



WORKSHOP MEETING NOTICE OAK HARBOR CITY COUNCIL

NOTICE IS HEREBY GIVEN that the Oak Harbor City Council will hold a Workshop Meeting on:

Date: Wednesday, June 17, 2015

Time: 3:00 p.m. – 5:00 p.m.

Location: Former Whidbey Island Bank Building, 321 SE Pioneer Way, Oak Harbor, WA 98277 (access through park side of building)

Note that no action will be taken at this meeting.

AGENDA

1. Departmental Briefings

- a. Marina Update relating to F Dock – DS

2. Pending Agenda Items

- a. Ordinance 1731: Amending OHMC Chapter 2 and adding section 2.07.150 entitled “Interfund Loan Authority”– Finance
- b. Ordinance 1732: Amending OHMC Chapter 3.95 relating to Utility Procedures and adding Chapter 3.96 entitled “Collection Procedures”– Finance
- c. Ordinance 1718: Code Amendment to codify all City Funds – Finance
- d. Interlocal Agreement with Island County Fire Departments for purchase of base station radios with FEMA Grant – FD
- e. Homeless Encampment Code Amendment – DS

3. Emerging Issues

- a. Recommendation from Arts Commission – New Sculpture on Pioneer Way

Anna M. Thompson
City Clerk
Posted on June 12, 2015

POSTED: City Hall Bulletin Boards
www.oakharbor.org

EMAILED: editor@whidbeynewsgroup.com
Jordan.Brennan@pse.com
news@skagitpublishing.com

Mayor Scott Dudley
Oak Harbor City Council
Directors

REMOVE: After June 17, 2015

The City Council may meet informally in workshop sessions (open to the public) to do concentrated strategic planning, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Administrator, provided that all discussions and conclusions thereon shall be informal. Council shall make no disposition of any item at a workshop meeting. Public comment is not normally allowed at workshop meetings, although Council may allow, or request participation.

Please contact the City Clerk at 360-279-4539 within 24 hours advance notice for special accommodations.



Workshop Item

Pending Agenda Items

Item 2.a Amending OHMC Ch. 2 and adding 2.07.150 entitled "Interfund Loan Authority"

Dr. Merriman, Finance Director

Attachments

Attachment A: Draft Ordinance No 1731

ORDINANCE NO. 1731

AN ORDINANCE OF THE CITY OF OAK HARBOR ADDING A NEW SECTION 2.07.050 ENTITLED "INTERFUND LOAN AUTHORITY" TO CHAPTER 2.07 OF THE OAK HARBOR MUNICIPAL CODE

WHEREAS, interfund loans should be considered a prudent, yet temporary or short-term borrowing of cash made to offset timing differences in cash flow, to offset timing differences between expenditures and reimbursements typically associated with grant funding, and to provide for advance spending for a capital project prior to securing project financing; and

WHEREAS, the term of the interfund loan may continue over a period of more than one year, but must be "temporary" in the sense that no permanent diversion of the lending fund results from the failure to repay by the borrowing fund. Additionally, interfund loans should not hinder the accomplishment of any function or project for which the lending fund was established; and

WHEREAS, the City desires to establish interfund loan authority authorizing the Finance Director to make loans from one fund to another for periods not exceeding 12 months in duration;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. There is hereby added a new Section 2.07.050 entitled "Interfund Loan Authority" to Chapter 2.07 of the Oak Harbor Municipal Code to read as follows:

2.07.050 Interfund Loan Authority. The director of finance is authorized to make loans from one city fund to another city fund for periods not exceeding 12 months. Such loans shall be authorized by the director only after he or she has made a determination, in writing, that the loaning fund will have adequate cash balances to meet current expenses payable from the fund after the loan is made and until the loan is paid in full. The loan shall be made available to enable the receiving fund to meet current payable expenses. Such loans shall bear a reasonable rate of interest to be paid to the lending fund. The director shall designate the appropriate interest rate of the loan based upon the net earnings rate of the city's internal investment portfolio until repayment of the loan in full, but in no event shall the interest rate be less than any rate of interest required by law. Interfund loans with a term in excess of 12 months shall be approved by City Council.

The director may appoint a subordinate employee from the department to assist in the performance of the duties described in this section.

Section Two. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder or the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section Three. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication.

PASSED by the City Council this _____ day of _____, 2015.

Veto ()
Approve ()

THE CITY OF OAK HARBOR

By _____
 Scott Dudley, Mayor

Dated: _____

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published: _____



Workshop Item

Pending Agenda Items

Item 2.b Amending OHMC Ch. 3.95 relating to Utility Billing Procedures and adding Ch. 3.96 entitled "Collection Procedures"

Dr. Merriman, Finance Director

Attachments

Attachment A: Draft Ordinance No 1732 Collection Procedures

ORDINANCE NO. 1732

AN ORDINANCE OF THE CITY OF OAK HARBOR AMENDING CHAPTER 3.95 OF THE OAK HARBOR MUNICIPAL CODE ENTITLED "UTILITY BILLING AND COLLECTION PROCEDURES" AND CREATING A NEW CHAPTER 3.96 ENTITLED "COLLECTION PROCEDURES"

WHEREAS, RCW 19.16.500 authorizes cities, subject to certain procedural requirements, to retain collection agencies for the purpose of collecting outstanding accounts receivables; and

WHEREAS, OHMC 3.95.150 provides for the referral of debts owed to the City to collection agencies and for the payment of certain costs primarily associated with collection by debtors in regards to City utilities; and

WHEREAS, the City Council desires to add provisions to a new OHMC Chapter 3.96 to specifically expand the authority of the Finance Director to refer delinquent accounts receivable of any city department, plus internal collection costs, to a collection agency for collection, and to write-off certain accounts receivables if deemed to be uncollectible;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. Oak Harbor Municipal Code Chapter 3.95 entitled "Utility Billing and Collection Procedures" adopted by Ord. 1598 (2011) and Ord. 1696 (2014) is hereby amended to read as follows:

