

Chair Gabliks called the meeting to order at 5:33 p.m.

**DRV BILLING/CALLS FOR SERVICE**

Mr. Brumfield stated the EMS was entering a phase of obtaining revenue for services and not transporting people to the hospital. He noted that rather than be transported to the hospital, the residents at Dallas Retirement Village would receive the treatment they need at the facility and the EMS needed to determine a fee associated with that service.

It was moved by Councilor Fairchild *to direct staff to prepare a resolution for Council consideration to create a 2 tier system for pricing for non transport costs.* The motion was duly seconded and carried with a vote of 4-0.

**EMS COUNTY RESPONSE PLAN**

Mr. Brumfield noted that the Polk County Sheriff's office was having financial issues and that directly affected the Dallas Fire and EMS staff for responding to an incident without a police presence.

Councilor Woods asked how the personnel proceeded at an incident now. Mr. Brumfield stated that staff staged away from the incident and waited for police to arrive.

**CHIEF OF POLICE'S REPORT**

Lt. Mott gave an overview of changes made in the code services program that was supervised by Chief Simpson. He noted David King had achieved solo status for the department. He stated the selection process to hire a new officer was underway and the projected hire date would be around the beginning of year. He commented that the POINT team was on hiatus status.

Councilor Jones voiced her concern with County issues and the strain it put on City staff.

Mr. Foggin stated that the County issues have affected the Fire, EMS, and Police departments. He noted that staffing levels and IGA agreements were still in effect, and would remain that way, until the county could fix their issues.

**FIRE CHIEF'S REPORT**

Mr. Foggin noted the hiring of a Community Services Chief was underway and a volunteer force would be put together to cover the City during the middle of the day while the volunteers are at work out of town.

**OTHER**

**ADJOURNMENT**

There was no other business and the meeting was adjourned at 6:10 p.m.



# AGENDA

August 25, 2014

5:00 PM

Council Chambers  
Dallas City Hall  
187 SE Court St  
Dallas, OR 97338

## COMMITTEE

Chair Kelly Gablks

Jim Fairchild

Beth Jones

Ken Woods, Jr.

- A. Call to Order
- B. DRV billing/calls for service
- C. EMS County Response Plan
- D. Chief of Police's Report
- E. Fire Chief's Report
- F. Other
- G. Adjournment

Dallas Ambul



# DALLAS CITY COUNCIL

## PUBLIC SAFETY SUBCOMMITTEE REPORT

**TO: COUNCIL PUBLIC SAFETY SUBCOMMITTEE**

<i>City of Dallas</i>	<b>Agenda Item No. B</b>	<b>Topic: DRV Fee</b>
<b>Prepared By:</b> Todd B.	<b>Meeting Date:</b> 08/25/2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b>		

RECOMMENDED MOTION:

Discuss possible change to Resolution No. 3266.

BACKGROUND:

We have experienced several occasions where DRV (Skilled Nursing Facility) will call our ambulance service to initiate an IV on a patient. The RN has received orders from the doctor, but has been unsuccessful in establishing the IV. Originally, we were called to transport the patient to the ER for an IV, but after discussion with our physician advisor, it seemed very wasteful to do this if our paramedics could start the IV. The Oregon Health Authority, and our physician advisor, Dr. Rebecca Lucas, are comfortable with this type of service delivery.

The issue at hand is billing DRV for the service. If the patient is Medicare, DRV's part A money must pay for the ambulance bill because it is a skill they should be able to do. Our only mechanism for billing per the Resolution is a \$450 Treatment, No Transport fee. This seems a little steep, and I am investigating a way we can perform this service, charge a reasonable rate for our DRV partner, but yet not have them too dependent on our service.

The \$450 charge covers our more aggressive Treatment, No Transport patients, such as diabetic reversals and cardiac arrest with full treatment but no success. Our actual cost to deliver this particular service to DRV is just under \$50. \$175.00 might be a good place to start for the fee.

As a note, this is also an area EMS is going to have to look at; obtaining revenue from not transporting patients, as the ACA prefers we not take people to the ER if it is not necessary.

FISCAL IMPACT:

Potential revenue loss of \$2,750.00

ATTACHMENTS:

Resolution No. 3266

RESOLUTION NO. 3266

A Resolution establishing a schedule of rates for ambulance and emergency medical services and Dallas FireMed; and repealing Resolution 3265 and readopting and repealing Resolution 3219.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. The following rates shall apply to ambulance and emergency medical services provided by the City of Dallas:

- |     |  |         |
|-----|--|---------|
| (a) | Resident rates (All levels of service):  | \$1,000 |
| (b) | Non-resident rates (All levels of service):  | \$1,163 |
| (c) | Service delivery fee, where an ambulance is called to a location but neither transportation nor medical services are required and were not reasonably anticipated to be required | \$150   |
| (d) | For mileage from the point where the patient is picked up to the point where the patient is delivered, per mile  | \$ 18   |
| (e) | Evaluation and treatment (no transport)  | \$ 450  |

Section 2. The annual fee for enrollment in the Dallas FireMed program shall be \$55 for residents and \$65 for non-residents.

Section 3. The rates established under this resolution shall be effective for services provided on and after May 1, 2013.

Section 4. Resolution No. 3265 is repealed as of the date of adoption of this Resolution.

Section 5. Resolution No. 3219 is reinstated and readopted as of the date of adoption of this resolution, and repealed effective as of the date the new rates set forth herein go into effect.

Adopted: April 15, 2013

Approved: April 15, 2013

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BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

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RONALD W. FOGGIN,  
CITY MANAGER

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LANE P. SHETTERLY,  
CITY ATTORNEY

# DALLAS CITY COUNCIL

## PUBLIC SAFETY SUBCOMMITTEE REPORT

**TO: COUNCIL PUBLIC SAFETY SUBCOMMITTEE**

<i>City of Dallas</i>	<b>Agenda Item No.</b> C	<b>Topic:</b> PCSO
<b>Prepared By:</b> Todd B.	<b>Meeting Date:</b> 08/25/2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

Full Council approve the draft amendment of Dallas Fire and EMS SOG 300.0.26.

BACKGROUND:

Since April of 2014, Polk County Sheriff’s Office has been struggling with budget and personnel issues such that they currently have patrols from only 1200 – 2200 hrs. Certain event types require our Fire and EMS personnel to “stage” until law enforcement can secure the scene and provide safety. Facing at least a significant delay in law enforcement response, and more likely none at all, our personnel need guidance on how to provide services yet maintain safety.

FISCAL IMPACT:

None

ATTACHMENTS:

Draft of SOG 300.0.26, reviewed by Ron Foggin, Lane Shetterly, and Fred Hertel.

<b>Dallas Fire Department Standard Operating Guidelines</b>	SOG: 300.0.26
<b>Section 300 Operations</b>	Effective Date: 6-1-14
<b>Title: Risk Benefit Analysis</b>	Review Date: 7-1-2018

**PURPOSE:** To determine the risk to be taken by emergency responders based on the perceived outcomes as a result of those actions.

**GUIDELINE:**

One of the most difficult tasks an emergency responder must face is determining if the risk to the emergency responders is greater than the desired results of the action. It is essential that everyone involved, from the line firefighter or medic to the Safety Officer or Incident Commander of the emergency incident, take the time to consider safety and determine if a positive outcome can occur by the actions of emergency workers.

Operating at emergency incidents poses an inherent risk of injury – or worse, death. The purpose of this procedure is to describe the policy regarding risk assessment and the safety management of emergency incidents for Dallas Fire & EMS.

The safety of our personnel is paramount and is the primary consideration when assessing risk. Assessing the risk to personnel can occur at any time during the incident. A few examples include changing wind and weather conditions during a large grass fire, awareness to a hazardous chemical exposure after arriving on scene of a traffic collision or responding to an EMS incident involving violence when the scene is unsecure due to unavailability of law enforcement. Fire & EMS incidents are dynamic in nature and therefore a risk benefit analysis should be conducted, starting with dispatch information and continuing en route, upon arrival, and continuously monitored and modified if necessary.

Evaluation of the probability for survival must be made before committing emergency personnel to efforts that jeopardize their safety beyond acceptable limits. Creating a situation where you must rescue the rescuers limits the effectiveness of the entire operation.

An essential function of Dallas Fire & EMS is to save and preserve life and property. This includes the lives of rescuers as well as any victims. Unrealistic attempts to rescue persons who have little or no chance of survival should be evaluated very seriously by the individual in charge before any action is taken. Likewise, the same is true for property.

Initials \_\_\_\_\_ Date \_\_\_\_\_  
City Manager

Initials \_\_\_\_\_ Date \_\_\_\_\_  
Fire Chief

We are committed to providing the safest possible work environment for our members. It is important that all members operating at incidents function in a safe manner. Each firefighter or medic must practice as a “Safe Person” for their own safety, as well as to minimize risk to others. Towards that goal, all members are expected to operate under the following risk management profiles.

Objectives:

- We will suffer considerable risk, in a calculated manner, to rescue SAVABLE lives.
- We will suffer minimal risk, in a calculated manner, to preserve SAVABLE property.
- We will suffer NO risk for lives or property that is already lost.

This risk management practice will be applied to all emergency incidents and will be continuously re-assessed throughout the incident operation.

Considerations:

Incidents involving a known or suspected criminal, violent and/or weapons component must be evaluated prior to response by fire and EMS personnel. Safety of personnel dictates a delayed response until scene safety can be confirmed by law enforcement. If law enforcement is delayed or unavailable, responding personnel must gather as much information about the incident as possible, including communicating with dispatch via radio or telephone and prior history or “flags” provided through a mobile data computer.

Responding personnel, which may or may not involve the Duty Officer, must fully agree with a response plan prior to implementation. For incidents outside the city limits when county or state resources are delayed or unavailable, and the responding personnel believe law enforcement will be necessary to provide a safe environment to execute their mission, the City of Dallas Police Department will be requested to respond and provide a secure scene. The City of Dallas Police Department’s mission during this type of incident will be limited to, as law allows, providing safety for first responders only. If absolutely no law enforcement is available to respond, personnel may “pend” the incident with dispatch until scene safety can be confirmed.

Once a formulated plan to respond to the incident with clear safety rules is agreed upon by all personnel involved, then personnel may respond to the incident scene. Personnel must make every effort to provide for safety, even if it requires unusual methods of operation, such as asking for a medical patient to come outside of a residence and meet personnel at a designated safe location. At any time an incident becomes violent or unsafe because of criminal actions or weapons involvement, personnel shall abandon the incident. If the situation is dire or the threat is imminent, utilize radio communication with dispatch to call a “Code Zero” for emergency law enforcement response.

Initials \_\_\_\_\_ Date \_\_\_\_\_  
City Manager

Initials \_\_\_\_\_ Date \_\_\_\_\_  
Fire Chief

During fire or rescue incidents, when evaluating the survivability of any victims, members must consider the conditions present in the “compartment” or area of fire:

1. A fire in a rear bedroom of a house, with smoke throughout the house, may allow a survivable environment if a search and rescue effort is initiated quickly. We may extend risk, in a calculated manner, with these conditions.
2. A significant fire in a residence with dense smoke under pressure to floor level throughout the building likely means victims could not survive. A very cautious, calculated rescue and fire control operation would be warranted.
3. A well-involved building would likely represent a zero survivability profile. Similar conditions in an abandoned building would indicate little survivability and little property to be saved and members should avoid an offensive fire fight.
4. Victims buried by a trench collapse or under water for a significant amount of time would be unlikely to survive and therefore, an extremely cautious, safe and well-planned *recovery* operation is required. Recovery operations may require properly trained, qualified and equipped personnel which may necessitate calling for mutual aid partners.

Rescuers should consider notification time, dispatch processing time, response time, and time on-scene as part of the calculation.

Key elements involved in a “calculated manner” include:

1. Incident Command established (where applicable)
2. Proper personal protective equipment
3. Accountability system established.
4. Safety procedures in place.
5. Continuous risk assessment by all members

In all circumstances, detailed, accurate and timely documentation **MUST** be recorded. Use of provided documentation methods (ePCR, NFIRS Report, Near Miss Report, or Incident Report) will be required. Documenting justification for decisions made concerning the risk benefit analysis is paramount.

Initials \_\_\_\_\_ Date \_\_\_\_\_  
City Manager

Initials \_\_\_\_\_ Date \_\_\_\_\_  
Fire Chief

# DALLAS CITY COUNCIL REPORT

To: DALLAS CITY COUNCIL

<i>City of Dallas</i>	<b>Agenda Item No.</b> <b>9 a</b>	<b>Topic:</b> July 2014 Financial Report
<b>Prepared By:</b> Cecilia Ward	<b>Meeting Date:</b> September 15, 2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

Information Only

BACKGROUND:

Provided is the monthly financial report for the month of July 2014.

For July 2014:

- Percent collected/spent should be at 8.33%. This can vary up or down depending on seasonal or one-time revenues and expenditures.
- The following budgeted capital improvement payments were made in July:
  - Fleet Management Fund - Vehicle (Police) \$26,887
  - Water Fund - AMR Project - \$12,570

FISCAL IMPACT:

None

ATTACHMENTS:

July 2014 Financial Report



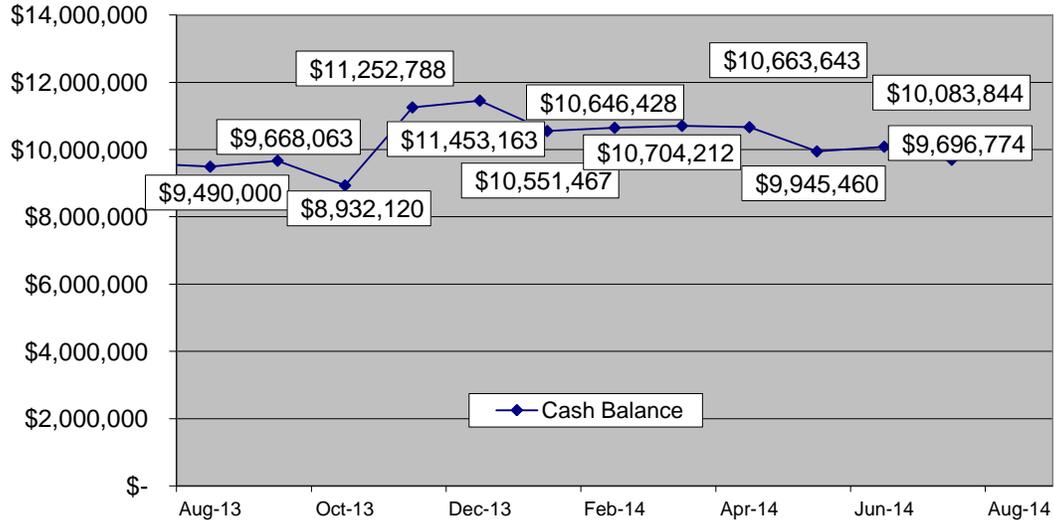
**Monthly Financials**  
**for the Month of**  
**July 2014**

**CITY OF DALLAS**  
**Cash Report**  
**For the Period Ending July 31, 2014**

Cash on hand	\$ 645
Cash in Investments	9,201,287
Cash in Bank	494,841
Total Cash Balance as of 07/31/2014	\$ 9,696,774

Restricted/Committed	\$ 6,670,119
Unrestricted	3,026,654
	\$ 9,696,774

Cash Balance



Investment Breakdown

	<u>Ending Bal</u>	<u>Interest YTD</u>
LGIP	\$ 8,022,885	\$ 3,652
Wells Fargo Savings	1,178,371	\$ 30
	\$ 9,201,256	\$ 3,682

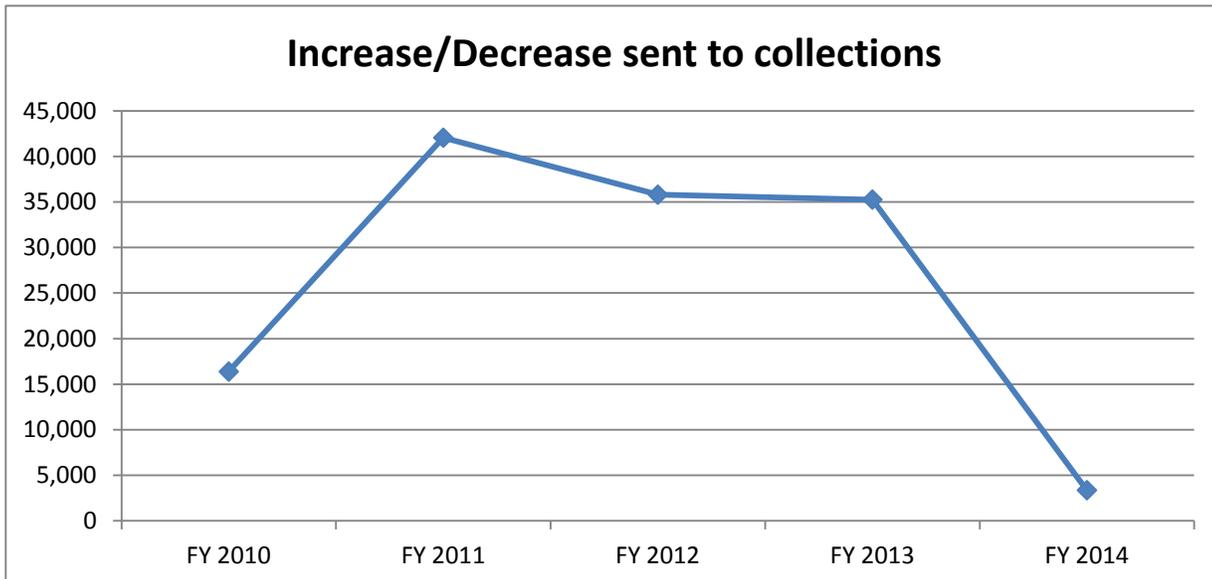
**UTILITY AGING REPORT**  
**July 31, 2014**

Current Accounts Receivable

Current	30+ days	Total
157,922	20,435	178,358

60+ Days Accounts Receivable

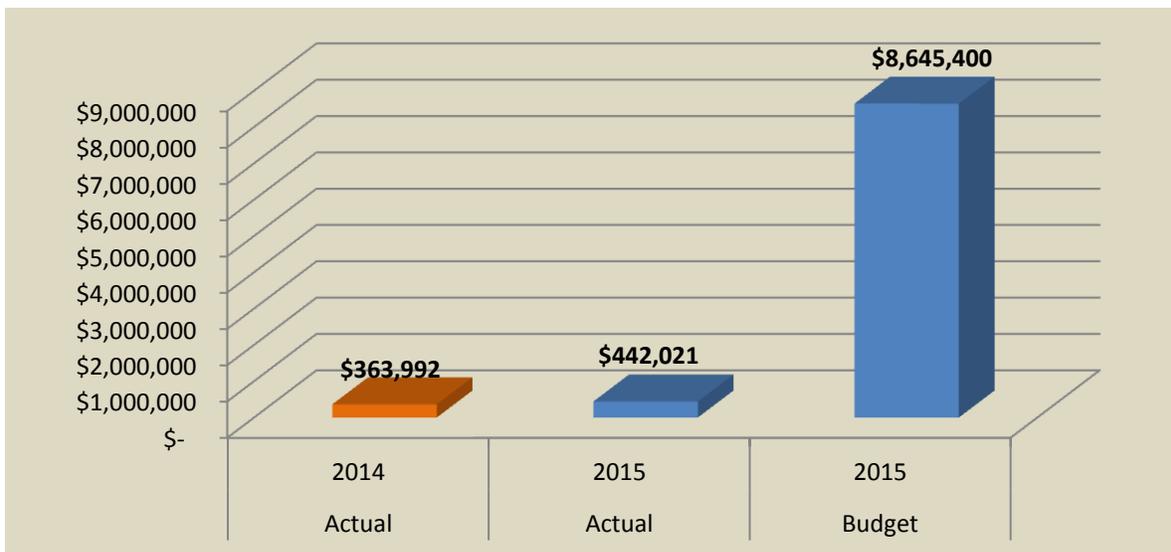
		Payments Made	Sent to Collections	Balance to Collect	Increase/Decrease sent to collections
	FY 2014-15	425	3,789	155,054	3,364
	FY 2013-14			151,690	35,263
	FY 2012-13			116,427	35,803
	FY 2011-12			80,624	42,056
	FY 2010-11			38,568	16,378
	FY 2009-10			22,190	



**City of Dallas**  
**Monthly Financials**  
**July 2014**

**General Fund Revenue**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
Licenses, Permits and Fees	\$ 56,507	\$ 187,817	\$ 1,419,500	\$ 1,231,683	13.2%
Fines and Forfeitures	6,977	13,408	220,000	206,592	6.1%
Recreation Fees	48,793	49,158	485,000	435,842	10.1%
Library Fees	17,439	1,039	81,500	80,461	1.3%
Property Taxes	41,600	38,065	3,495,000	3,456,935	1.1%
Miscellaneous Taxes	18,033	1,683	231,000	229,317	0.7%
Franchise Fees	50,784	49,236	1,095,000	1,045,764	4.5%
Inter-governmental	-	-	192,000	192,000	0.0%
Miscellaneous Revenue	2,974	4,211	40,000	35,789	10.5%
Interest Earnings	938	1,154	15,000	13,846	7.7%
Transfers	119,948	96,250	1,371,400	1,275,150	7.0%
	<b>\$ 363,992</b>	<b>\$ 442,021</b>	<b>\$ 8,645,400</b>	<b>\$ 8,203,379</b>	<b>5.1%</b>

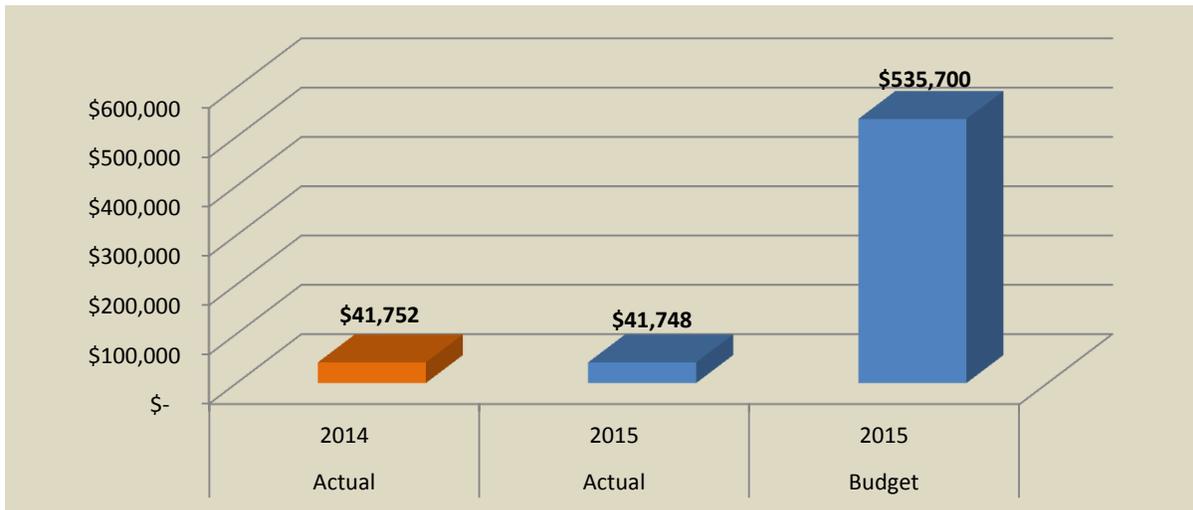


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Administration**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 34,178	\$ 31,960	\$ 391,000	\$ 359,040	8.2%
Materials and Supplies	7,574	9,789	144,700	134,911	6.8%
	<b>\$ 41,752</b>	<b>\$ 41,748</b>	<b>\$ 535,700</b>	<b>\$ 493,952</b>	<b>7.8%</b>

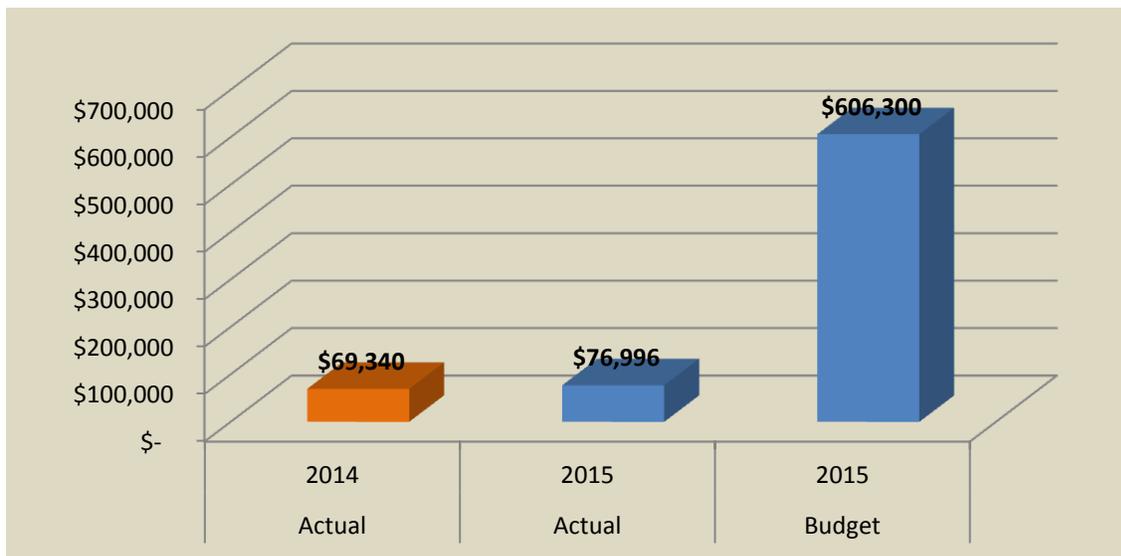


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Finance**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 28,998	\$ 27,642	\$ 384,000	\$ 356,358	7.2%
Materials and Supplies	40,342	49,354	222,300	172,946	22.2%
	<b>\$ 69,340</b>	<b>\$ 76,996</b>	<b>\$ 606,300</b>	<b>\$ 529,304</b>	<b>12.7%</b>

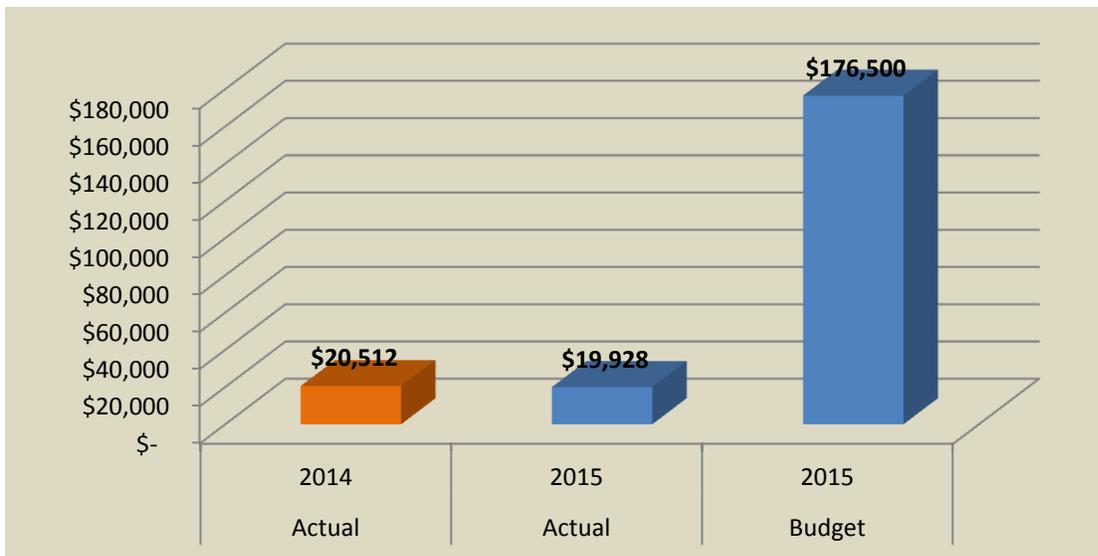


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Facilities**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 10,061	\$ 8,742	\$ 111,000	\$ 102,258	7.9%
Materials and Supplies	10,451	11,186	65,500	54,314	17.1%
	<b>\$ 20,512</b>	<b>\$ 19,928</b>	<b>\$ 176,500</b>	<b>\$ 156,572</b>	<b>11.3%</b>

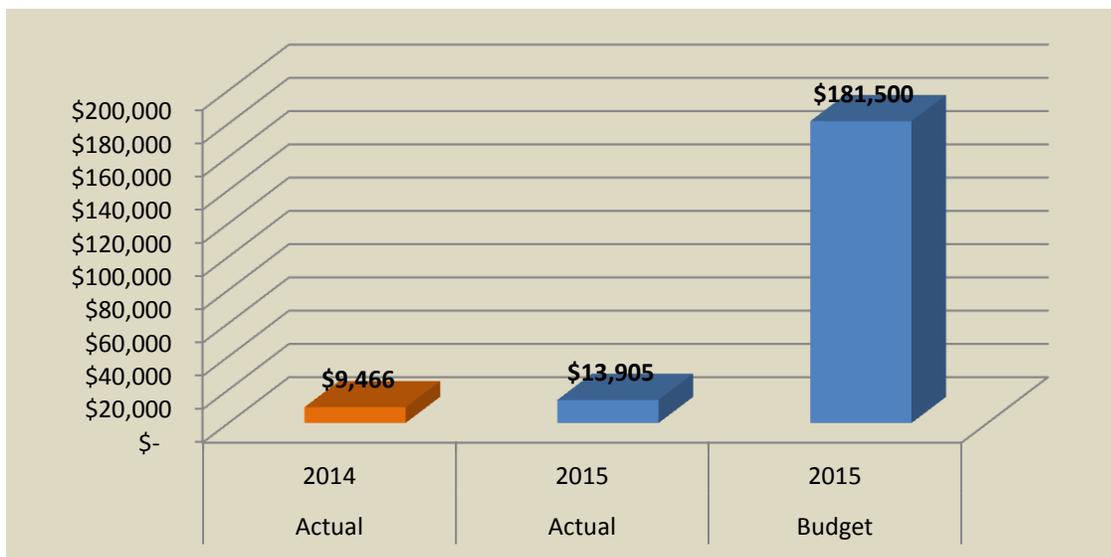


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Municipal Court**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 8,616	\$ 8,571	\$ 120,000	\$ 111,429	7.1%
Materials and Supplies	850	5,335	61,500	56,165	8.7%
	<b>\$ 9,466</b>	<b>\$ 13,905</b>	<b>\$ 181,500</b>	<b>\$ 167,595</b>	<b>7.7%</b>

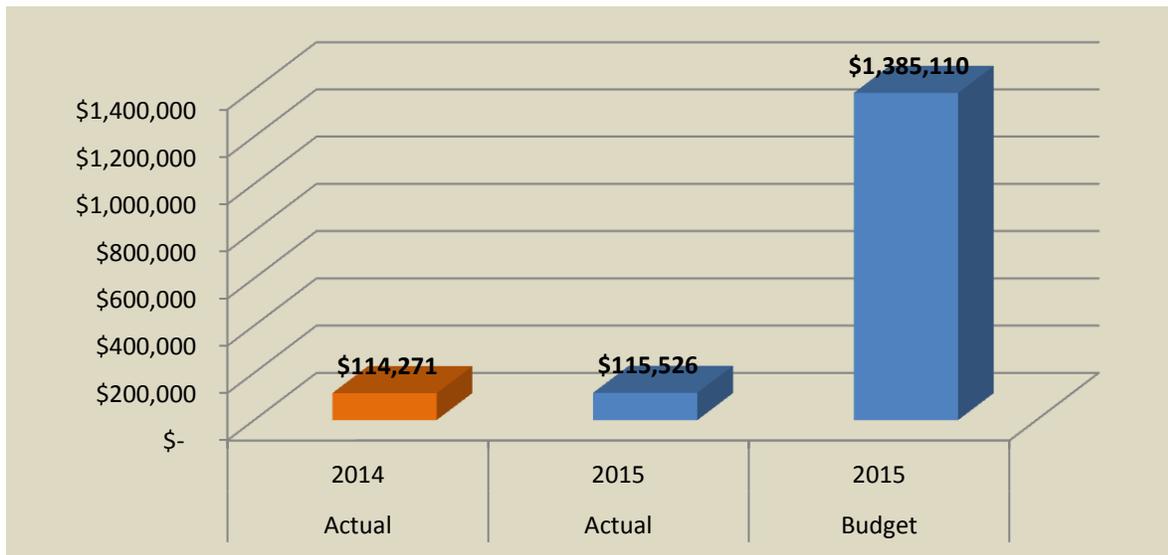


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Ambulance**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 76,390	\$ 83,817	\$ 997,000	\$ 913,183	8.4%
Materials and Supplies	35,382	29,209	317,300	288,091	9.2%
Debt Service	-	-	40,810	40,810	0.0%
Transfers	2,500	2,500	30,000	27,500	8.3%
	<b>\$ 114,271</b>	<b>\$ 115,526</b>	<b>\$ 1,385,110</b>	<b>\$ 1,269,584</b>	<b>8.3%</b>

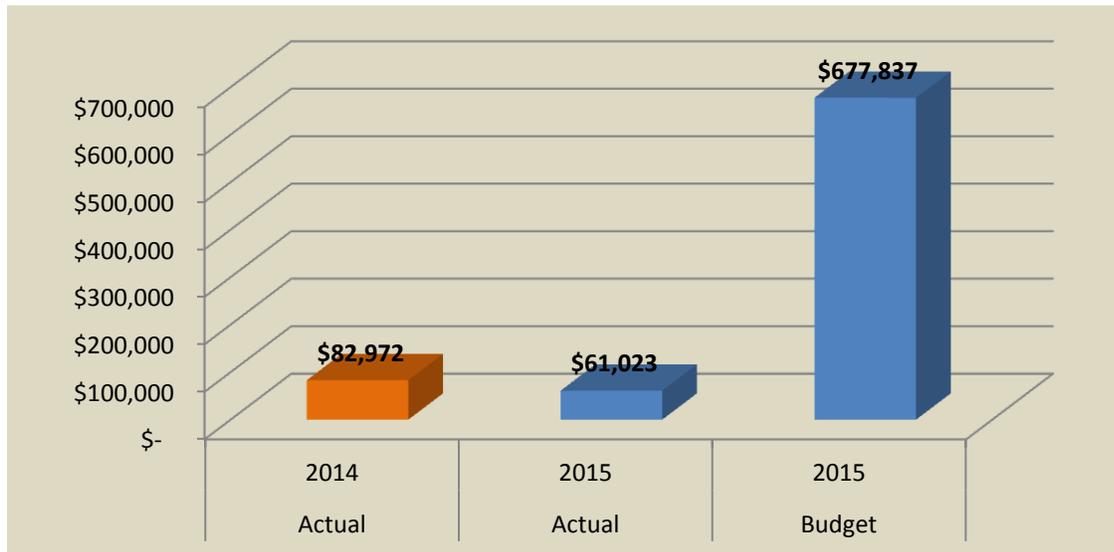


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Fire**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 44,195	\$ 27,621	\$ 265,000	\$ 237,379	10.4%
Materials and Supplies	36,327	30,953	344,500	313,547	9.0%
Debt Service	-	-	38,937	38,937	0.0%
Transfers	2,450	2,450	29,400	26,950	8.3%
	<b>\$ 82,972</b>	<b>\$ 61,023</b>	<b>\$ 677,837</b>	<b>\$ 616,814</b>	<b>9.0%</b>