Chapter 3.95
UTILITY BILLING AND COLLECTION PROCEDURES

Sections:

- 3.95.010 Policy and scope.
- 3.95.020 Definitions.
- 3.95.040 Application – Account initiation fee.
- 3.95.050 Account to be initiated by property owner or agent.
- 3.95.060 Payments applied.
- 3.95.070 Charges – Due date.
- 3.95.080 Delinquency.
- 3.95.090 Hearing prior to utility service turn-off.
- 3.95.100 Water cut-offs – Lien enforcement.
- 3.95.110 Disconnect water service – Charge – Unpaid – Payment requisite for reconnect.
- 3.95.120 Turning water on – Charges.
- 3.95.130 Utility connection charges – Waiver for low-income persons.
- 3.95.140 Security deposits for service and late fees.
- ~~3.95.150 Collection agency.~~

- 3.95.160150 Billing error appeals.
- 3.95.170160 NSF check – Fee for collection.
- 3.95.170 Delinquency constitutes a lien.

3.95.010 Policy and scope.

- (1) The policy of the city is to apply standardized utility billing and collection procedures to simplify customer and administrative response to the process involved.
- (2) This chapter shall apply to the water, stormwater, sewer and solid waste utilities.

3.95.020 Definitions.

- (1) “Finance director” means the chief financial officer of the city of Oak Harbor.
- (2) “Lien” is the lien for utilities authorized by state law. For the water utility, the lien statutes are RCW 35.21.290 and 35.21.300. For the solid waste utility, the lien statutes are RCW 35.21.140 and 35.21.150. For the stormwater utility and sewer utility, the lien statutes are RCW 35.67.200 through 35.67.290.
- (3) “Supervisor of the water department” means the public works director or his or her designee.
- (4) “Utility” refers to any of the city of Oak Harbor utilities which include stormwater utility (rates and regulations which are codified under OHMC Title 12), sewer utility (rates and regulations which are codified in OHMC Title 14), water utility (rates and regulations which are codified under OHMC Title 13) and the solid waste utility (rates and regulations which are codified in OHMC Title 15).

3.95.040 Application – Account initiation fee. Application to have utility accounts initiated shall be made during normal working hours in writing on forms directed by the finance director. An account initiation fee per the master fee schedule adopted by resolution of the city council shall be paid in advance by each applicant for utility service before the utility service is provided. The account initiation fee shall be nonrefundable and nontransferable. The account initiation fee shall only apply to new accounts and not existing accounts ~~or transferring accounts~~ within the city limits of Oak Harbor.

3.95.050 Account to be initiated by property owner or agent.

- (1) Utility accounts shall be opened by and billed to the owner of the property to which the services are rendered or to such property owner’s designated agent. Utility accounts for water and sanitary sewer service must be based upon service to at least one meter. No account may be opened for service to a customer unless that customer is responsible for all service to the water meter applicable to that account.

- (2) A “designated agent” may be a tenant, property manager, or other person designated in writing by the property owner as the property owner’s agent for all purposes related to the utility account. The finance director shall prescribe the requisite form to be used by property owners wishing to designate an agent pursuant to this section. All owners of property, however, shall remain ultimately and legally liable for the payment of any and all utility charges against the premises to which such utility service has been furnished or is available to the maximum extent allowed by law.
- (3) Tenant Accounts. In the event that a tenant meeting the requirements of RCW 35.21.217 requests to open a new account due to nonpayment of the existing account by the landlord, the tenant shall be allowed to open such an account; provided, that the tenant agrees to pay all charges owing which accrued during the tenant’s occupancy of the premises. In no event shall an account be opened for service unless the customer is responsible for all service to the water meter applicable to that account.

3.95.060 Payments applied. Payments received by the city for utility service shall be applied in the following order:

- (1) Bank service charges;
- (2) Outstanding late charges;
- (3) Solid waste charges;
- (4) Stormwater utility charges;
- (5) Sanitary sewer charges;
- (6) Water charges.

3.95.070 Charges – Due date. Utility service charges shall be billed monthly for services provided during the previous billing period. Bills shall be due upon billing and payable not later than the eighteenth day of the calendar month following the calendar month of mailing. Thereafter the utility service charges shall become delinquent. Sewer, stormwater and solid waste utility charges shall bear interest at the rate of eight percent per annum, prorated monthly, and water utility charges shall bear interest at the rate of eight percent per annum.

3.95.080 Delinquency. If the account is not paid when due, the city shall assess a fee that shall be in the master fee schedule adopted by resolution of the city council for delinquency payment and give notice that the utility account is delinquent. In addition, the notice shall:

- (1) Set a date for water turn-off not less than seven days after giving of notice; and
- (2) Specify that service will be shut off unless payment in full is made to the city within seven days; and
- (3) Advise that a hearing may be requested by contacting the finance department prior to the scheduled date for water turn-off; and
- (4) Provide the address and telephone number of the finance department; and

- (5) Advise that an additional charge per the master fee schedule adopted by resolution of the city council will be added to the bill if water cut-off or meter removal is implemented as a charge for cutting off the water and/or meter removal; and
- (6) Provide that service will not be shut off while a hearing is pending.

3.95.090 Hearing prior to utility service turn-off. Upon customer request of the finance director or his/her designee, the customer shall be given the opportunity to explain why the utility service should not be turned off. Service will not be shut off while this hearing is pending. The finance director or his/her designee shall set the hearing date to be held within three days of the customer's request for a hearing.

3.95.100 Water cut-offs – Lien enforcement.

- (1) Sewer and Stormwater Lien. As an alternative method to enforce the lien for nonpayment of sewer or stormwater services or both, the city may cut off water service and refuse to provide water service to premises which were furnished water after the charges have become delinquent and unpaid; provided, that unless the lien is filed with the Island County auditor, the lien shall not be for more than six months' service.
- (2) Water Lien. As a means of enforcement, the lien for water services supplied by the city may cut off and refuse to supply water to the premises which were furnished with the water services after the charges have become delinquent and unpaid; provided, that the lien may not be for more than four months of water services.
- (3) The fee charged for turning off water shall be per the master fee schedule adopted by resolution of the city council and shall be assessed by ~~4:30~~ 5:00 p.m. the day before the water is turned off.