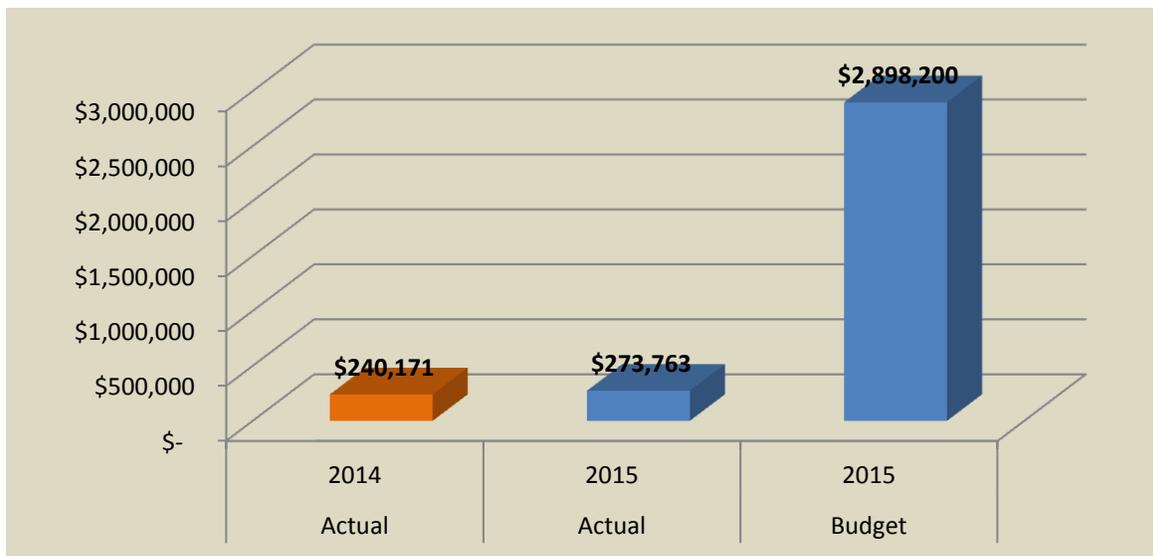


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Police**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 212,944	\$ 206,858	\$ 2,410,000	\$ 2,203,142	8.6%
Materials and Supplies	24,977	63,488	447,200	383,712	14.2%
Transfers	2,250	3,417	41,000	37,583	8.3%
	<b>\$ 240,171</b>	<b>\$ 273,763</b>	<b>\$ 2,898,200</b>	<b>\$ 2,624,437</b>	<b>9.4%</b>

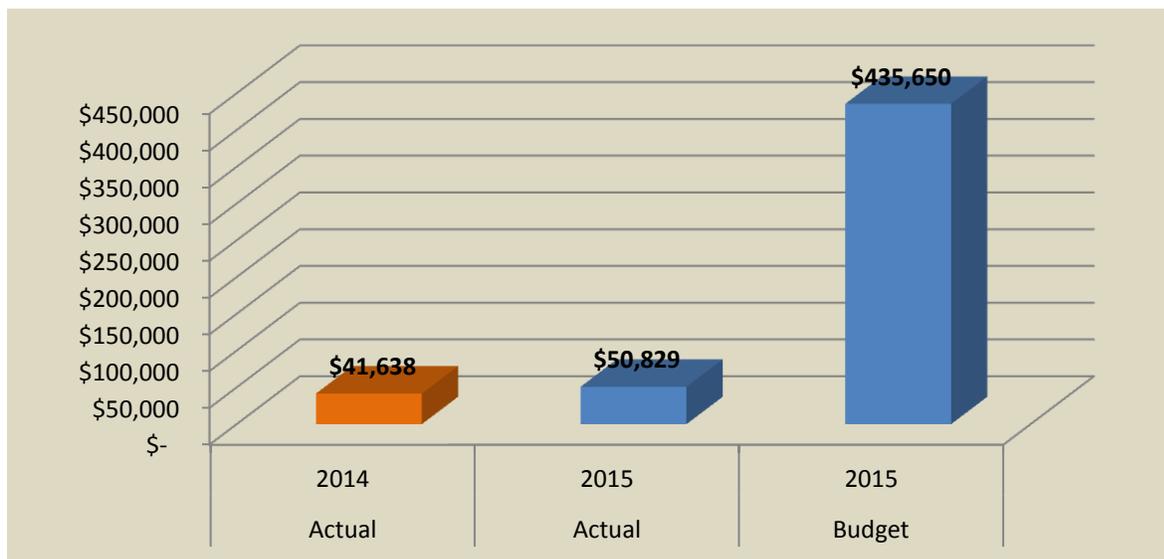


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Library**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 31,855	\$ 34,476	\$ 353,000	\$ 318,524	9.8%
Materials and Supplies	9,783	16,353	82,650	66,297	19.8%
	<b>\$ 41,638</b>	<b>\$ 50,829</b>	<b>\$ 435,650</b>	<b>\$ 384,821</b>	<b>11.7%</b>

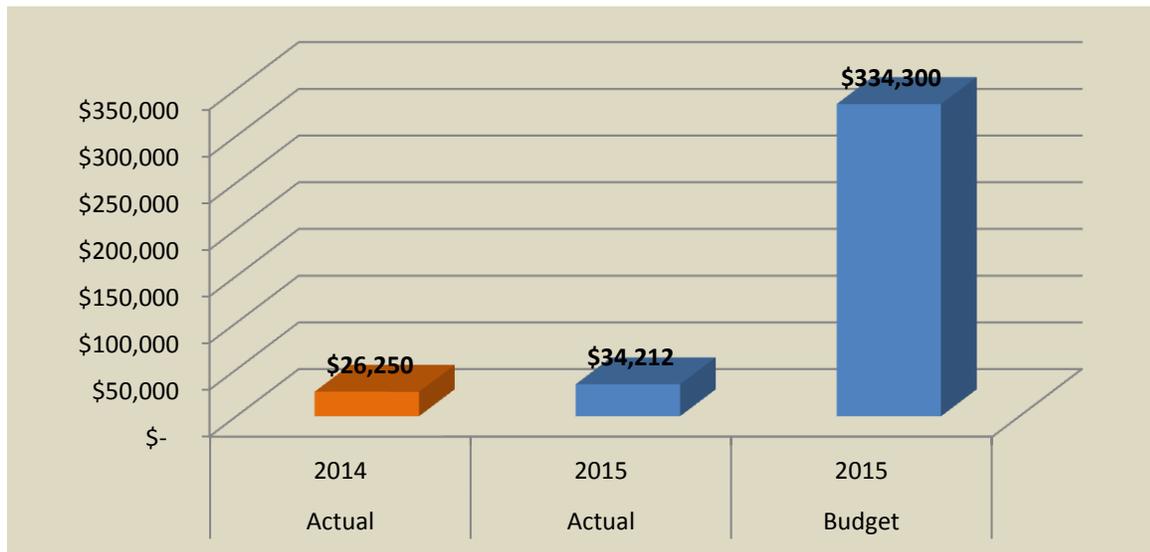


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Parks**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 15,052	\$ 19,490	\$ 220,000	\$ 200,510	8.9%
Materials and Supplies	10,781	14,030	106,000	91,970	13.2%
Capital Outlay	-	-	-	-	0.0%
Transfers	417	692	8,300	7,608	8.3%
	<b>\$ 26,250</b>	<b>\$ 34,212</b>	<b>\$ 334,300</b>	<b>\$ 300,088</b>	<b>10.2%</b>

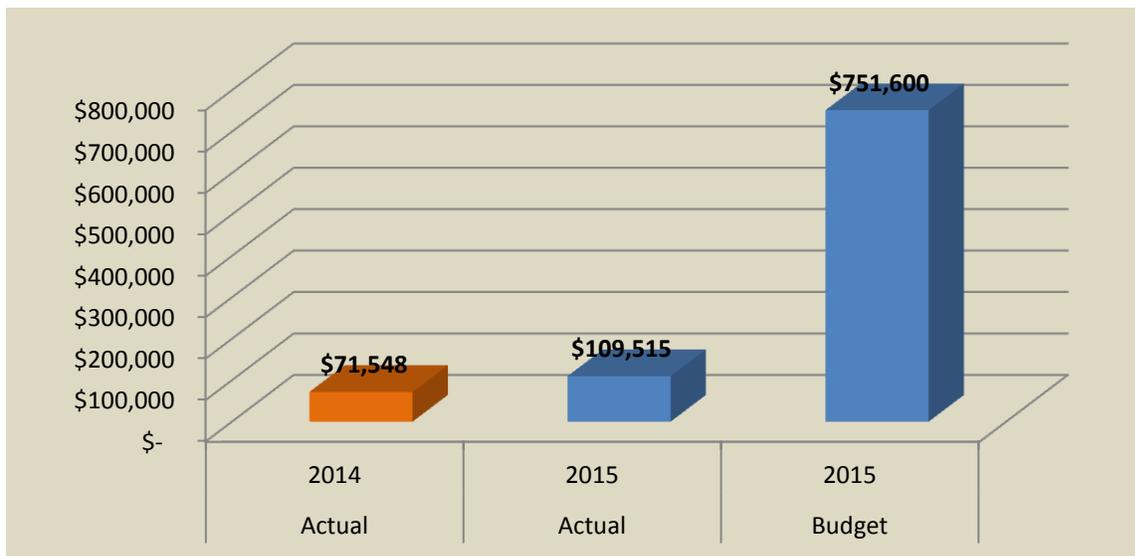


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Aquatic Center**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 41,393	\$ 46,567	\$ 422,000	\$ 375,433	11.0%
Materials and Supplies	25,989	58,781	279,600	220,819	21.0%
Transfers	4,167	4,167	50,000	45,833	8.3%
	<b>\$ 71,548</b>	<b>\$ 109,515</b>	<b>\$ 751,600</b>	<b>\$ 642,085</b>	<b>14.6%</b>

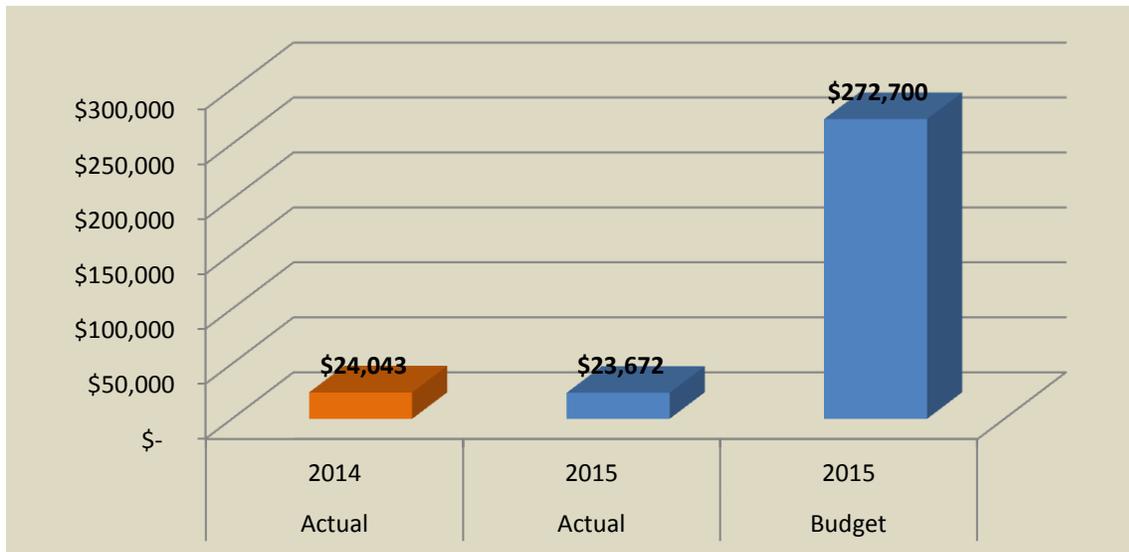


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Building Inspections**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 21,933	\$ 21,458	\$ 253,000	\$ 231,542	8.5%
Materials and Supplies	2,110	1,880	15,700	13,820	12.0%
Transfers	-	333	4,000	3,667	8.3%
	<b>\$ 24,043</b>	<b>\$ 23,672</b>	<b>\$ 272,700</b>	<b>249,028</b>	<b>8.7%</b>

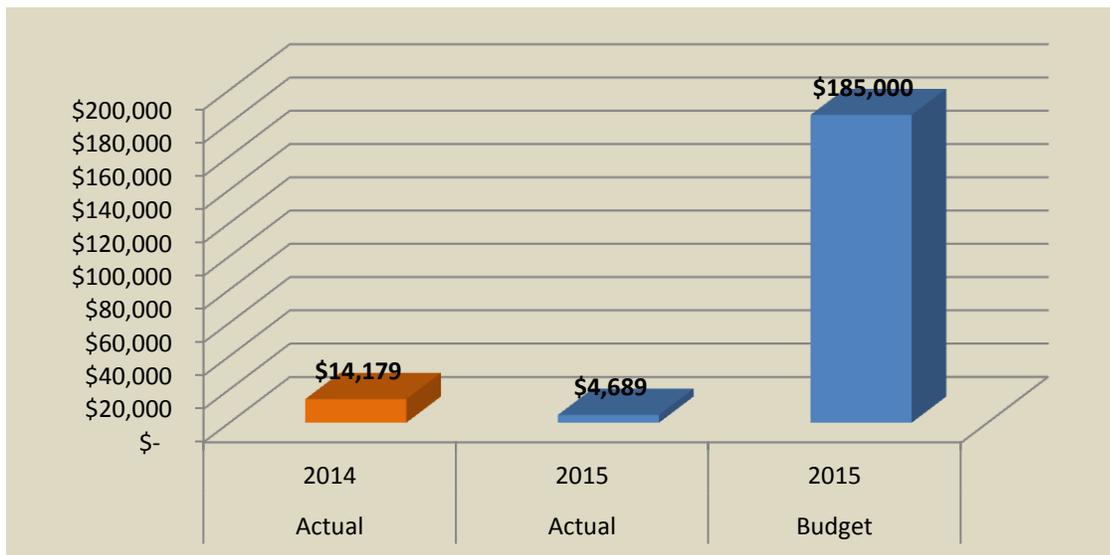


**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Planning**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 12,684	\$ 2,676	\$ 122,000	\$ 119,324	2.2%
Materials and Supplies	1,211	1,730	59,600	57,870	2.9%
Transfers	283	283	3,400	3,117	8.3%
	<b>\$ 14,179</b>	<b>\$ 4,689</b>	<b>\$ 185,000</b>	<b>\$ 180,311</b>	<b>2.5%</b>



**8.33% Through the Fiscal Year**

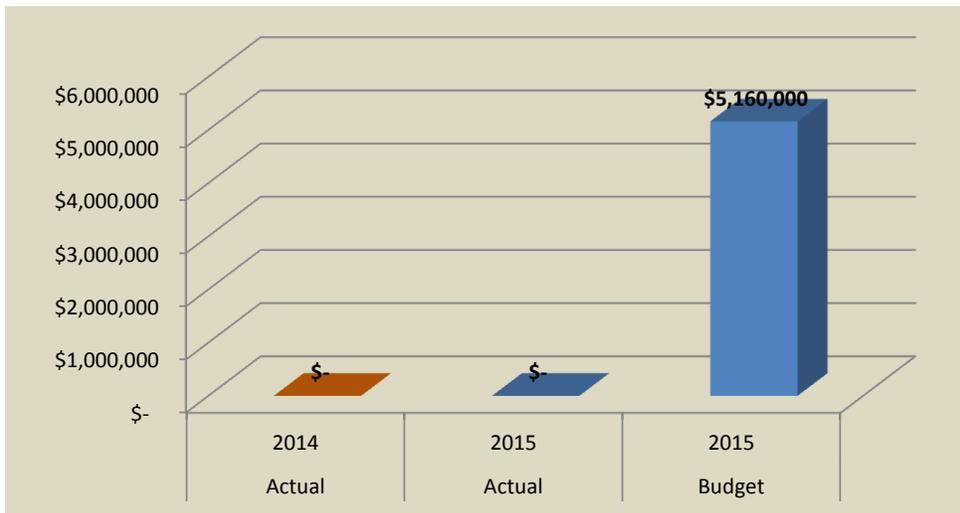
**City of Dallas**  
**Monthly Financials**  
**July 2014**

0

Department: System Development Fund

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Collected
<b>Revenue</b>					
Streets SDC	\$ 9,248	\$ 3,597	\$ 50,000	\$ 46,403	7.2%
Parks SDC	18,072	7,029	100,000	92,971	7.0%
Water SDC	33,144	12,138	175,000	162,862	6.9%
Sewer SDC	35,853	12,408	175,000	162,592	7.1%
Storm Water SDC	7,384	2,871	40,000	37,129	7.2%
Transfers	7,917	7,917	95,000	87,083	8.3%
	<b>\$ 111,617</b>	<b>\$ 45,960</b>	<b>\$ 635,000</b>	<b>\$ 589,040</b>	<b>7.2%</b>

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Spent
<b>Expenditures</b>					
Street SDC Projects	\$ -	\$ -	\$ 290,000	\$ 290,000	0.0%
Park SDC Projects	-	-	365,000	365,000	0.0%
Water SDC Projects	-	-	515,000	515,000	0.0%
Sewer SDC Projects	-	-	3,870,000	3,870,000	0.0%
Storm Water SDC Projects	-	-	120,000	120,000	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,160,000</b>	<b>\$ 5,160,000</b>	<b>0.0%</b>



**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Streets**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Highway Reimbursement & Appropriations	\$ 71,959	\$ 67,719	\$ 1,020,000	\$ 952,281	6.6%
Miscellaneous Revenue and Interest	401	691	5,000	4,309	13.8%
	<b>\$ 72,360</b>	<b>\$ 68,411</b>	<b>\$ 1,025,000</b>	<b>\$ 956,589</b>	<b>6.7%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 28,177	\$ 28,341	\$ 302,000	\$ 273,659	9.4%
Materials and Supplies	19,368	21,180	276,700	255,520	7.7%
Capital Outlay	-	-	421,250	421,250	0.0%
Transfers	6,667	6,958	83,500	76,542	8.3%
	<b>\$ 54,211</b>	<b>\$ 56,479</b>	<b>\$ 1,083,450</b>	<b>\$ 1,026,971</b>	<b>5.2%</b>

Capital Expenditures:

- Contractual Overlays - \$350,000
- Sidewalks - \$20,000
- Equipment - \$51,250



**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

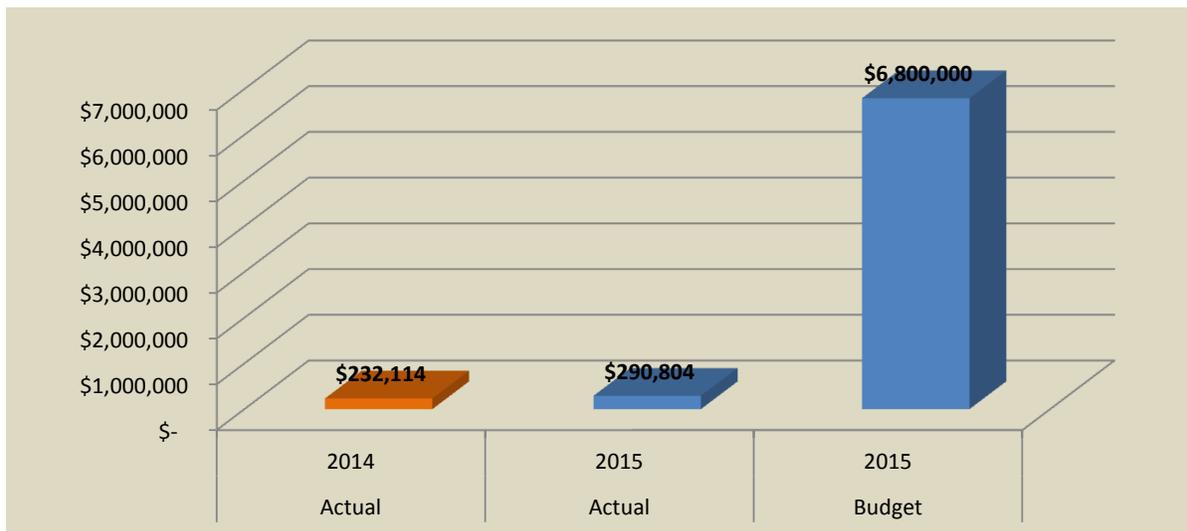
**Department: Sewer**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Service Charges and Hook Up Fees	\$ 266,138	\$ 274,185	\$ 3,140,000	\$ 2,865,815	8.7%
Miscellaneous Revenue and Interest	2,418	6,802	2,340,000	\$ 2,333,198	0.3%
	<b>\$ 268,556</b>	<b>\$ 280,987</b>	<b>\$ 5,480,000</b>	<b>\$ 5,199,013</b>	<b>5.1%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 50,886	\$ 50,551	\$ 617,000	\$ 566,449	8.2%
Materials and Supplies	39,985	107,844	1,128,000	1,020,156	9.6%
Capital Outlay	3,150	-	866,250	866,250	0.0%
Transfers	45,833	48,333	580,000	531,667	8.3%
Debt Service	92,259	84,075	3,608,750	3,524,675	2.3%
	<b>\$ 232,114</b>	<b>\$ 290,804</b>	<b>\$ 6,800,000</b>	<b>\$ 6,509,196</b>	<b>4.3%</b>

Capital Expenditures:

- Equipment - \$16,250
- Rickereall Crk Interceptor CIP - \$500,000
- Siphon Replacement - \$100,000
- I & I - \$50,000
- Pump Station Upgrade - \$100,000
- WWTF Equipment Replacement - \$50,000
- Sewer Replacement Projects - \$50,000



**8.33% Through the Fiscal Year**

**City of Dallas**  
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**July 2014**

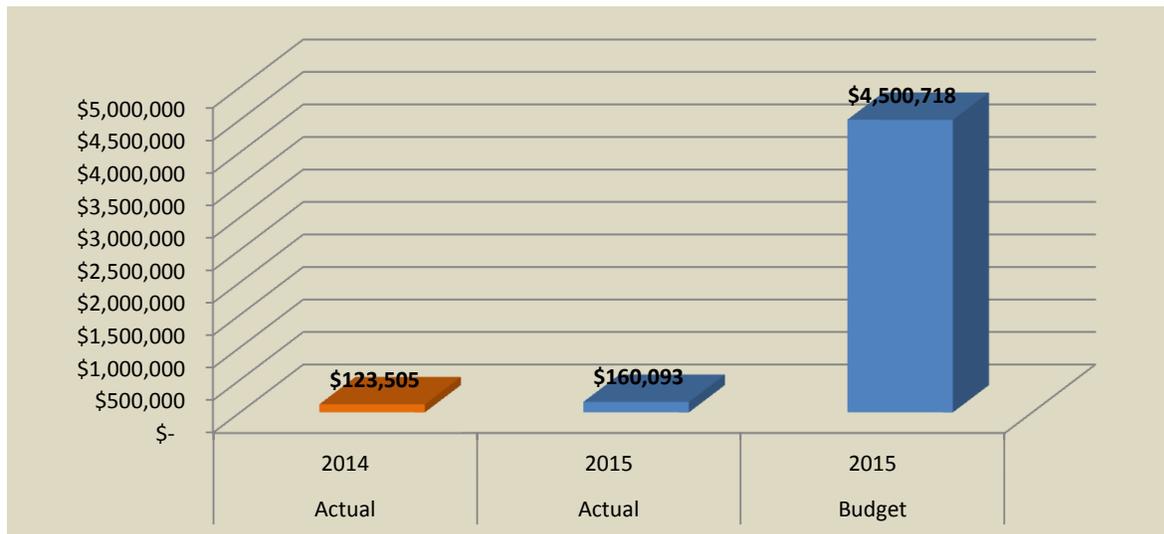
Department: Water

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Service Charges and Connection Fees	\$ 223,637	\$ 231,751	\$ 2,255,000	\$ 2,023,249	10.3%
Miscellaneous Revenue and Interest	3,773	10,044	4,085,000	4,074,956	0.2%
	<b>\$ 227,410</b>	<b>\$ 241,796</b>	<b>\$ 6,340,000</b>	<b>\$ 6,098,204</b>	<b>3.8%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 33,141	\$ 34,222	\$ 422,000	\$ 387,778	8.1%
Materials and Supplies	54,947	76,217	744,500	668,283	10.2%
Capital Outlay	-	12,570	2,216,250	2,203,680	0.6%
Transfers	-	37,083	445,000	407,917	8.3%
Debt Service	35,417	-	672,968	672,968	0.0%
	<b>\$ 123,505</b>	<b>\$ 160,093</b>	<b>\$ 4,500,718</b>	<b>\$ 4,340,625</b>	<b>3.6%</b>

Capital Expenditures:

- Equipment - \$16,250
- WTP Weir Replacement - \$50,000
- Land Acquisition - \$800,000
- Transmission Water Line - \$100,000
- AMR Project- \$1,200,000
- Water Line Replacement Project - \$50,000



**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

Department: Fleet

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Service Charges and Total Care	\$ 32,595	\$ 45,155	\$ 495,000	\$ 449,845	9.1%
Miscellaneous Revenue	6,650	8,717	104,600	95,883	8.3%
	<b>\$ 39,245</b>	<b>\$ 53,872</b>	<b>\$ 599,600</b>	<b>\$ 545,728</b>	<b>9.0%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 17,176	\$ 17,055	\$ 211,000	\$ 193,945	8.1%
Materials and Supplies	20,277	28,224	195,200	166,976	14.5%
Capital Outlay	-	26,887	161,250	134,363	16.7%
Transfers	6,667	6,667	80,000	73,333	8.3%
	<b>\$ 44,119</b>	<b>\$ 78,832</b>	<b>\$ 647,450</b>	<b>\$ 568,618</b>	<b>12.2%</b>

Capital Expenditures:

Equipment - \$41,250  
 Vehicles - \$90,000 (Police, Planning)  
 Building Improvements - \$30,000



8.33% Through the Fiscal Year

**City of Dallas**  
**Monthly Financials**  
**July 2014**

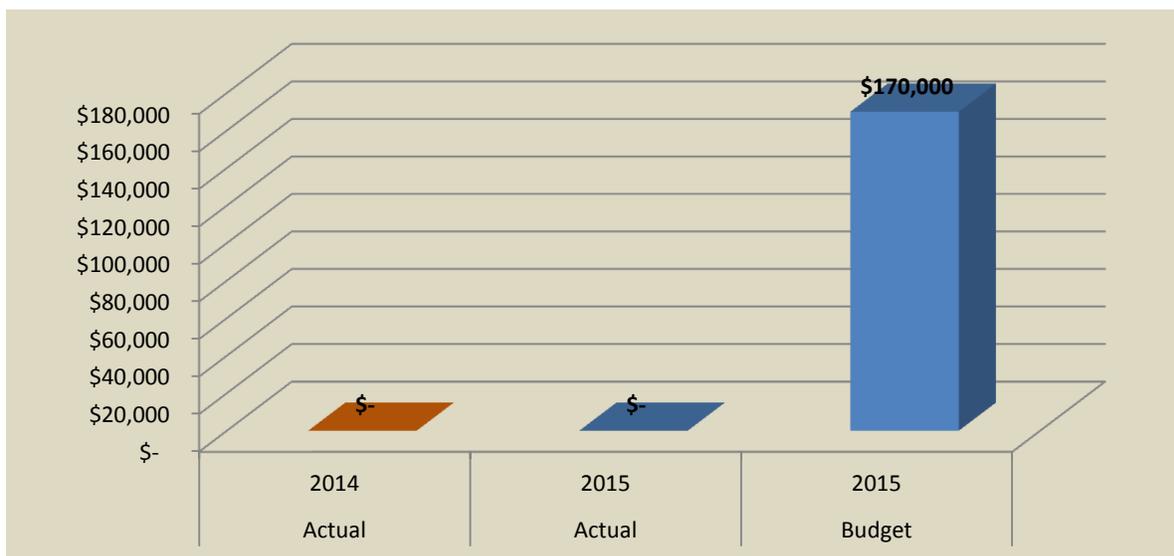
**Department: Capital Projects**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Transfers	\$ -	\$ -	\$ 170,000	\$ 170,000	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 170,000</b>	<b>\$ 170,000</b>	<b>0.0%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Capital Outlay	-	-	170,000	170,000	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 170,000</b>	<b>\$ 170,000</b>	<b>0.0%</b>

General Fund Capital Projects:

- Fire Department - \$24,000 match for training facility grant
- Aquatic Center - \$12,000 upgrade chemical feed controllers
- Police Department - \$8,000 tasers; \$15,000 storage improvements
- Library - \$14,000 furniture and building upgrades
- Parks - \$75,000 restroom rehab
- Finance/Court - \$15,000 vault filing system upgrades
- Facilities - \$7,000 replace upstairs flooring



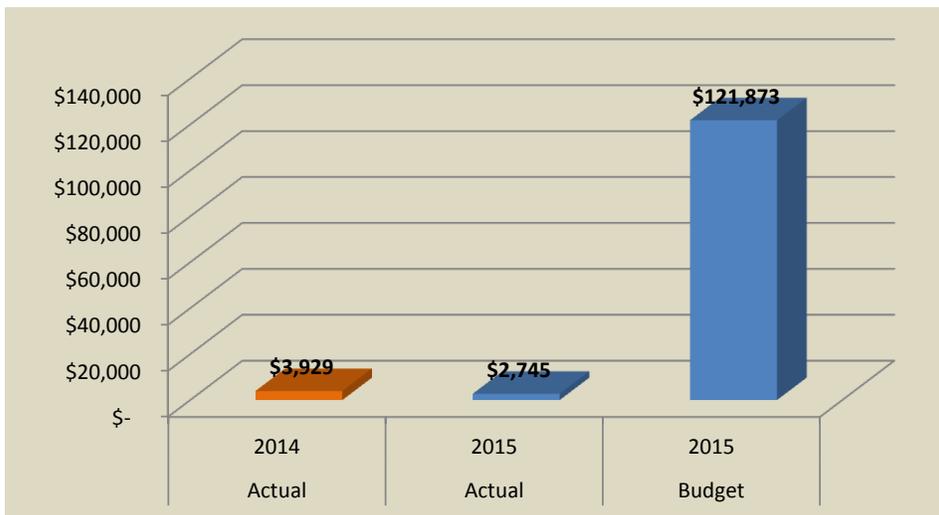
**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

Department: Trust Fund

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Fire and Ambulance	\$ 9,948	\$ -	\$ 29,500	\$ 29,500	0.0%
Miscellaneous	-	-	500	500	0.0%
Economic Development	-	-	20,000	20,000	0.0%
Park	-	60	3,000	2,940	2.0%
Library	2,810	2,825	20,000	17,176	14.1%
	<b>\$ 12,758</b>	<b>\$ 2,885</b>	<b>\$ 73,000</b>	<b>\$ 70,116</b>	<b>4.0%</b>

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Fire and Ambulance	\$ 2,095	\$ 1,353	\$ 67,048	\$ 65,695	2.0%
Miscellaneous	-	-	1,325	1,325	0.0%
Economic Development	963	958	23,500	22,542	4.1%
Park	-	-	8,000	8,000	0.0%
Library	871	434	22,000	21,566	2.0%
Transfers	-	-	-	-	0.0%
	<b>\$ 3,929</b>	<b>\$ 2,745</b>	<b>\$ 121,873</b>	<b>\$ 119,128</b>	<b>2.3%</b>



**8.33% Through the Fiscal Year**

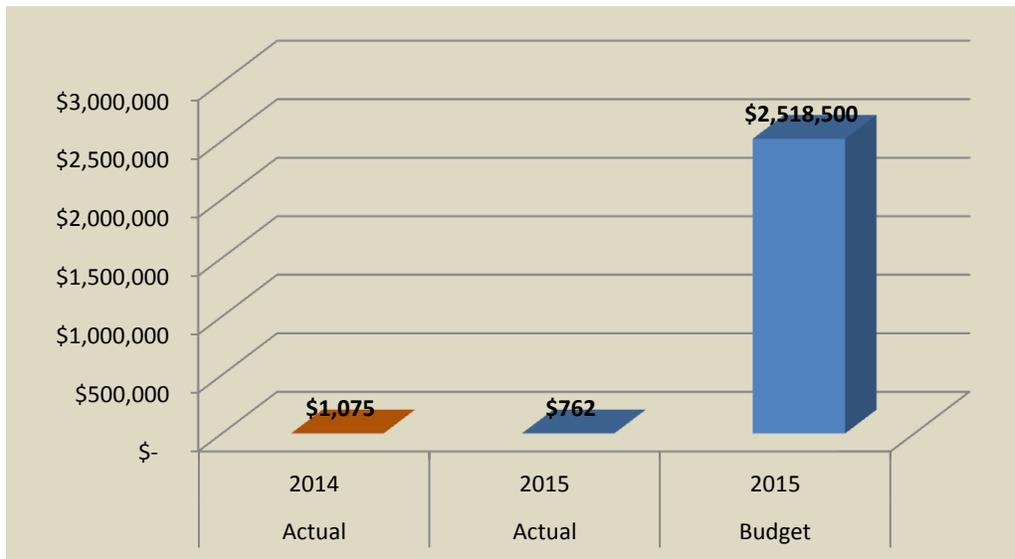
**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: Grant Fund**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Police	\$ 3,000	\$ -	\$ 3,000	\$ 3,000	0.0%
Fire	-	-	456,000	456,000	0.0%
Parks and Trails	-	-	550,000	550,000	0.0%
Miscellaneous	-	-	1,503,000	1,503,000	0.0%
	<b>\$ 3,000</b>	<b>\$ -</b>	<b>\$ 2,512,000</b>	<b>\$ 2,512,000</b>	<b>0.0%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Police	\$ 750	\$ 430	\$ 9,000	\$ 8,570	4.8%
Fire	-	-	456,000	456,000	0.0%
Parks and Trails	-	-	550,000	550,000	0.0%
Miscellaneous	325	332	1,503,500	2,803	0.0%
	<b>\$ 1,075</b>	<b>\$ 762</b>	<b>\$ 2,518,500</b>	<b>\$ 1,017,373</b>	<b>0.0%</b>

Grant Projects: Police - vests, misc.  
 Fire - training facility  
 Parks and Trails - Rickreall Crk Trail System  
 Miscellaneous - CDBG; Ready to Read



**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

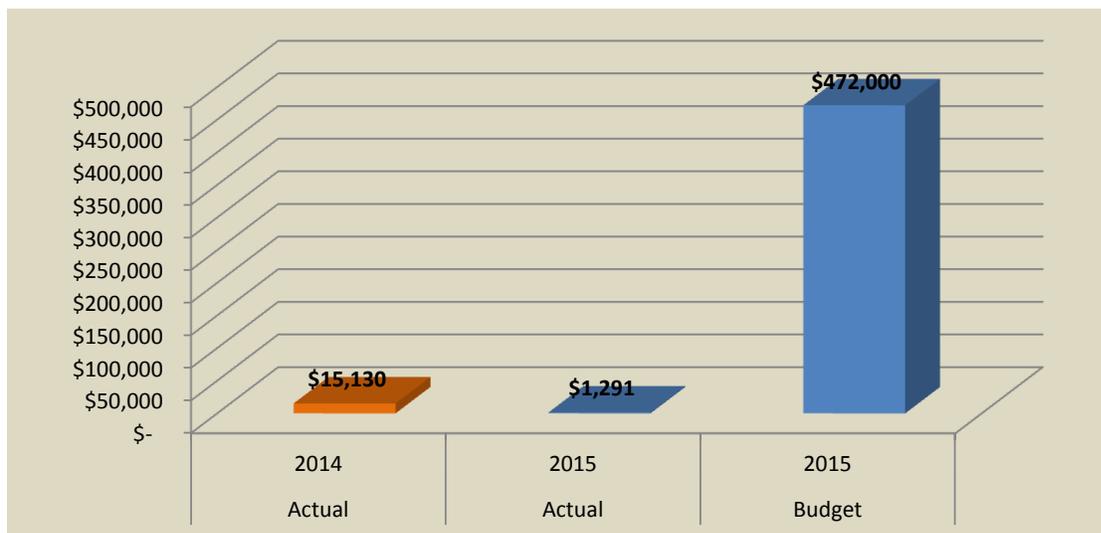
**Department: Urban Renewal Fund**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Property Taxes	\$ 1,215	\$ 1,230	\$ 135,000	\$ 133,770	0.9%
Interest Earnings	206	263	1,000	737	26.3%
Miscellaneous Revenue	50	-	1,000	1,000	0.0%
Finance Proceeds	750,000	-	-	-	0.0%
	<b>\$ 751,471</b>	<b>\$ 1,493</b>	<b>\$ 137,000</b>	<b>\$ 134,507</b>	<b>1.1%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personal Services	\$ 1,252	\$ 1,291	\$ 16,000	\$ 14,709	8.1%
Materials and Services	3,700	-	33,000	33,000	0.0%
Debt Service Reserve	-	-	86,395	86,395	0.0%
Capital Expenditures	10,179	-	195,000	195,000	0.0%
Operation Contingencies	-	-	55,210	55,210	0.0%
Transfers	-	-	86,395	86,395	0.0%
	<b>\$ 15,130</b>	<b>\$ 1,291</b>	<b>\$ 472,000</b>	<b>\$ 470,709</b>	<b>0.3%</b>

Capital Expenditures:

Special Projects  
Property Acquisition



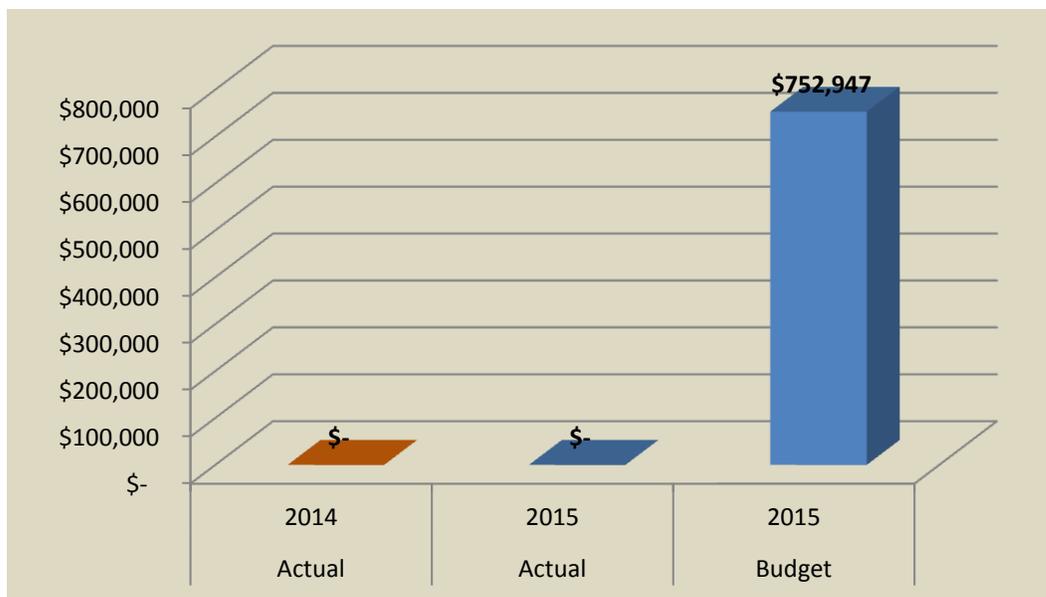
**8.33% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**July 2014**

**Department: General Obligation and Long Term Debt Funds**

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Collected
<b>Revenue</b>					
Property Taxes	\$ 9,085	\$ 8,274	\$ 670,000	\$ 661,726	1.2%
Transfers	9,136	9,416	112,994	103,578	8.3%
	<b>\$ 18,221</b>	<b>\$ 17,691</b>	<b>\$ 782,994</b>	<b>\$ 765,303</b>	<b>2.3%</b>

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Spent
<b>Expenditures</b>					
Principal	\$ -	\$ -	\$ 575,000	\$ 575,000	0.0%
Interest	-	-	177,947	177,947	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 752,947</b>	<b>\$ 752,947</b>	<b>0.0%</b>



**8.33% Through the Fiscal Year**

# DALLAS CITY COUNCIL REPORT

**To: DALLAS CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 9 b</b>	<b>Topic:</b> August 2014 Financial Report
<b>Prepared By:</b> Cecilia Ward	<b>Meeting Date:</b> September 15, 2014	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

Information Only

BACKGROUND:

Provided is the monthly financial report for the month of August 2014.

For August 2014:

- Percent collected/spent should be at 16.67%. This can vary up or down depending on seasonal or one-time revenues and expenditures.
- The following budgeted capital improvement payments were made in August:
  - Capital Projects Fund - Equipment - Tasers (Police) \$7,988
  - Street Fund - Equipment - Kubota Tractor/Loader/Flail - \$11,238 (1/4)
  - Sewer Fund - Equipment - Kubota Tractor/Loader/Flail - \$11,238 (1/4)
  - Sewer Fund - Pump Station Upgrades - \$91,600
  - Water Fund - Equipment - Kubota Tractor/Loader/Flail - \$11,238 (1/4)
  - Water Fund - AMR Project - \$14,664
  - Fleet Management Fund - Equipment - Kubota Tractor/Loader/Flail - \$11,238 (1/4)

FISCAL IMPACT:

None

ATTACHMENTS:

August 2014 Financial Report



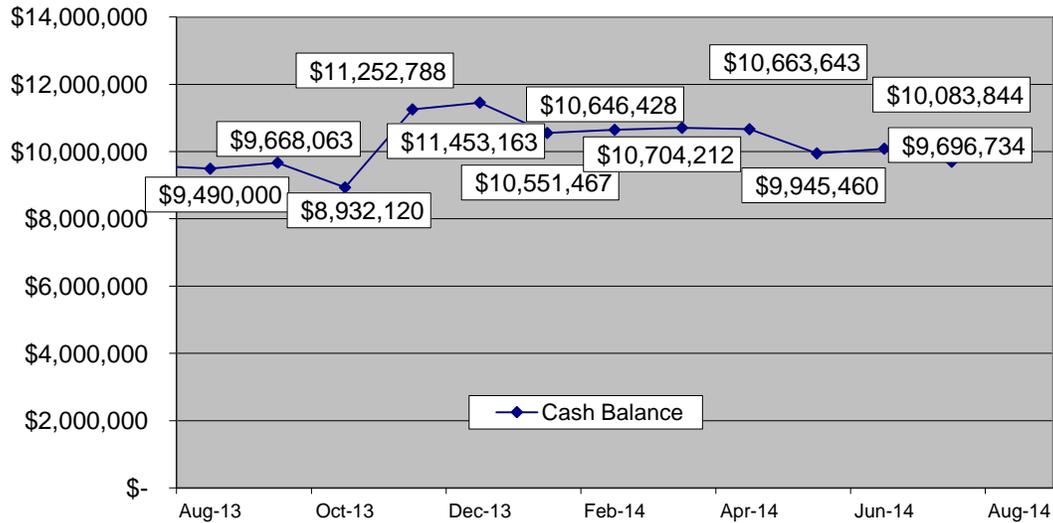
**Monthly Financials**  
**for the Month of**  
**August 2014**

**CITY OF DALLAS**  
**Cash Report**  
**For the Period Ending August 31, 2014**

Cash on hand	\$ 645
Cash in Investments	8,736,379
Cash in Bank	810,988
Total Cash Balance as of 08/31/2014	<u><u>\$ 9,548,013</u></u>

Restricted/Committed	\$ 6,521,885
Unrestricted	3,026,127
	<u><u>\$ 9,548,013</u></u>

Cash Balance



Investment Breakdown

	<u>Ending Bal</u>	<u>Interest YTD</u>
LGIP	\$ 7,557,947	\$ 7,292
Wells Fargo Savings	1,178,431	\$ 60
	<u><u>\$ 8,736,378</u></u>	<u><u>\$ 7,352</u></u>

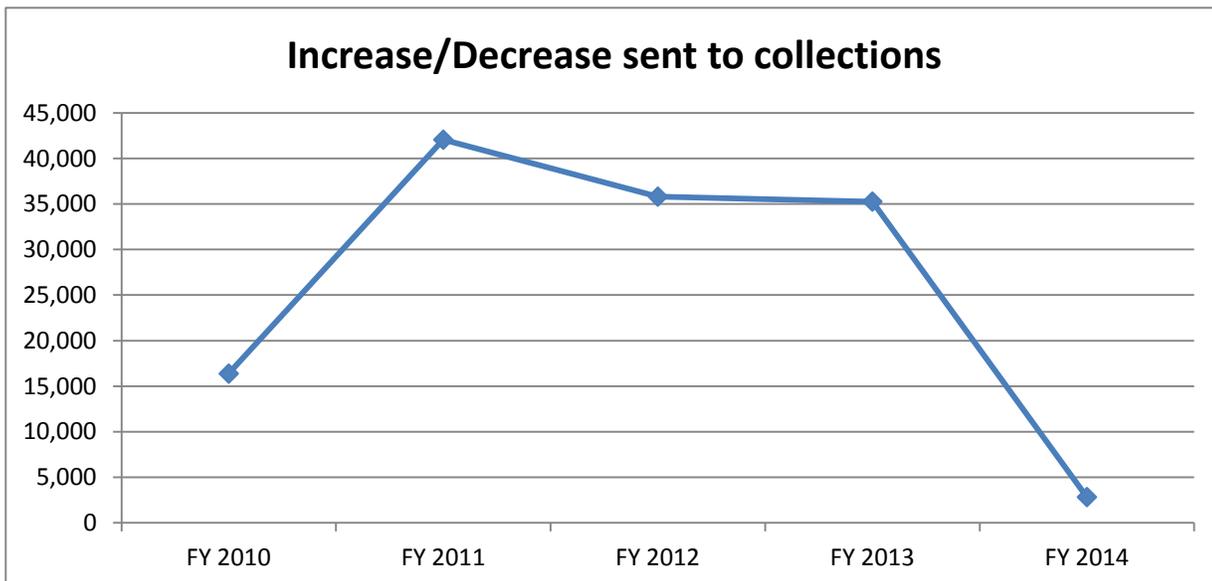
**UTILITY AGING REPORT**  
**August 31, 2014**

Current Accounts Receivable

Current	30+ days	Total
148,922	20,492	169,414

60+ Days Accounts Receivable

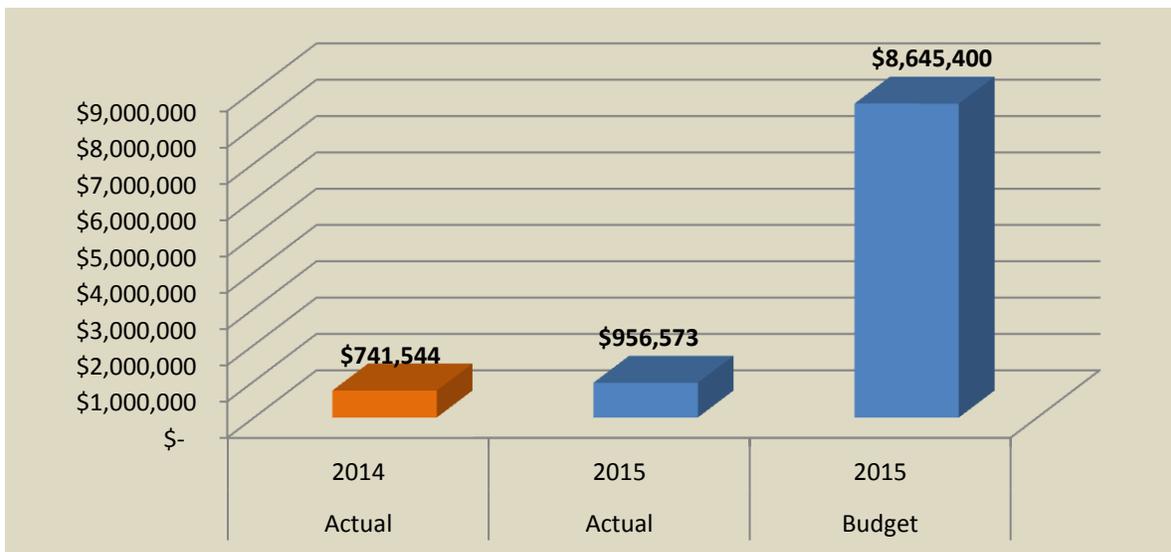
		Payments Made	Sent to Collections	Balance to Collect	Increase/Decrease sent to collections
	FY 2014-15	962	3,789	154,518	2,828
	FY 2013-14			151,690	35,263
	FY 2012-13			116,427	35,803
	FY 2011-12			80,624	42,056
	FY 2010-11			38,568	16,378
	FY 2009-10			22,190	



**City of Dallas**  
**Monthly Financials**  
**August 2014**

**General Fund Revenue**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
Licenses, Permits and Fees	\$ 191,054	\$ 331,682	\$ 1,419,500	\$ 1,087,818	23.4%
Fines and Forfeitures	15,138	25,428	220,000	194,572	11.6%
Recreation Fees	94,317	104,199	485,000	380,801	21.5%
Library Fees	18,516	3,132	81,500	78,368	3.8%
Property Taxes	57,485	59,208	3,495,000	3,435,792	1.7%
Miscellaneous Taxes	19,849	39,832	231,000	191,168	17.2%
Franchise Fees	126,418	146,869	1,095,000	948,131	13.4%
Inter-governmental	-	-	192,000	192,000	0.0%
Miscellaneous Revenue	5,258	21,354	40,000	18,646	53.4%
Interest Earnings	1,479	1,951	15,000	13,049	13.0%
Transfers	212,032	222,917	1,371,400	1,148,483	16.3%
	<b>\$ 741,544</b>	<b>\$ 956,573</b>	<b>\$ 8,645,400</b>	<b>\$ 7,688,827</b>	<b>11.1%</b>

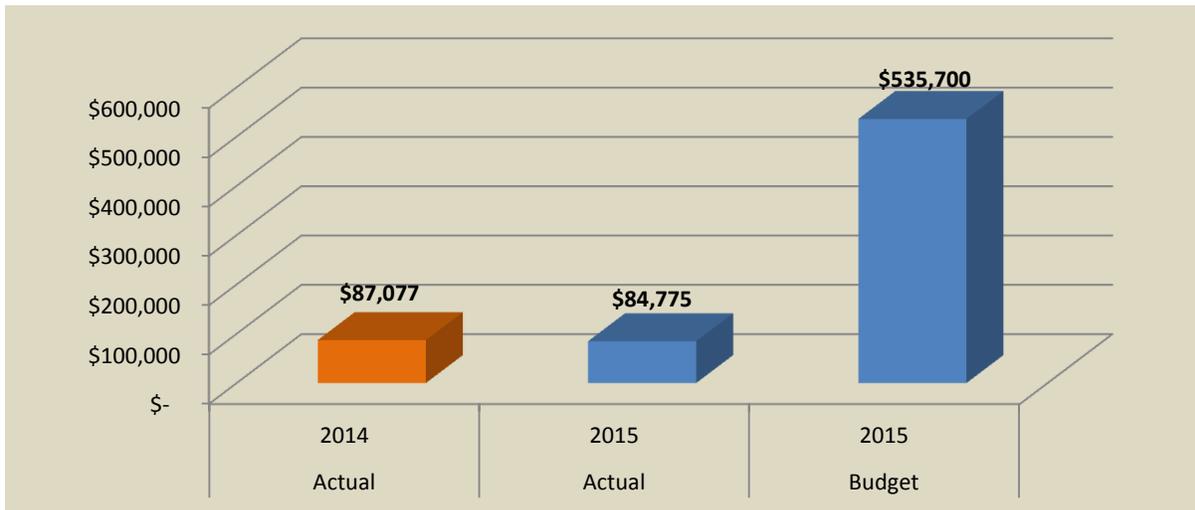


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Administration**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 67,854	\$ 64,360	\$ 391,000	\$ 326,640	16.5%
Materials and Supplies	19,223	20,415	144,700	124,285	14.1%
	<b>\$ 87,077</b>	<b>\$ 84,775</b>	<b>\$ 535,700</b>	<b>\$ 450,925</b>	<b>15.8%</b>

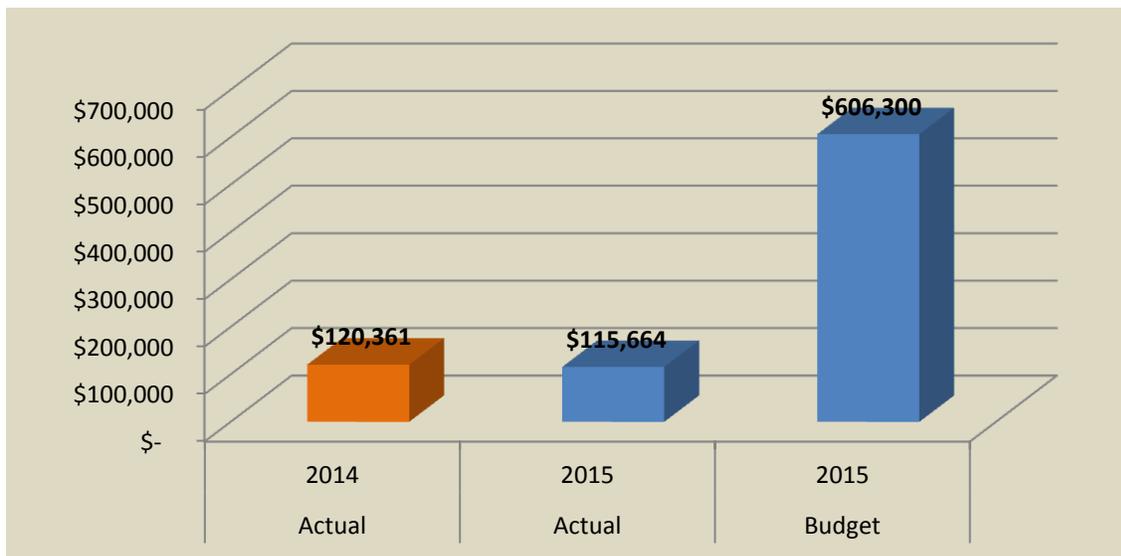


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Finance**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 58,611	\$ 55,004	\$ 384,000	\$ 328,996	14.3%
Materials and Supplies	61,750	60,660	222,300	161,640	27.3%
	<b>\$ 120,361</b>	<b>\$ 115,664</b>	<b>\$ 606,300</b>	<b>\$ 490,636</b>	<b>19.1%</b>