3.95.110 Disconnect water service – Charge – Unpaid – Payment requisite for reconnect. If the service has been disconnected because the water, sewer or stormwater bill has not been paid, the water service shall not be turned on until the delinquent charges ~~under~~ or the applicable lien or liens have been paid.

3.95.120 Turning water on – Charges. No water from the city water supply shall be turned on for service into any premises by any person except the supervisor of the water department or his/her designee. A fee per the master fee schedule adopted by resolution of the city council shall be charged for turning water on for service. This charge shall not be assessed when turning water on for purposes of account initiation pursuant to OHMC 3.95.040. The charge for turning on the water after 5:00 p.m. on any work day or on weekends, except for emergency responses, shall be in the master fee schedule adopted by resolution of the city council.

3.95.130 Utility connection charges – Waiver for low-income persons. The finance director may waive connection charges for properties purchased by low-income persons from organizations exempt from tax under Section 501(c)(3) of the federal Internal Revenue Code as

amended prior to July 23, 1995. Waivers of connection charges for the same class of utility service must be uniformly applied to all qualified property. Nothing in this section authorizes the impairment of a contract.

3.95.140 Security deposits for service and late fees.

- (1) Security Deposit for Continuing Service. The finance director may order a deposit as a condition of continuing or restoring any utility service where it appears, in his/her discretion, there is a risk of nonpayment or underpayment or as permitted by 11 USC 366 or any other applicable law. The deposit shall be a reasonable amount, but in no case less than four months' established billing. The security deposit will be made by the account holder. The security deposit will not be released until the account of the account holder is closed and the account balance is paid in full. The security deposit funds may be applied to the outstanding balance at the time the account is closed with the remaining funds released to the account holder.
- (2) Solid Waste Only Billing. Where premises are not served by city water or sewer service, the customer is required to tender a deposit to the utility department equal to four months of the estimated cost of the service to be provided as determined by the utility department.
- (3) Front Load Dumpster Security. The solid waste utility shall collect advance payment for container placement and up to four months of charges for rental. The city finance director may accept satisfactory securities or surety bond in lieu of cash payment. Such payment or security may be applied toward the payment of service charges whenever the same shall become due. The solid waste utility reserves the right to require additional advance payment for subsequent service that may be requested by the customer.
- (4) When a utility deposit required under this section remains unpaid for more than 30 days after giving notice of the same, the city may terminate utility service for the utility requiring deposit including turning off water so long as notice and availability of hearing is provided as per this chapter.

3.95.150 Collection agency.

- ~~(1) The city may refer unpaid accounts for collection to a collection agency approved by the city council for which there is a contract.~~
- ~~(2) Accounts referred to collection shall be only after written notice has been given to the account holder at his/her last known address by certified mail, return receipt requested, and by regular mail, postage prepaid 30 days in advance of the referral to collection.~~

3.95.160 150 Billing error appeals.

- (1) Time for Filing. A utility account holder objecting to any utility service charge billing may request a hearing before the city administrator by filing a written request with the finance director within 60 days of the first service date on the challenged billing.
- (2) Form of Appeal. The request shall set forth the name, address and phone number of the person requesting the hearing; the nature of the service charges at issue, such as water, sewer, stormwater or solid waste; the amount of the billing; the dates of service; and the basis for the objection.
- (3) Setting of Hearing Date. The city administrator or his/her designee shall set a hearing date and time within two weeks of the date of receipt of the request for a hearing, and shall advise the person requesting the hearing of the hearing date, time and location using the address and telephone information provided by the requestor.
- (4) Failure to Appear. Failure of the requestor to appear for this hearing without prior notice and excuse shall constitute a waiver of the hearing.
- (5) Format of the Hearing. At the hearing, the requestor shall have the opportunity to present evidence and argument in support of requestor's objections to the utility service charge billing.
- (6) Determination of City Administrator. The city administrator shall consider the evidence and argument submitted by the requestor and make a determination on requestor's challenge in writing within 10 days.
- (7) Time for Appeal from City Administrator Determination. The determination of the city administrator shall be final unless appealed within five business days of the date of mailing the determination to the address provided by the requestor above.
- (8) Appeals to Hearing Examiner. Appeals from the determination of the city administrator shall be to the hearing examiner. The procedures of OHMC 1.24.020 through 1.24.110 shall apply to these appeals.
- (9) Decision of Hearing Examiner Final. The decision of the hearing examiner shall be final unless appealed to a court of competent jurisdiction within 30 days of issuance of the hearing examiner's decision.
- (10) Amount Owning. In the event that the account holder's appeal to the hearing examiner results in a determination that an amount is owing to the city, the amount must be paid within three days of the date of the final decision.

3.95.170160 NSF check – Fee for collection. The fee charged for a nonsufficient fund check (NSF check) shall be per the master fee schedule adopted by resolution of the city council, or the amount of the NSF check, whichever is less. In no case will the NSF fee charged for a NSF check be less than the amount charged to the City by the returning bank.

Utility Billing and Collection Procedures Ordinance

OHMC 3.95 and OHMC 3.96

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3.95.170 Delinquency constitutes a lien.

All charges for water service installation and sewer installation and all monthly service rates provided for in this chapter, together with penalties and interest thereon, when unpaid and delinquent shall be a lien upon the property to which the services are rendered superior to all other liens and encumbrances whatsoever except for general taxes and local special assessments. Enforcement of such lien or liens shall be in the manner provided by law.