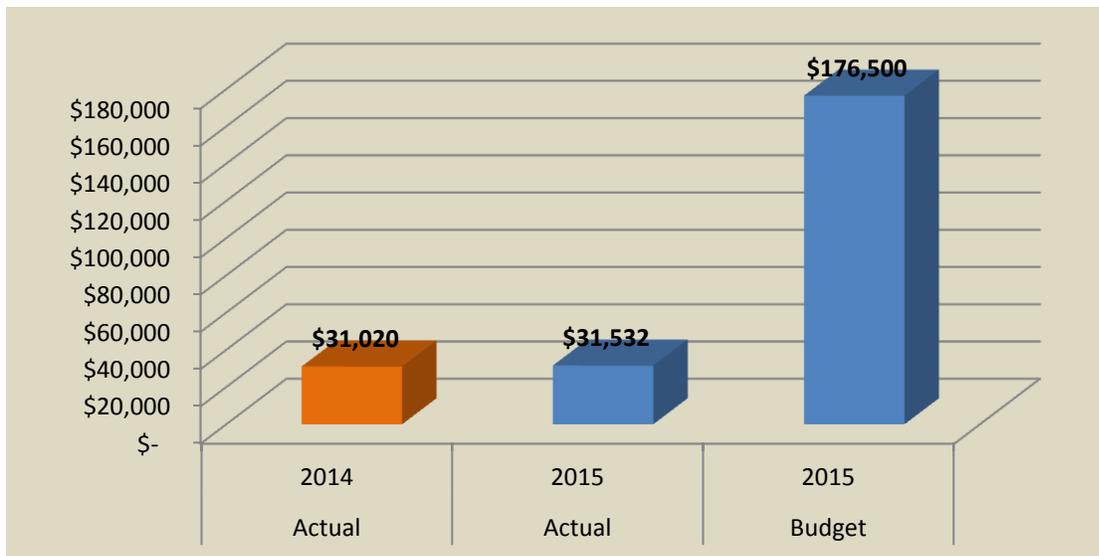


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Facilities**

Description	Year-to-Date		Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015	Budget 2015	Budget Remaining			
Personnel Services	\$ 19,329	\$ 17,145	\$ 111,000	\$ 93,855		15.4%	
Materials and Supplies	11,691	14,387	65,500	51,113		22.0%	
	<b>\$ 31,020</b>	<b>\$ 31,532</b>	<b>\$ 176,500</b>	<b>\$ 144,968</b>		<b>17.9%</b>	

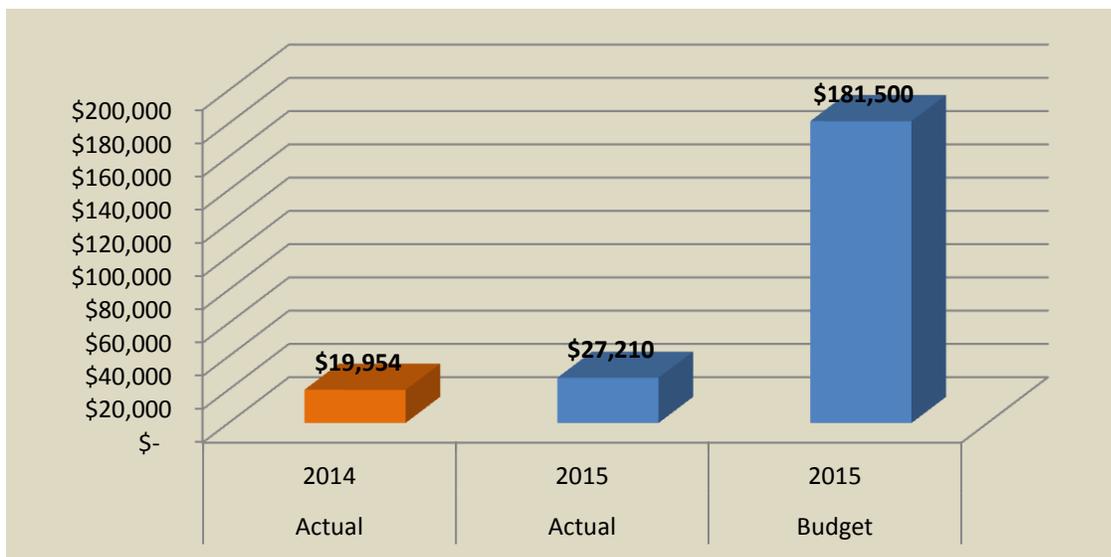


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Municipal Court**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 17,197	\$ 17,101	\$ 120,000	\$ 102,899	14.3%
Materials and Supplies	2,758	10,108	61,500	51,392	16.4%
	<b>\$ 19,954</b>	<b>\$ 27,210</b>	<b>\$ 181,500</b>	<b>\$ 154,290</b>	<b>15.0%</b>

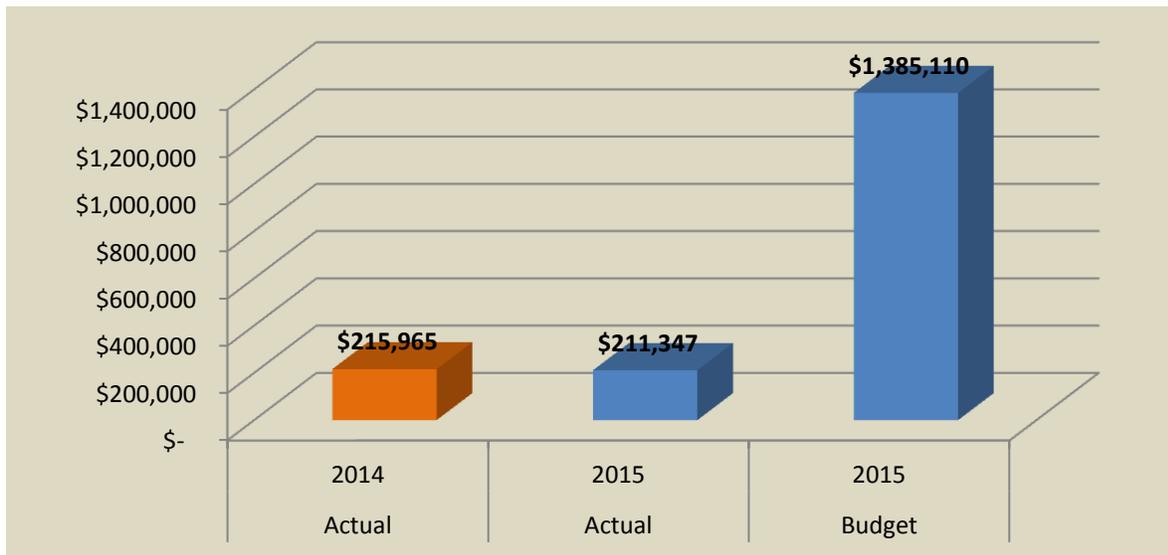


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Ambulance**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 151,347	\$ 161,589	\$ 997,000	\$ 835,411	16.2%
Materials and Supplies	59,619	44,758	317,300	272,542	14.1%
Debt Service	-	-	40,810	40,810	0.0%
Transfers	5,000	5,000	30,000	25,000	16.7%
	<b>\$ 215,965</b>	<b>\$ 211,347</b>	<b>\$ 1,385,110</b>	<b>\$ 1,173,763</b>	<b>15.3%</b>

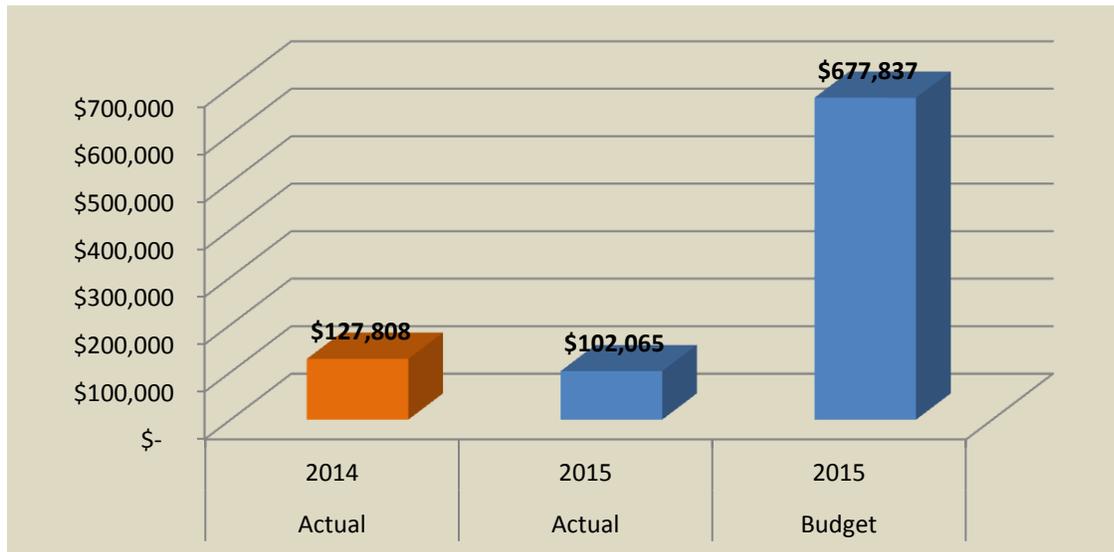


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Fire**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 74,205	\$ 44,546	\$ 265,000	\$ 220,454	16.8%
Materials and Supplies	48,703	52,619	344,500	291,881	15.3%
Debt Service	-	-	38,937	38,937	0.0%
Transfers	4,900	4,900	29,400	24,500	16.7%
	<b>\$ 127,808</b>	<b>\$ 102,065</b>	<b>\$ 677,837</b>	<b>\$ 575,772</b>	<b>15.1%</b>

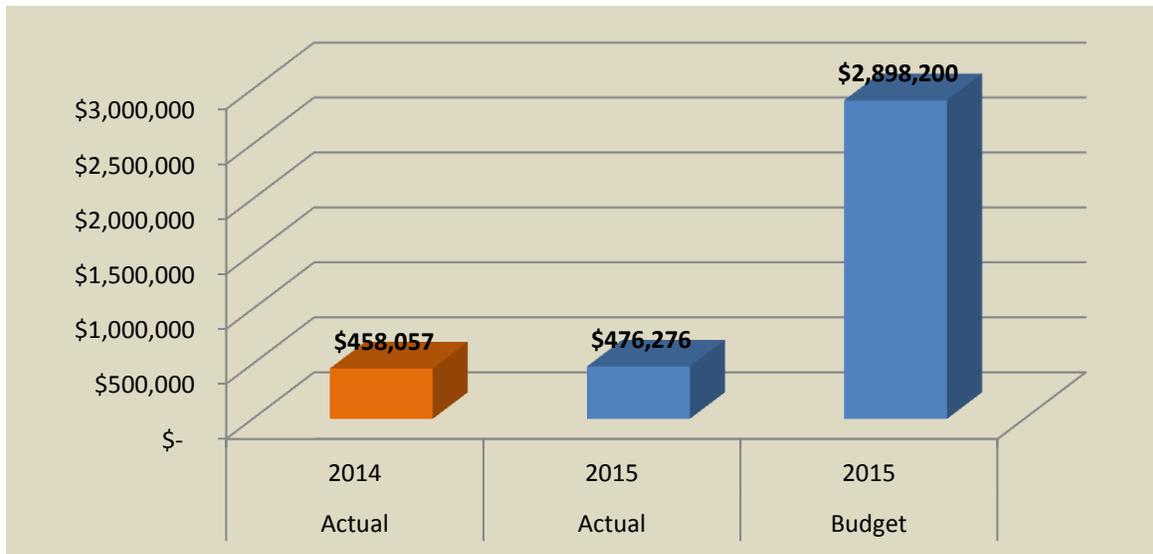


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Police**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 405,880	\$ 396,710	\$ 2,410,000	\$ 2,013,290	16.5%
Materials and Supplies	47,678	72,733	447,200	374,467	16.3%
Transfers	4,500	6,833	41,000	34,167	16.7%
	<b>\$ 458,057</b>	<b>\$ 476,276</b>	<b>\$ 2,898,200</b>	<b>\$ 2,421,924</b>	<b>16.4%</b>

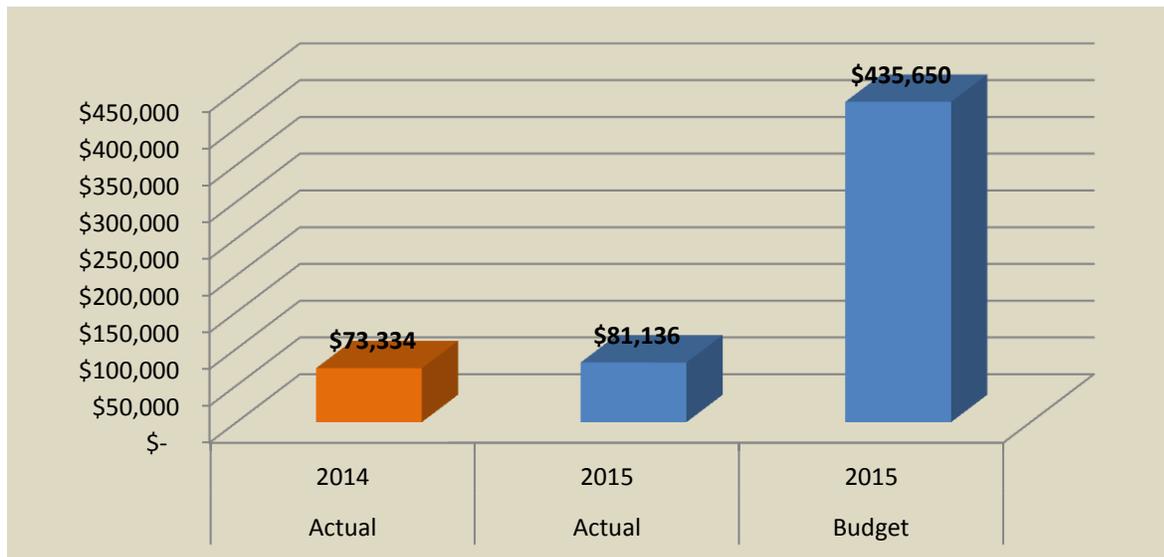


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Library**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 59,317	\$ 62,525	\$ 353,000	\$ 290,475	17.7%
Materials and Supplies	14,017	18,611	82,650	64,039	22.5%
	<b>\$ 73,334</b>	<b>\$ 81,136</b>	<b>\$ 435,650</b>	<b>\$ 354,514</b>	<b>18.6%</b>

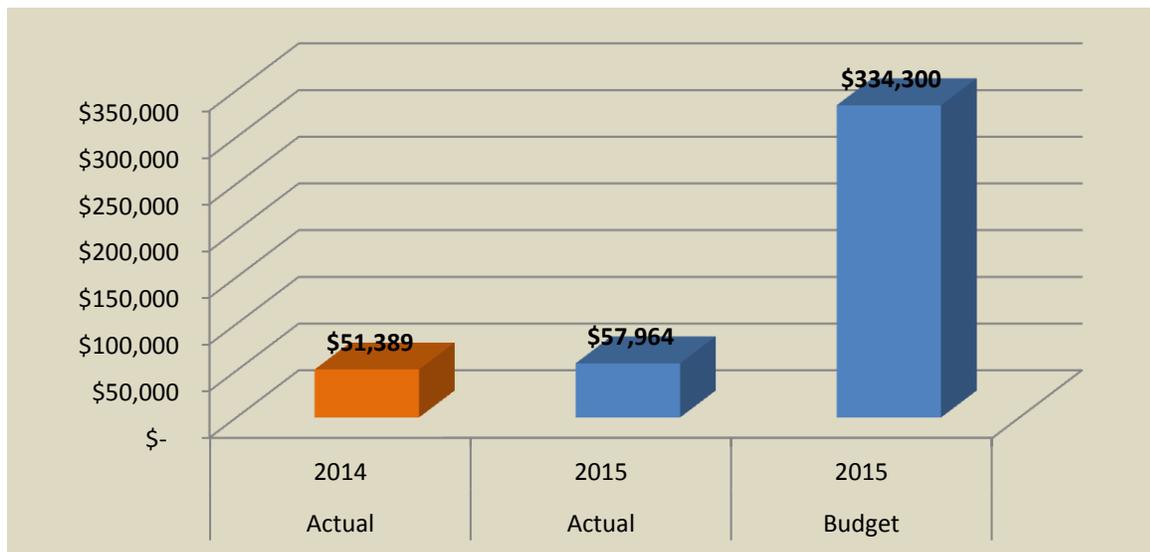


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Parks**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 30,224	\$ 37,933	\$ 220,000	\$ 182,067	17.2%
Materials and Supplies	20,331	18,647	106,000	87,353	17.6%
Transfers	833	1,383	8,300	6,917	16.7%
	<b>\$ 51,389</b>	<b>\$ 57,964</b>	<b>\$ 334,300</b>	<b>\$ 276,336</b>	<b>17.3%</b>

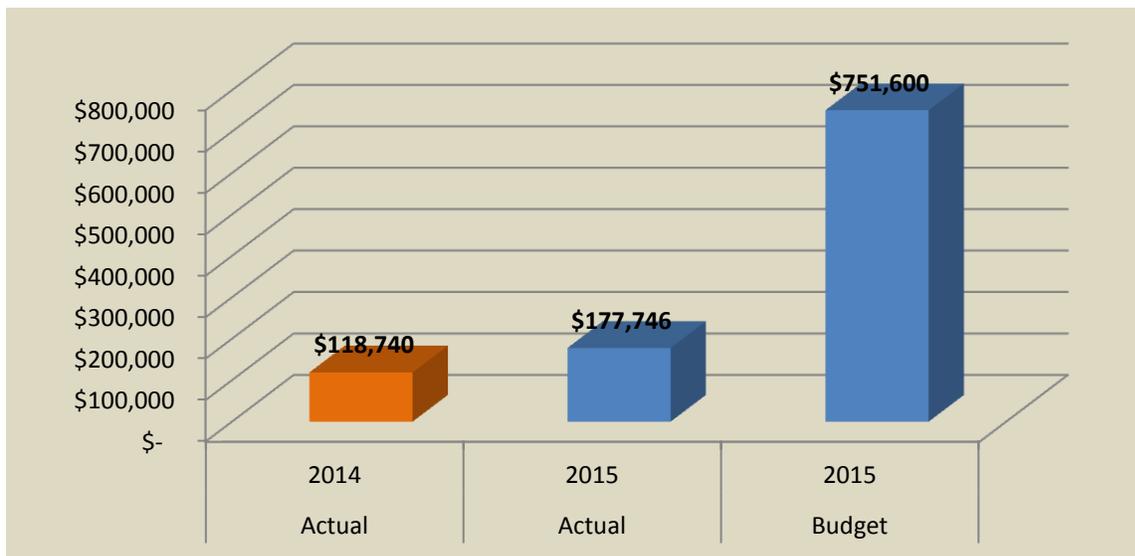


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Aquatic Center**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 76,134	\$ 88,995	\$ 422,000	\$ 333,005	21.1%
Materials and Supplies	42,606	80,418	279,600	199,182	28.8%
Transfers	-	8,333	50,000	41,667	16.7%
	<b>\$ 118,740</b>	<b>\$ 177,746</b>	<b>\$ 751,600</b>	<b>\$ 573,854</b>	<b>23.6%</b>