Section Two. There is hereby added a new Chapter 3.96 entitled "Collection Procedures" to the Oak Harbor Municipal Code to read as follows:

**Chapter 3.96
COLLECTION PROCEDURES**

Sections:

- 3.96.010 Collection agency.
- 3.96.020 Write off of delinquent accounts.

3.96.010 Collection agency.

- (1) The finance director, or his or her designee, is hereby authorized to assign debts owed to the city to a collection agency for the collection thereof. In all instances where a debt is so assigned, all reasonable costs involved in the collection of the debt through use of the collection agency are costs that shall be added to and included in the debt to be paid by the debtor. As used in this chapter, debts owed to the city include, but are not limited to, the following: past due utility accounts, fines, assessments, taxes, permit and license fees and charges, notes and contracts receivable, miscellaneous billings, penalties, interest, and any other charge or account receivable whatsoever nature legally imposed by or owing to the city. Prior to assigning any account to a collection agency, the director, or authorized representative, shall ensure that the procedural requirements of RCW 19.16.500, or any successor statute, have been met.
- (2) Whenever this code or an ordinance or regulation of the city provides that a person is to pay a certain fee or charge, in the event of nonpayment for 30 days after the amount is due and owing, such person shall also pay the city's reasonable costs of collection and 10% per annum interest on the delinquent amount. The collection costs and interest will be added to the original amount due which will not be considered paid until the new total is paid in full.
- (3) Accounts referred to collection shall be only after written notice has been given to the account holder at his/her last known address by certified mail, return receipt requested, and by regular mail, postage prepaid 30 days in advance of the referral to collection.

3.96.020 Write off of delinquent accounts. The finance director, or his or her designee, shall have the authority to write-off debts that are over two years old in an amount not to exceed \$2,000 per account. This write-off option shall be utilized only after it has been determined by the finance director that there is no cost-effective means of collecting the account, a collection agency has been unsuccessful in collecting the debt, or the statute of limitations for collections has expired. A write-off of uncollectible accounts receivable from the City's accounting records does not constitute forgiveness of the debt and it is still payable by the debtor.

Section Three. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder or the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section Four. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication.

PASSED by the City Council this _____ day of _____, 2015.

Veto ()
Approve ()

THE CITY OF OAK HARBOR

By _____
Scott Dudley, Mayor

Dated: _____

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published: _____



Workshop Item

Pending Agenda Items

Item 2.d

Interlocal Agreement with Island County Fire Department

Ray Merrill

Attachments

Attachment A: AFG Interlocal Agreement

Attachment B: Resolution 15-21

Return to:
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

INTERLOCAL AGREEMENT

Pursuant to the authority granted by the “Washington Interlocal Cooperation Act” Revised Code of Washington (RCW) 39.34, this Interlocal Agreement is being made under the authority of Sections 39.34.010, 39.34.030 and 39.34.070 of the Revised Code of Washington and entered into by and between the City of Oak Harbor (hereinafter called CITY), Camano Island Fire and Rescue, Central Whidbey Fire and Rescue, North Whidbey Fire and Rescue and South Whidbey Fire and EMS (hereafter called PARTNERS); and

WHEREAS, the PARTNERS by the signing of this agreement hereby make, constitute and appoint CITY its true and lawful Purchasing and Fiscal Agent for the purchase of communications equipment specifically P-25 compliant base station radios. These transmitters will provide for the continued development of the regional radio system, a radio system extending through Whidbey and Camano Island(s). Quantities, costs and distribution as shown in Exhibit "A" – Budget Detail; and

WHEREAS, the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) created the Assistance to Firefighters Grant Program (hereinafter called PROGRAM) to provide financial assistance to enhance their ability to protect the public and fire service personnel from fire and related hazards; and

WHEREAS, the PROGRAM announced the availability of funds under the FY 2014 PROGRAM allocation and the CITY and PARTNERS agreed to submit a joint regional application for funding under the Assistance to Fire Fighters Grant; and

WHEREAS, CITY and PARTNERS requested and were awarded funds to purchase interoperable communications equipment, including base station radios in the quantities, costs and distribution as shown in Exhibit "A" – Budget Detail; and

WHEREAS, the grant award provides a Federal share portion of \$ 126,589.50 (90 %) with a required local match share portion of \$ 14,065.50 (10%), for a total projected cost of \$140,655.00.00 (100%).

Assistant to Firefighters
Grant Program Interlocal
Agreement - 1

NOW, THEREFORE, the governing boards/councils of the respective jurisdictions of the City of Oak Harbor, Camano Island Fire and Rescue, Central Whidbey Fire and Rescue, North Whidbey Fire and Rescue and South Whidbey Fire and EMS do hereby agree as follows:

A. General Provisions.

1. CITY and PARTNERS agree to participate and collaborate in carrying out the goals and objectives of the PROGRAM.
2. In accordance with Homeland Security Presidential Directive (HSPD) – 5 (Management of Domestic Incidents), CITY and PARTNERS agree to utilize the National Incident Management System (NIMS), to include the Incident Command System.
3. CITY and PARTNERS agree to participate in the PROGRAM by furnishing resources and rendering services to other parties to this agreement and to respond to any type of emergency whether declared or not under current mutual aid agreements; provided, however, that no party shall be required to unduly deplete its resources in furnishing such assistance. If a Responder is unable to meet the Requestor's need for resources, the Requestor will be advised immediately.
4. CITY and PARTNERS agree to carry out the requirements of the PROGRAM as set forth in the Grant Agreement and according to Federal grant administration guidelines as defined in:
 - Circular A-87 (Revised 5/4/95, as further amended 8/29/97) Cost Principles for State, Local and Indian Tribal Governments,
 - Circular A-102 (Revised 10/7/94, as further amended 8/29/97) Grants and Cooperative Agreements with State and Local Governments,
 - Circular A-133 (Revised June 24, 1997 Audits of States, Local Governments and non-Profit Organizations, and
 - 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

CITY and PARTNERS understand that all programmatic and fiscal requirements under the grant are subject to audit; CITY and PARTNERS acknowledge that equipment, procurement documentation and all expenditures and financial information may be requested by CITY, as fiscal agent, and subject to said audit.

B. Procedures for the Purchase and Distribution of Base Stations.

1. CITY and PARTNERS agree to the following procedures for the purchase and distribution of the communications equipment:

Assistant to Firefighters
Grant Program Interlocal
Agreement - 2

- a. CITY and PARTNERS shall individually prepare the necessary specifications for the radio equipment that will ensure compatibility and interoperability with existing and future P-25 radio communications systems in their respective jurisdictions.
- b. The specifications shall be designed to not exceed the budgeted allocations on the approved project budget. Any specifications for radio equipment that exceeds the approved budgeted amount shall be the responsibility of the individual PARTNER jurisdiction ordering the additional equipment.
- c. CITY, as the Purchasing and Fiscal Agent for this project, will compile all radio equipment specifications from PARTNERS and will coordinate the purchase, through pre-negotiated Western States Contracting Alliance, of all radio communications equipment items being acquired through the CITY's Purchasing and Contracting Department. CITY will order all radio equipment pertaining to the grant agreement according to Federal, State, and local purchasing policies and procedures.
- d. All radio equipment will be received by CITY and shall undergo a preliminary inspection and inventory to verify receipt of all radios ordered by CITY and PARTNERS prior to distribution of the equipment. CITY will then distribute the equipment to PARTNERS, upon receipt of matching funds.
- e. Upon receipt of the equipment, CITY and PARTNERS shall be individually responsible for the following:
 - i. Inspecting the equipment for damage from shipping/handling.
 - ii. Testing of the equipment for proper operation.
 - iii. Programming of equipment to manufacturer and local jurisdictional communications standards and protocols.

C. Authorization from Partners Governing Bodies and Payment of Matching Funds.

1. If the purchase of the communications equipment requires the approval of the governing body of a participating jurisdiction, it shall be the responsibility of the individual PARTNERS to provide a certified copy of the documentation to CITY approving the purchase and specifying the method of payment of the local match share as shown in Exhibit "A" of this Agreement either by check or electronic transfer of funds from PARTNERS to CITY.
2. All documentation of authorization to participate in the grant project from PARTNERS governing bodies shall be submitted to CITY on or before

June 1, 2015. Documentation shall include an official Resolution or signed letter by the jurisdiction's Mayor, County Judge official from the governing body and execution of this Interlocal Agreement.

3. Payment of the local matching funds shall be paid by PARTNERS to CITY by either check or electronic transfer of funds within 30 days of the receipt of base station radios.
4. Distribution of equipment will take place after CITY receives matching funds from each participating PARTNER.

D. Warranties & Maintenance of Radios, Base Stations and Core Radio Controller.

1. CITY and PARTNERS shall be individually responsible for the following procedures for maintenance of the radios:
 - a. Ensuring that all warranties and service/maintenance agreements for the radios are registered with the manufacturer(s), that all warranty documentation is recorded and kept on file, including information regarding the warranty period, manufacturer's responsibilities, jurisdiction's responsibilities, etc.
 - b. Adherence to all conditions and requirements of any warranties or maintenance agreements/contracts with any manufacturer or manufacturer's representative in the event that a radio is damaged or requires repairs, service and maintenance. The cost for any repair and maintenance work that is not covered under warranty shall be the individual responsibility of CITY and PARTNERS.
 - c. All maintenance and repairs of the radios after the expiration of any warranties and/or service contracts/agreements shall be the individual responsibility of CITY and PARTNERS.

E. Inventory and Reporting Requirements.

1. CITY and PARTNERS agree to the following procedures for the purchase and distribution of the radio equipment:
 - a. To meet or exceed the Federal competitive bidding requirements the CITY will utilize the Western States Contracting Alliance (WSCA) contract #02702 for the purchasing of base stations. The competitive bidding requirement is met by the WSCA contract being previously bid by the State of Washington. In accordance with the WSCA contract public agencies shall use Phase 1 purchasing and sole source providers.
WSCA has contracted with Motorola Solutions for the P25 compliant

base station radios.

- b. CITY will coordinate the creation of an equipment inventory and control process that will list all equipment that is retained by CITY and distributed to PARTNERS including information regarding manufacturer, model number, serial number, and location of each base station, assigned to the PARTNERS.
- c. CITY and PARTNERS shall be responsible for maintaining accurate records on the location, condition, and status of all radios during the period of performance of the grant agreement from _____ (*Dependent on grant approval date(s)*) through _____ and for a record retention period of three (3) years after the end of the performance period on _____ as required by federal grant management standards. PARTNERS will be responsible for reporting any loss or irreparable damage that occurs to any radio equipment immediately to CITY for the duration of grant performance period and during the three (3) year retention period.
- d. In the event that a radio purchased under the grant is replaced due to loss or irreparable damage, it shall be the responsibility of PARTNERS to notify CITY of said replacement immediately and provide information regarding manufacturer, model, serial number, and location of the new radio.
- e. The inventory of radio communications purchased through the grant agreement shall be recorded by CITY and PARTNERS by jurisdiction, manufacturer, model, serial number and location for each item purchased.
- f. CITY and PARTNERS will certify that all information provided for each radio in their respective inventories is accurate and that they certify thus by signing the inventory form document.

This Interlocal Agreement is entered into this _____ day of _____, 2015, by and between CITY and PARTNERS. This agreement will take effect at the time of execution and will remain in effect during the period of performance from _____ through _____ and for ninety (90) days after the end of the performance and budget periods in order to allow for programmatic and fiscal compliance and grant close-out. This agreement can be modified with the mutual consent of CITY and PARTNERS as long as the modification(s) does not conflict with the requirements set forth in the grant agreement or with the policies and guidelines of the Assistance to Firefighters Grant Program. The executors of this agreement further represent that they have the authority to make such commitment on behalf of their respective jurisdictions/organizations.