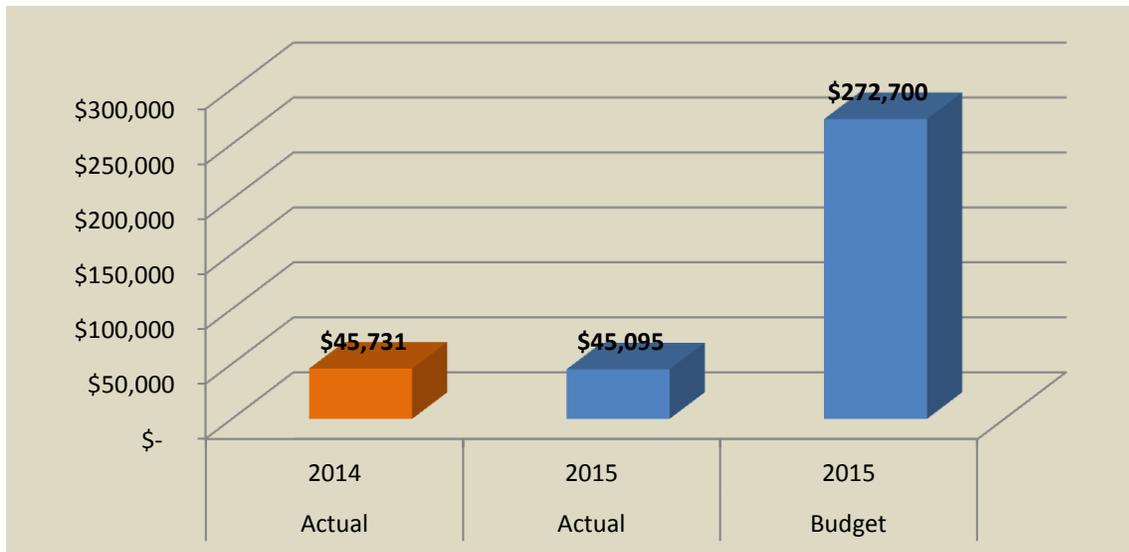


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Building Inspections**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 42,680	\$ 41,864	\$ 253,000	\$ 211,136	16.5%
Materials and Supplies	3,051	2,564	15,700	13,136	16.3%
Transfers	-	667	4,000	3,333	16.7%
	<b>\$ 45,731</b>	<b>\$ 45,095</b>	<b>\$ 272,700</b>	<b>227,605</b>	<b>16.5%</b>

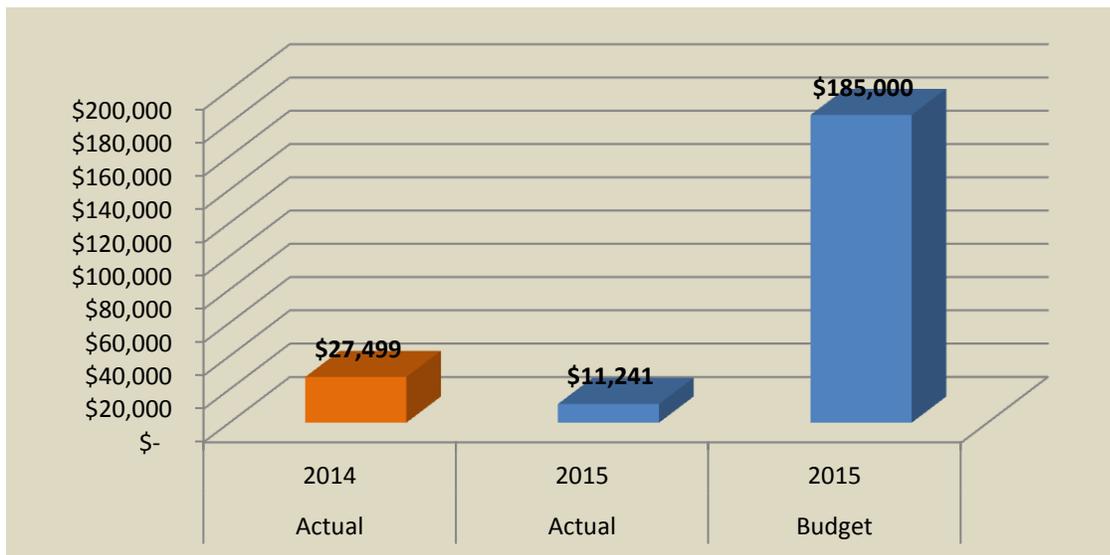


**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Planning**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
Personnel Services	\$ 24,300	\$ 7,872	\$ 122,000	\$ 114,128	6.5%
Materials and Supplies	2,632	2,803	59,600	56,797	4.7%
Transfers	567	567	3,400	2,833	16.7%
	<b>\$ 27,499</b>	<b>\$ 11,241</b>	<b>\$ 185,000</b>	<b>\$ 173,759</b>	<b>6.1%</b>



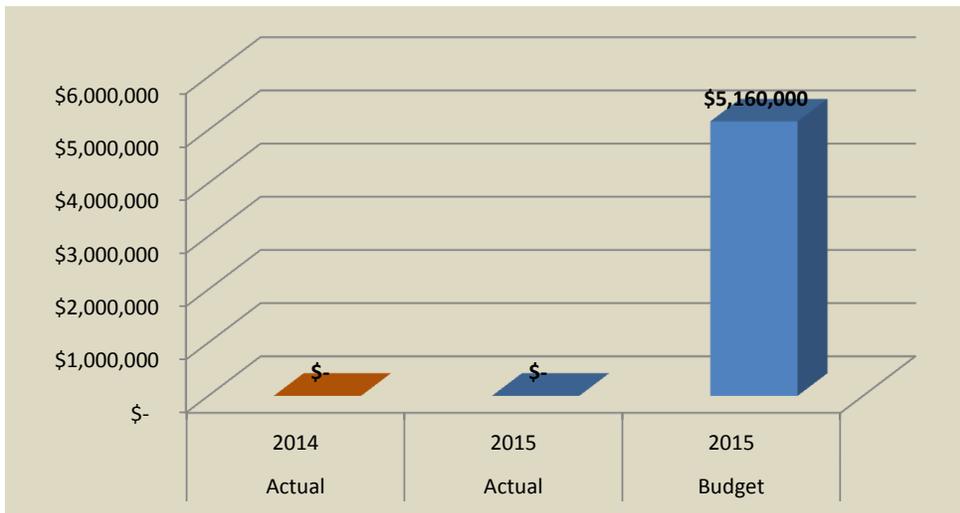
**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

Department: System Development Fund

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Collected
<b>Revenue</b>					
Streets SDC	\$ 16,250	\$ 10,317	\$ 50,000	\$ 39,683	20.6%
Parks SDC	31,758	20,571	100,000	79,429	20.6%
Water SDC	60,881	33,460	175,000	141,540	19.1%
Sewer SDC	64,203	34,205	175,000	140,795	19.5%
Storm Water SDC	12,976	7,656	40,000	32,344	19.1%
Transfers	15,833	15,833	95,000	79,167	16.7%
	<b>\$ 201,902</b>	<b>\$ 122,042</b>	<b>\$ 635,000</b>	<b>\$ 512,958</b>	<b>19.2%</b>

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Spent
<b>Expenditures</b>					
Street SDC Projects	\$ -	\$ -	\$ 290,000	\$ 290,000	0.0%
Park SDC Projects	-	-	365,000	365,000	0.0%
Water SDC Projects	-	-	515,000	515,000	0.0%
Sewer SDC Projects	-	-	3,870,000	3,870,000	0.0%
Storm Water SDC Projects	-	-	120,000	120,000	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,160,000</b>	<b>\$ 5,160,000</b>	<b>0.0%</b>



**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

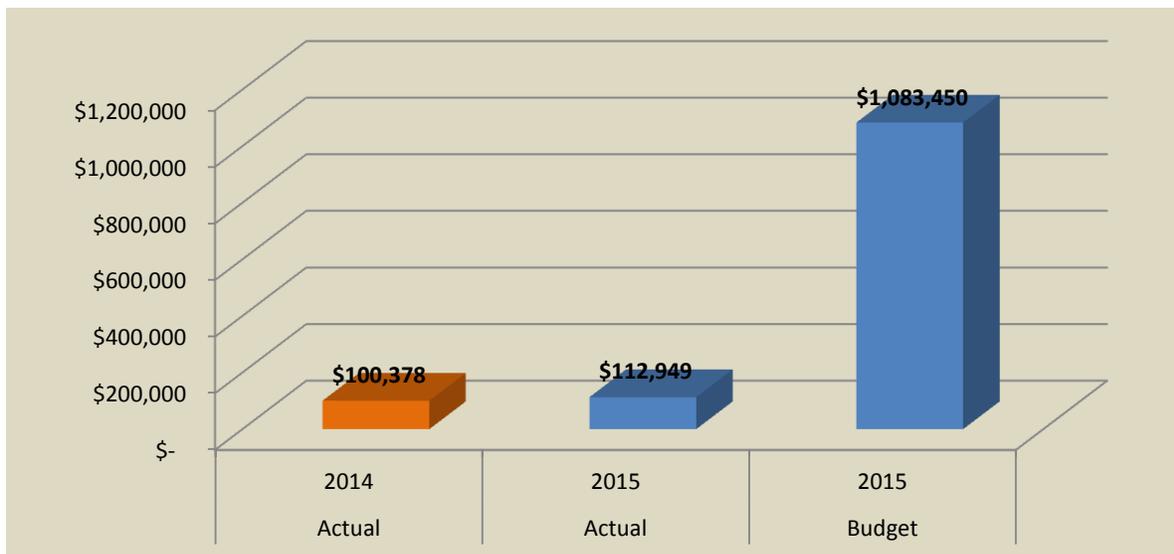
**Department: Streets**

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Highway Reimbursement & Appropriations	\$ 286,386	\$ 141,916	\$ 1,020,000	\$ 878,084	13.9%
Miscellaneous Revenue and Interest	916	1,450	5,000	3,550	29.0%
	<b>\$ 287,302</b>	<b>\$ 143,366</b>	<b>\$ 1,025,000</b>	<b>\$ 881,634</b>	<b>14.0%</b>

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 51,361	\$ 51,297	\$ 302,000	\$ 250,703	17.0%
Materials and Supplies	35,684	36,498	276,700	240,202	13.2%
Capital Outlay	-	11,238	421,250	410,013	2.7%
Transfers	13,333	13,917	83,500	69,583	16.7%
	<b>\$ 100,378</b>	<b>\$ 112,949</b>	<b>\$ 1,083,450</b>	<b>\$ 970,501</b>	<b>10.4%</b>

Capital Expenditures:

Contractual Overlays - \$350,000  
Sidewalks - \$20,000  
Equipment - \$51,250



**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

Department: Sewer

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Service Charges and Hook Up Fees	\$ 527,464	\$ 523,135	\$ 3,140,000	\$ 2,616,865	16.7%
Miscellaneous Revenue and Interest	236,062	16,375	2,340,000	\$ 2,323,625	0.7%
	<b>\$ 763,525</b>	<b>\$ 539,510</b>	<b>\$ 5,480,000</b>	<b>\$ 4,940,490</b>	<b>9.8%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 99,039	\$ 98,502	\$ 617,000	\$ 518,498	16.0%
Materials and Supplies	170,993	123,051	1,128,000	1,004,949	10.9%
Capital Outlay	71,748	103,437	866,250	762,813	11.9%
Transfers	91,667	96,667	580,000	483,333	16.7%
Debt Service	92,259	84,075	3,608,750	3,524,675	2.3%
	<b>\$ 525,705</b>	<b>\$ 505,732</b>	<b>\$ 6,800,000</b>	<b>\$ 6,294,268</b>	<b>7.4%</b>

Capital Expenditures:

- Equipment - \$16,250
- Rickereall Crk Interceptor CIP - \$500,000
- Siphon Replacement - \$100,000
- I & I - \$50,000
- Pump Station Upgrade - \$100,000
- WWTF Equipment Replacement - \$50,000
- Sewer Replacement Projects - \$50,000



**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

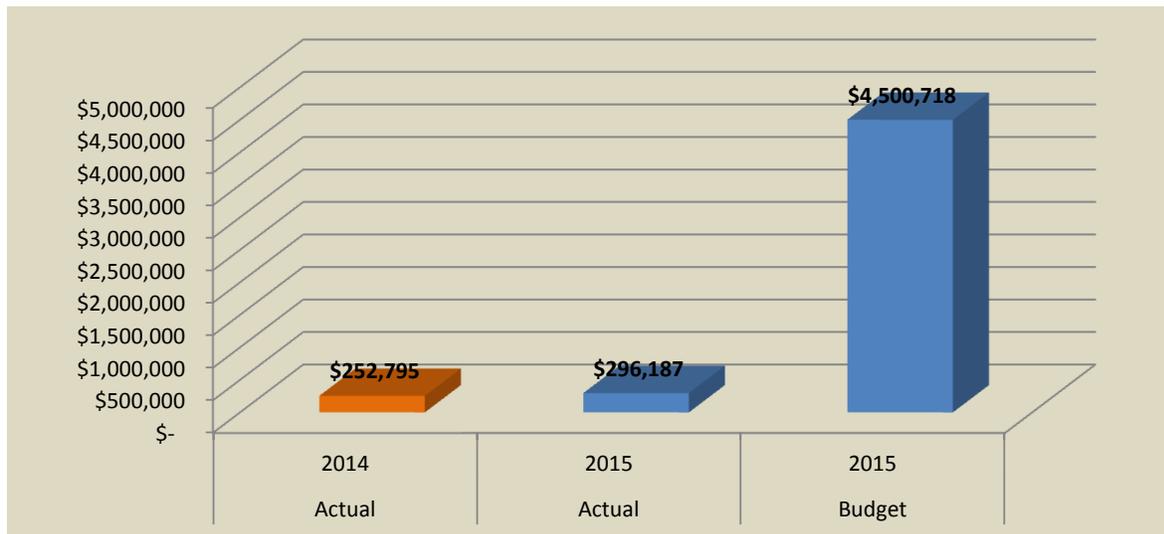
Department: Water

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Service Charges and Connection Fees	\$ 457,459	\$ 513,722	\$ 2,255,000	\$ 1,741,278	22.8%
Miscellaneous Revenue and Interest	10,281	19,975	4,085,000	4,065,025	0.5%
	<b>\$ 467,740</b>	<b>\$ 533,698</b>	<b>\$ 6,340,000</b>	<b>\$ 5,806,302</b>	<b>8.4%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 64,851	\$ 65,983	\$ 422,000	\$ 356,017	15.6%
Materials and Supplies	117,111	117,566	744,500	626,935	15.8%
Capital Outlay	-	38,472	2,216,250	2,177,778	1.7%
Transfers	-	74,167	445,000	370,833	16.7%
Debt Service	70,833	-	672,968	672,968	0.0%
	<b>\$ 252,795</b>	<b>\$ 296,187</b>	<b>\$ 4,500,718</b>	<b>\$ 4,204,531</b>	<b>6.6%</b>

Capital Expenditures:

- Equipment - \$16,250
- WTP Weir Replacement - \$50,000
- Land Acquisition - \$800,000
- Transmission Water Line - \$100,000
- AMR Project- \$1,200,000
- Water Line Replacement Project - \$50,000



**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

Department: Fleet

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Service Charges and Total Care	\$ 67,159	\$ 83,240	\$ 495,000	\$ 411,760	16.8%
Miscellaneous Revenue	13,300	17,433	104,600	87,167	16.7%
	<b>\$ 80,459</b>	<b>\$ 100,673</b>	<b>\$ 599,600</b>	<b>\$ 498,927</b>	<b>16.8%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Personnel Services	\$ 33,000	\$ 32,803	\$ 211,000	\$ 178,197	15.5%
Materials and Supplies	46,688	42,179	195,200	153,021	21.6%
Capital Outlay	-	39,305	161,250	121,945	24.4%
Transfers	13,333	13,333	80,000	66,667	16.7%
	<b>\$ 93,021</b>	<b>\$ 127,620</b>	<b>\$ 647,450</b>	<b>\$ 519,830</b>	<b>19.7%</b>

Capital Expenditures:

Equipment - \$41,250  
 Vehicles - \$90,000 (Police, Planning)  
 Building Improvements - \$30,000



16.67% Through the Fiscal Year

**City of Dallas**  
**Monthly Financials**  
**August 2014**

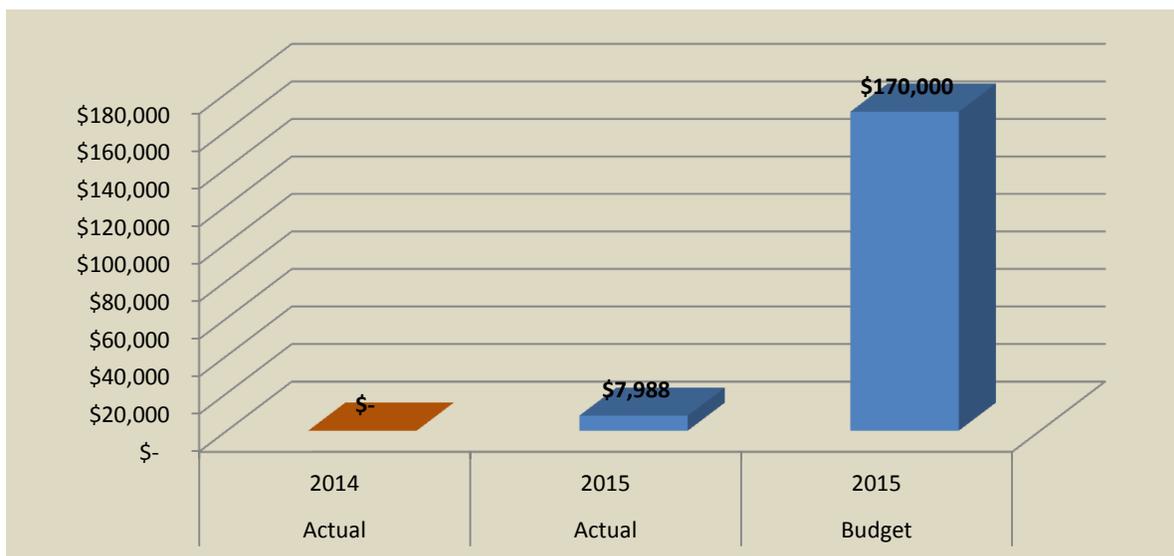
**Department: Capital Projects**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Transfers	\$ -	\$ -	\$ 170,000	\$ 170,000	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 170,000</b>	<b>\$ 170,000</b>	<b>0.0%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Capital Outlay	-	7,988	170,000	162,012	4.7%
	<b>\$ -</b>	<b>\$ 7,988</b>	<b>\$ 170,000</b>	<b>\$ 162,012</b>	<b>4.7%</b>