CITY OF OAK HARBOR

Assistant to Firefighters
Grant Program Interlocal
Agreement - 5

Print: Ray Merrill
Title: Fire Chief

Dated: _____

CAMANO ISLAND FIRE AND RESCUE

Print: Mike Schick
Title: Fire Chief

Dated: _____

CENTRAL WHIDBEY FIRE AND RESCUE

Print: Ed Hartin
Title: Fire Chief

Dated: _____

NORTH WHIDBEY FIRE AND RESCUE

Print: Marv Koorn
Title: Fire Chief

Dated: _____

SOUTH WHIDBEY FIRE AND EMS

Print: H. L. "Rusty" Palmer
Title: Fire Chief

Dated: _____

Exhibit “A”

Partner	Base Stn	Equipment total (per radio) (estimated)	Grand – eligible total	90% AFG Funds	10% Match	Total due the City
Oak Harbor	2	14,065.50 14,065.50	14,065.50 14,065.50	12,658.95 12,658.95	1,406.55 1,406.55	
Camano Island	2	14,065.50 14,065.50	14,065.50 14,065.50	12,658.95 12,658.95	1,406.55 1,406.55	2,813.10
Central Whidbey	2	14,065.50 14,065.50	14,065.50 14,065.50	12,658.95 12,658.95	1,406.55 1,406.55	2,813.10
North Whidbey	2	14,065.50 14,065.50	14,065.50 14,065.50	12,658.95 12,658.95	1,406.55 1,406.55	2,813.10
South Whidbey	2	14,065.50 14,065.50	14,065.50 14,065.50	12,658.95 12,658.95	1,406.55 1,406.55	2,813.10
Totals	10	140,655.00	140,655.00	126,589.50	14,065.50	11,252.40

NOTE: This is a preliminary estimate, final costs will be determined upon final bidding of the radios through Motorola Solutions. This amount does include installation costs by the radio technicians at ICOM.

RESOLUTION NO. 15-21

A RESOLUTION AUTHORIZING THE ADOPTION OF THE ISLAND COUNTY FIRE DEPARTMENT'S INTER-LOCAL AGREEMENT FOR THE PURCHASING OF P25 COMPLIANT BASE STATION TRANSMITTERS.

WHEREAS, The Federal Government, in conjunction with the United States Federal Communications Commission requires all public service agencies radios to become P-25 compliant; and

WHEREAS; The current fire frequency one (1) Motorola MTR2000 base station radio transmitters are not P-25 compliant and are at or soon to be at the end of their live span; and

WHEREAS, Motorola Radio will no longer repair and/or provide repair parts for the MTR2000 base station radios. These radios shall be replaced with the Motorola GTR8000 P-25 compliant radio transmitters; and

WHEREAS, The City of Oak Harbor, acting as the host agency for all Island County Fire Departments did apply for an Assistance to Fire Fighter Grant, for the purchasing of ten (10) GTR8000 base station radios; and

WHEREAS, All Island County Fire Departments have agreed to enter into an Inter-Local agreement to pay their proportionate share of the 10% matching fund (approximately \$3,100.00 to each agency) should the Assistance to Fire Fighters Grant be approved; and

WHEREAS, Upon approval of the Assistance to Fire Fighters Grant, the Motorola GTR800 base station radios will be ordered utilizing the Western States Contracting Alliance Contract #02702 which recognizes Motorola as a sole source provider. The ten (10) radios will be divided between the five (5) partner agencies for continued maintenance.

NOW, THEREFORE, it is hereby resolved by the City Council of Oak Harbor Washington that:

The City of Oak Harbor agrees to enter into this Inter-Local agreement with all partner agencies, and authorize Ray Merrill, Fire Chief to sign this Inter-Local agreement.

Passed by the City Council this 7th day of July, 2015

CITY OF OAK HARBOR

Scott Dudley, Mayor

ATTEST:

Anna Thompson
City Clerk

APPROVED AS TO FORM:

Nikki Esparza
City Attorney



Workshop Item

Pending Agenda Items

Item 2.e Homeless Encampment Code Amendment

Steve Powers, Development Services Director

Attachments

Attachment A: Staff Report - Homeless Encampment Draft Ordinance

Attachment B: Ordinance No. 1712 (with revisions)

Attachment C: Ordinance No. 1712 (clean version)

**City of Oak Harbor
Report to the City Council**

Date: June 17, 2015
Subject: New Code Section (OHMC 19.35.060)
creating regulations and procedures for
siting Homeless Encampments

FROM: Steve Powers, AICP
Development Services Department - Director

PURPOSE

This staff report presents a draft ordinance creating regulations and procedures for the siting and management of homeless encampments. The proposed ordinance will create a new section to the OHMC under Chapter 19.35 “Temporary Use Permits”.

DISCUSSION

Why: The 2014 annual audit performed by the Washington Cities Insurance Authority (WCIA) focused on permit processes, procedures and land use codes administered by the City’s Development Services Department. The audit revealed a lack of regulations pertaining to homeless encampments and strongly encouraged the city to pursue this code amendment. This pro-active code amendment is beneficial in several ways:

1. Easier to create regulations without the pressures of a submitted application;
2. Eliminates ad hoc and discretionary decisionmaking reducing the risk of legal challenges; and,
3. Provides an opportunity to establish land use guidance in conformance with the protections created under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA); and RCW 35A.21.360.

This legislative action is consistent with goals and policies established in the City of Oak Harbor Comprehensive Plan (November 2014) and serves to implement Housing Element Policy 2d and 2f:

Policy 2d “Work cooperatively with social service providers to address the needs of homeless persons.”

Policy 2f “Encourage cooperation with local churches, other organizations, and individuals to establish a short-term homeless shelter or mission.”

What: Staff began preparation of this ordinance by reviewing homeless encampment codes adopted by other Washington jurisdictions. This draft is based on Mercer Island’s code in large part due to desired similar management and process structure and the fact that Mercer Island’s code has been successfully court tested.

The draft ordinance establishes parameters for location, timing, managing structure, and physical site requirements. An application process is also created requiring the applicant to perform a

series of steps including: conduct an informal public meeting, create a code of conduct, contact the Oak Harbor Police Department, maintain a resident log, perform background checks, and provide notification to property owners within 600 feet of the proposed site.

Specific key points in this ordinance include:

1. Links temporary encampments to places of worship (definition added);
2. Requires a sponsoring and a managing organization (may be the same);
3. Only one allowed in the city at any one time;
4. Requires compliance with City/County health, safety and welfare rules;
5. Establishes site layout requirements (i.e. buffering, lighting, ingress/egress, etc.)
6. Maximum 90-days per operation; 50 person capacity; must be within ½ mile of a public transit stop.

Who: The City Council reviewed an early draft of this ordinance in December 2014. Several comments were received and incorporated into the current draft. In addition, the Planning Commission has reviewed the draft at meetings in February, March, and May of this year. Internal staff review has been provided by the Police, Law, and Development Services Departments as well as the Senior Activity Center Director. Review by external agencies include: Island County Public Health, Opportunity Council, and the North Whidbey Homeless Project. This packet includes two drafts of the ordinance. The first (Attachment 1) identifies all proposed revisions made to the draft the Council reviewed in December, 2014. The second is a clean version incorporating all revisions (Attachment 2).

When: As established in OHMC Chapter 18.20.270 (2)(b), amendment to regulations, land use codes, and the comprehensive plan, requires a review process V. Review process V requires a public hearing before the Planning Commission. All actions taken by the Planning Commission take the form of a recommendation to the City Council. The City Council may hold additional hearings. Subsequent to this review, any proposed revisions will be presented to the Planning Commission at the scheduled and advertised public hearing June 23, 2015. The Planning Commission recommendation will be forwarded to the Council at the August 5, 2015 meeting.

RECOMMENDATION

- Review and provide input to staff.
- Schedule item for August 5, 2015 City Council meeting (hearing optional).

ATTACHMENTS

Attachment 1: Ordinance No. 1712 (with revisions)

Attachment 2: Ordinance No. 1712 (clean version)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OAK HARBOR ADDING A NEW SECTION 19.35.060 ENTITLED "HOMELESS ENCAMPMENT REGULATIONS" TO CHAPTER 19.35 ENTITLED "TEMPORARY USE PERMITS" OF THE OAK HARBOR MUNICIPAL CODE

WHEREAS, there are an estimated 115 homeless people in the greater Oak Harbor area each night; and

WHEREAS, the City of Oak Harbor neither promotes nor disapproves of tent cities. Rather it acknowledges that tent cities are an emergency response to a greater problem of homelessness in Oak Harbor and a safer alternative to life on the streets; and

WHEREAS, both the First Amendment to the United States Constitution and Article 1, Section 11 of the Washington State Constitution protect the free exercise of religion; further, the Religious Land Use and Institutionalized Persons Act of 2000 prohibits governments from imposing a land use regulation that unreasonably limits religious assemblies, institutions or structures. Court decisions hold that a church sponsoring a temporary homeless encampment on its own property constitutes protected religious expression; and

WHEREAS, RCW 35A.21.360 expressly authorizes religious organizations to host temporary encampments for homeless persons on property owned or controlled by religious organizations, and likewise authorizes cities to establish permit or other regulatory conditions necessary to protect public health and safety, provided, however, that they do not substantially burden the decisions or actions of religious organizations providing housing or shelter for homeless persons on property owned or controlled by religious organizations; and

WHEREAS, the City of Oak Harbor and its elected and appointed officials are committed to protecting the health, safety and well-being of its citizens, as mandated by the State Constitution; and

WHEREAS, in keeping with the duties and responsibilities of municipal government, temporary encampments and the hosting facility are also protected by all public safety, health and welfare regulations routinely provided to Oak Harbor citizens and visitors; and

WHEREAS, City staff prepared draft changes to the Oak Harbor Municipal Code to address safety, health and welfare issues related to temporary encampments and on December 17, 2014, a ~~community meeting~~ City Council workshop was held to introduce the proposed code changes to the public; and

WHEREAS, the Oak Harbor Planning Commission was briefed on the temporary encampment issues and began its review of the proposed code changes on January 27, 2015, and;

WHEREAS, the Oak Harbor Planning Commission held additional review meetings on the proposed amendment on February 24, 2015; March 24, 2015; and, May 26, 2015, and;

WHEREAS, a SEPA determination of _____ was issued on _____; and

WHEREAS, notice of the proposed amendment was provided to the Department of Commerce on _____; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the proposed changes on _____; and

WHEREAS, on _____, the Oak Harbor Planning Commission made its final recommendations on proposed temporary encampment regulations; and

WHEREAS, the Oak Harbor City Council was again briefed on the proposed amendment at their regular workshop on _____; and

WHEREAS, the Oak Harbor City Council considered the Planning Commission's recommendations on _____, held an open record public hearing on; and

WHEREAS, after considering testimony by staff and all public comments submitted to the Council; and

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. There is hereby added a new Section 19.35.060 entitled "Homeless Encampment Regulations" to Chapter 19.35 of the Oak Harbor Municipal Code to read as follows:

**19.35.060
HOMELESS ENCAMPMENT REGULATIONS**

(1) Definitions.

- (a) Place of Worship. An establishment, the principal purpose of which is religious worship and for which the principal building or structure contains the sanctuary or principal place of worship and which includes related accessory uses in the principal building or in other separate structures.
- (ab) Temporary Encampment. A group of persons temporarily residing in one or more temporary structures except for recreational purposes, and located at a place of worship.
- (bc) Temporary Encampment Sponsor. A place of worship which owns the property or has an ownership interest in the property, for which a temporary encampment

is to be located, and that has an agreement with the temporary encampment managing organization to provide basic services and support for the residents of a temporary encampment and liaison with the surrounding community and joins with the managing organization in an application for a temporary encampment permit. A "sponsor" may be the same entity as the managing organization.