General Fund Capital Projects:

- Fire Department - \$24,000 match for training facility grant
- Aquatic Center - \$12,000 upgrade chemical feed controllers
- Police Department - \$8,000 tasers; \$15,000 storage improvements
- Library - \$14,000 furniture and building upgrades
- Parks - \$75,000 restroom rehab
- Finance/Court - \$15,000 vault filing system upgrades
- Facilities - \$7,000 replace upstairs flooring



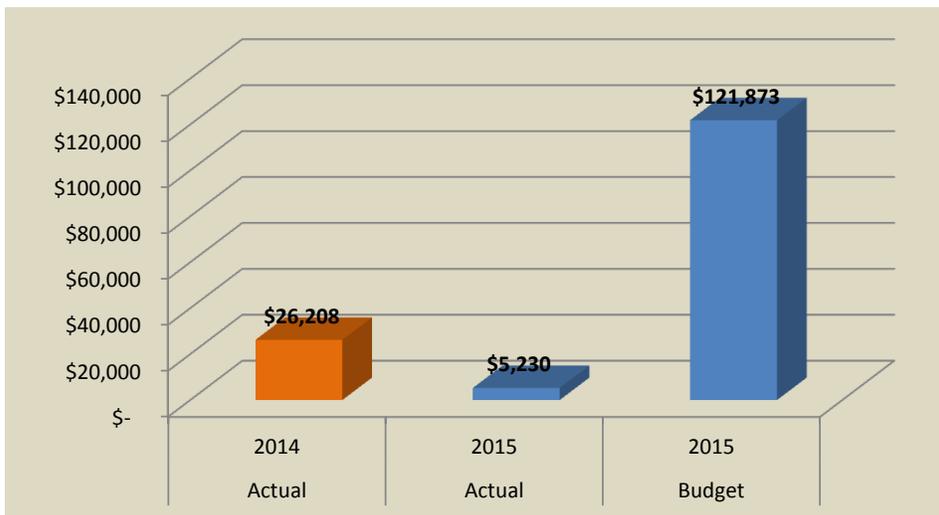
**16.67% Through the Fiscal Year**

**City of Dallas**  
**Monthly Financials**  
**August 2014**

Department: Trust Fund

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Fire and Ambulance	\$ 9,948	\$ 1,163	\$ 29,500	\$ 28,337	3.9%
Miscellaneous	-	-	500	500	0.0%
Economic Development	-	-	20,000	20,000	0.0%
Park	150	60	3,000	2,940	2.0%
Library	5,208	2,876	20,000	17,124	14.4%
	<b>\$ 15,306</b>	<b>\$ 4,099</b>	<b>\$ 73,000</b>	<b>\$ 68,902</b>	<b>5.6%</b>

Description	Year-to-Date	Year-to-Date	Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Fire and Ambulance	\$ 12,556	\$ 3,838	\$ 67,048	\$ 63,210	5.7%
Miscellaneous	-	-	1,325	1,325	0.0%
Economic Development	11,935	958	23,500	22,542	4.1%
Park	50	-	8,000	8,000	0.0%
Library	1,667	434	22,000	21,566	2.0%
Transfers	-	-	-	-	0.0%
	<b>\$ 26,208</b>	<b>\$ 5,230</b>	<b>\$ 121,873</b>	<b>\$ 116,643</b>	<b>4.3%</b>



16.67% Through the Fiscal Year

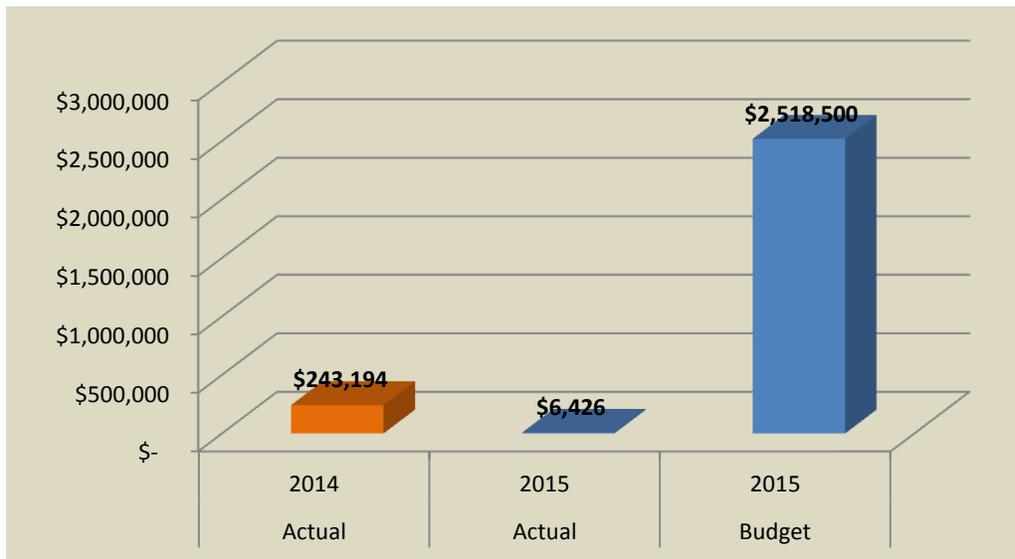
**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: Grant Fund**

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Collected
	Actual 2014	Actual 2015			
<b>Revenue</b>					
Police	\$ 5,393	\$ -	\$ 3,000	\$ 3,000	0.0%
Fire	-	-	456,000	456,000	0.0%
Parks and Trails	-	-	550,000	550,000	0.0%
Miscellaneous	-	5,000	1,503,000	1,498,000	0.3%
	<b>\$ 5,393</b>	<b>\$ 5,000</b>	<b>\$ 2,512,000</b>	<b>\$ 2,507,000</b>	<b>0.2%</b>

Description	Year-to-Date		Budget 2015	Budget Remaining	Percent Spent
	Actual 2014	Actual 2015			
<b>Expenditures</b>					
Police	\$ -	\$ 430	\$ 9,000	\$ 8,570	4.8%
Fire	121,633	-	456,000	456,000	0.0%
Parks and Trails	120,883	-	550,000	550,000	0.0%
Miscellaneous	678	5,996	1,503,500	2,803	0.4%
	<b>\$ 243,194</b>	<b>\$ 6,426</b>	<b>\$ 2,518,500</b>	<b>\$ 1,017,373</b>	<b>0.3%</b>

Grant Projects: Police - vests, misc.  
 Fire - training facility  
 Parks and Trails - Rickreall Crk Trail System  
 Miscellaneous - CDBG; Ready to Read



**16.67% Through the Fiscal Year**

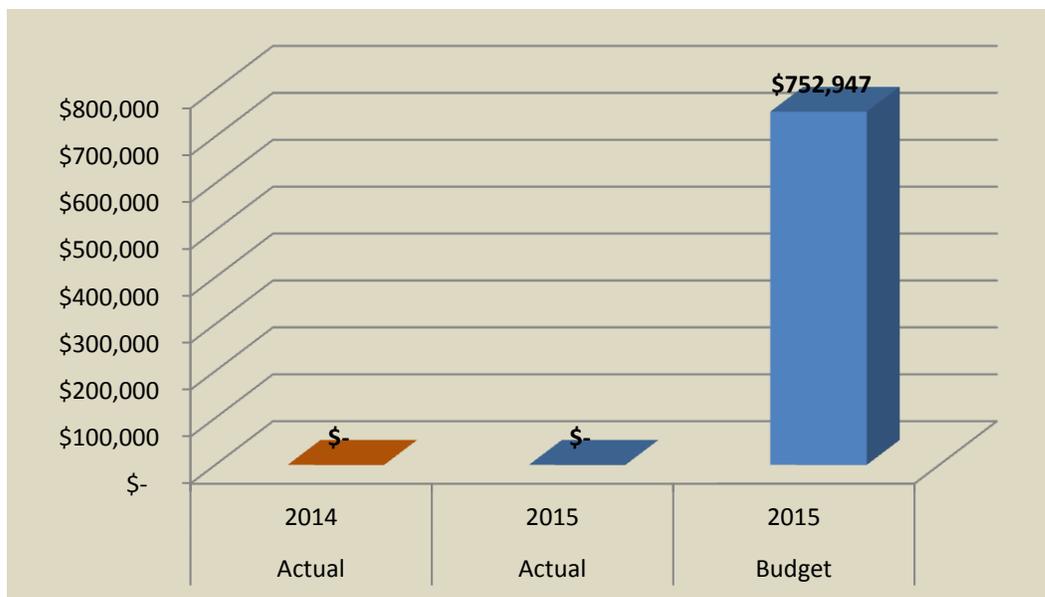


**City of Dallas**  
**Monthly Financials**  
**August 2014**

**Department: General Obligation and Long Term Debt Funds**

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Collected
<b>Revenue</b>					
Property Taxes	\$ 12,558	\$ 12,894	\$ 670,000	\$ 657,106	1.9%
Transfers	18,271	18,832	112,994	94,162	16.7%
	<b>\$ 30,829</b>	<b>\$ 31,727</b>	<b>\$ 782,994</b>	<b>\$ 751,267</b>	<b>4.1%</b>

Description	Year-to-Date Actual 2014	Year-to-Date Actual 2015	Budget 2015	Budget Remaining	Percent Spent
<b>Expenditures</b>					
Principal	\$ -	\$ -	\$ 575,000	\$ 575,000	0.0%
Interest	-	-	177,947	177,947	0.0%
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 752,947</b>	<b>\$ 752,947</b>	<b>0.0%</b>



**16.67% Through the Fiscal Year**



September 8, 2014

Ron Foggin  
City Manager  
Dallas, Oregon

Dear Ron,

As requested, I have included our most recent rate discussion on the following page.

The proposed rate increase for both options includes leaf collection events to take place on two weekends during the fall. The specific weekends will be determined with the City of Dallas as we move into fall and have a better sense of when leaves are on the ground. We will send a call blast to all customers one week prior to the first collection event to let them know when and how to have leaves at the curb. This rate increase will be effective November 1, 2014.

Both proposed rate increases include leaf collection and inflation since our last increase in April, 2011 and are effective November 1, 2014. There is no increase in 2015 with either option. Option 1 spreads the inflationary increase out over a 4 year time frame and Option 2 includes the entire increase in year one.

Going forward, rate adjustments will be made annually and will be based on the refuse rate index (RRI) which is calculated using the Consumer Price Index and disposal costs. Communities that have adopted this rate methodology find that a more frequent but much smaller increase is more acceptable for our customers.

Please feel free to contact me.

Best Regards,

Julie Jackson  
Municipal Relations Manager  
Republic Services

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110 NE Walnut Blvd  
Corvallis, OR 97330  
541-754-0444  
Jjackson6@republicservices.com

## Proposed Rate Increase Options

	November 1, 2014	January 1 2016	January 1 2017	January 1 2018	January 1, 2019 →
Opt. 1*	4.50%	RRI + 1%	RRI + 1%	RRI + 1%	RRI
Opt. 2**	7.30%	RRI	RRI	RRI	RRI
Opt. 3***	5.6%	RRI	RRI	RRI	

\*Option 1 spreads the cost of Leaf Collection and inflation since the last increase in 2011 out over a 4 year window. It would result in an increase of \$.72 per month for customers with a 35 gallon cart and \$1.17 for customers with a 90 gallon cart.

\*\*Option 2 also includes Leaf Collection but incurs the cost of Leaf Collection and inflationary increases in year one.

\*\*\*Option 3 represents just inflationary cost since our last increase and RRI going forward.

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 9 d</b>	<b>Topic: Senior Center Maintenance Agreement</b>
<b>Prepared By: Ron Foggin</b>	<b>Meeting Date: September 15, 2014</b>	<b>Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b>
<b>Approved By: Ron Foggin</b>		

RECOMMENDED ACTION:

Authorize the City Manager to sign the five year Senior Center Use and Maintenance Agreement.

BACKGROUND:

The Community Development Block Grant (CDBG) requires the City to have a use and maintenance agreement with the seniors of the community that will be using the facility exclusively for the first five years. The agreement will require the seniors to pay for the cleaning of the facility, care of the landscape, utility costs and liability insurance. City will be responsible for maintaining the building and will cover the building insurance.

FISCAL IMPACT:

Estimated yearly fiscal impact \$5,000.

ATTACHMENTS:

Senior Center Use and Maintenance Agreement

DALLAS SENIOR CENTER BUILDING USE AND MAINTENANCE  
AGREEMENT

This agreement is made and entered into by and between the City of Dallas, Oregon, an Oregon municipal corporation (City), and Dallas Area Seniors, an Oregon nonprofit corporation (DAS).

RECITALS

A. City is the owner of certain real property located at 187 SW Court Street, Dallas, Oregon, known as Polk County Tax Account No. 321936, Tax Lot 16100 (the Property).

B. City has agreed to provide the space for and construct a Senior Center (Center) for the benefit of DAS, to be located generally on the southerly half of the Property and, to that end, has made application to the Oregon Building Department, Infrastructure Financing Authority, for a Community Development Block Grant for the construction and related development costs of the Center.

C. As a condition of such Block Grant financing, the State of Oregon requires that City and DAS enter into an agreement for the use and maintenance of the Center, and City and DAS have agreed to provide for the use and maintenance of the Center as provided in this agreement.

AGREEMENT

Now, therefore, in consideration of the foregoing, and the mutual covenants and obligations set forth herein, it is hereby agreed as follows:

1. Upon completion of construction and approval of occupancy of the Center, DAS will have the right to manage and will be responsible for the scheduling and use of the Center; provided, that, for a period of five years from completion of construction of the Center, DAS will not permit the Center to be used by persons under the age of 60, and to otherwise use and operate the Center in full compliance with all terms and conditions of the Community Development Block Grant.

2. DAS will further operate and manage the Center in compliance with all applicable federal, state and local laws, rules, regulations, ordinances and orders, and will not use or permit any use of the Center by any person in violation of such laws, rules, regulations, ordinances and orders, or that constitutes a nuisance.

3. City will provide interior custodial and exterior landscaping services to the Center, to maintain the Center in a clean, attractive and safe condition, and will invoice DAS for the costs of such services as they are performed. DAS will pay City within 15 days from the date of each invoice for custodial and landscaping services.

4. City will be responsible for structural maintenance and repairs of the Center, including doors, windows, roof, foundation, plumbing, electrical and heating and cooling systems; provided that structural damage caused by or resulting from the gross negligence or intentional conduct of DAS will be the responsibility of DAS.

5. City will pay for all utility and garbage services to the Center as such charges come due, and will invoice DAS for the actual amounts of such services paid by City. DAS will pay City within 15 days from the date of each invoice for utility and garbage services.

6. City will have the right of access to the Center at all reasonable times, with or without notice, to inspect the condition of the Center, make repairs and ensure compliance by DAS with all of the conditions of this agreement.

7. City will keep the building insured against loss by fire and other extended casualty for City's benefit, and will be entitled in the event of loss to all proceeds of any insurance. DAS will be responsible for maintaining insurance on any of DAS's personal property located in the Center.

8. DAS will obtain and at all times maintain a policy of general liability insurance, with combined limits of not less than \$1,000,000, and will name City as an additional insured on such policy. DAS will provide City with a certificate of such insurance upon demand, which must provide that such insurance may not be cancelled or amended without 30 days' notice to City.

9. DAS agrees to defend, indemnify and hold City, its officers, employees and agents, harmless from and against all claims, liabilities, demands, damages and actions, of whatever form or nature, including property damage, bodily injury or death, arising from or relating to the use, occupancy and management of the Center by DAS, including attorney fees and costs incurred in defense thereof.

10. The term of this agreement shall be five years from the date of completion and approval for occupancy of the Center by DAS. The parties may

agree, at the end of the term, to extend this agreement for an additional period and on such terms and conditions as the parties may then agree.

11. In the event of default by DAS in performance of any of the terms and conditions of this agreement City may give notice to DAS, specifying such default, and providing DAS with 30 days to correct the default. If the default has not been corrected within 30 days, City may terminate this agreement without further notice. Notwithstanding the foregoing:

(a) Nonpayment of any invoice for custodial or landscaping services provided by City or for garbage or utility services paid by City will be deemed a default if not paid within 10 days after the date thereof, and City may terminate this agreement for such nonpayment without the requirement of notice.

(b) Any act by DAS that constitutes a violation of the terms and conditions of the Community Development Block Grant will be deemed a default under this agreement, and no notice of default under this agreement will be required if immediate action is required to avoid a declaration of default under the Community Development Block Grant.

12. In the event of suit or action arising from or relating to this agreement, the prevailing party in such suit or action will be entitled to such party's reasonable attorney fees as may be awarded by the court in which such suit or action is tried, heard or decided, and on any appeal therefrom.

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

CITY OF DALLAS, OREGON

DALLAS AREA SENIORS

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

RESOLUTION NO. 3304

A Resolution establishing a schedule of rates for ambulance and emergency medical services and Dallas FireMed; and repealing Resolution 3266.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. The following rates shall apply to ambulance and emergency medical services provided by the City of Dallas:

- (a) Resident rates (All levels of service): \$1,000
- (b) Non-resident rates (All levels of service): \$1,163
- (c) Service delivery fee, where an ambulance is called to a location but neither transportation nor medical services are required and were not reasonably anticipated to be required \$150
- (d) For mileage from the point where the patient is picked up to the point where the patient is delivered, per mile \$ 18
- (e) Evaluation and treatment (no transport)
  - (1) Where an ambulance is called for emergency medical services, provides treatment, and no transport occurs \$ 450
  - (2) Where an ambulance is called for emergency medical services under an agreement with a health care facility to provide treatment to a person under the direct supervision of a physician or registered nurse, and no transport occurs \$250

Section 2. The annual fee for enrollment in the Dallas FireMed program shall be \$55 for residents and \$65 for non-residents.

Section 3. The rates established under this resolution shall be effective for services provided on and after October 1, 2014.

Section 4. Resolution No. 3266 is repealed as of the effective date of this Resolution.

Adopted: September 15, 2014  
Approved: September 15, 2014

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BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

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RONALD W. FOGGIN,  
CITY MANAGER

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LANE P. SHETTERLY,  
CITY ATTORNEY