(ed) Temporary Encampment Managing Organization. A group or organization that has the capacity to organize and manage a temporary encampment. A temporary encampment "managing organization" may be the same entity as the temporary encampment sponsor.

(2) Temporary Encampment Permit.

(a) General Conditions. Temporary encampments are allowed only pursuant to a permit issued in accordance with the following conditions:

- (i) A temporary encampment shall be located at a place of worship. If the place of worship is not actively practicing on the site proposed for a temporary encampment, then the place of worship must comply with all other permit requirements for the underlying zone required for siting a new place of worship and temporary encampment.
- (ii) Each lot occupied by a temporary encampment must provide or have available off-street parking and vehicular maneuvering area.
- (iii) The temporary encampment and the parking of any vehicles associated with a temporary encampment application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the ~~code official~~ director or his/her designee.
- (iv) The temporary encampment shall be located within one-half (1/2) mile of a public transit stop.
- (v) No temporary encampment shall operate within the city of Oak Harbor for more than ninety (90) consecutive days, except that the ~~code official~~ director or his/her designee may allow up to five (5) additional days to accommodate moving on a weekend.
- (vi) Not more than one (1) temporary encampment may operate at a given time in the city so as to ensure adequate resources and support services.

- (vii) The city shall not grant a permit for a temporary encampment that is proposed to commence on a lot or lots within one-half (½) mile of any lot(s) that contained a temporary encampment within the last eighteen (18) months. For the purposes of this subsection, the eighteen (18) months shall be calculated from the last day of the prior temporary encampment within the one-half mile (½) radius. ~~No more than one (1) temporary encampment may be located in the city at any time.~~
- (viii) All temporary encampments shall obtain, prior to occupancy of the lots, all applicable city of Oak Harbor permits, licenses and other approvals. ~~(i.e., business license, building permit, administrative approvals, etc.)~~
- (ix) Each site occupied by a temporary encampment shall be left free of debris, litter, or other evidence of the temporary encampment upon completion of removal of the use.
- (x) The applicant shall submit a complete application for a temporary encampment permit at least seventy-five (75) days before or any occupancy by the temporary encampment.
- (xi) The encampment shall be limited to a maximum of ~~one hundred (100)~~ fifty (50) persons. After the encampment reaches its ~~one hundred (100)~~ fifty (50) person capacity, any individual(s) who arrive after sundown (and meet all screening criteria) will be allowed to stay for one (1) night, after which the individual(s) will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the ~~code official~~ director or his/her designee on a weekly basis.
- (xii) Because of their temporary nature, temporary structures within temporary encampments shall not be required to meet the site plan review procedures of OHMC 19.48 nor the Design Review commercial and industrial design guidelines criteria of OHMC 19.48.969. Any permanent structures, as determined by the ~~code official~~ director or his/her designee, shall meet all applicable Design Review criteria, and receive any necessary Design Review permits. All temporary structures for temporary encampments shall comply with the following design criteria:
- A. Temporary encampment structures shall be located a minimum of twenty (20) feet from any property line that abuts a ~~residential~~ property that has a residential use, unless otherwise approved by the ~~code official~~ director or his/her designee. All other setbacks and yards applicable to permanent structures shall apply to temporary structures related to temporary encampments;

- B. A six (6) foot high sight obscuring fence, vegetative screen or other visual buffering consistent with the provisions of OHMC 19.46.030, as applicable, shall be provided between the temporary encampment and any abutting existing residential property use and the right-of-way. The fence shall provide a privacy and a visual buffering among neighboring properties in a manner and material approved by the ~~code official~~ director or his/her designee. The ~~code official~~ director or his/her designee shall consider existing vegetation, fencing, topographic variations and other site conditions in determining compliance with this requirement; and
- C. Exterior lighting ~~must be directed downward, away from adjoining properties, shall be shaded and directed so as not to be visible from any residentially classified property or property designated for residential uses~~ and be contained within the temporary encampment.
- (xiii) No children under the age of eighteen (18) are allowed to stay overnight in a temporary encampment unless accompanied by a parent or legal guardian. If any other child under the age of eighteen (18) attempts to stay overnight at the temporary encampment, the temporary encampment managing organization shall immediately contact the Washington State Department of Social and Health Services Child Protective Services, or its successor.
- (xiv) The temporary encampment shall comply with all applicable standards of the Island County Health Department, or its successor.
- (xv) The temporary encampment shall comply with all Washington State and City codes concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, cooking and food handling and fire resistant materials. Servicing of portable toilets and trash dumpsters is prohibited between the hours of ~~10:00~~ 9:00 pm and 7:00 am on Mondays through Fridays, excluding legal holidays, and between the hours of ~~10:00~~ 9:00 pm and 9:00 am on Saturdays, Sundays and legal holidays, except in the case of bona fide emergency or under permit from the ~~code official~~ director or his/her designee in case of demonstrated necessity.
- (xvi) The temporary encampment shall permit regular inspections by the city, including the police department, and Island County Health Department to check compliance with the standards for temporary encampments. Nothing in this ordinance shall require inspections by the Island County Health Department. The Oak Harbor Fire Department shall do an initial

fire inspection and safety meeting at the inception of the temporary encampment.

- (xvii) All temporary encampments shall have services, such as food, water, and waste disposal, provided by a temporary encampment sponsor and supervised by a temporary encampment managing organization.
- (xviii) The managing organization and temporary encampment sponsor shall sign a hold harmless agreement for the temporary encampment.
- (xix) The temporary encampment managing organization shall maintain a resident log for all who are residing at the temporary encampment. Such log shall be kept onsite at the temporary encampment. Prospective encampment residents shall provide a verifiable form of identification when signing the log.
- (xx) The temporary encampment sponsor and encampment managing organization shall ensure enforcement of a code of conduct at the temporary encampment site. The code of conduct shall be in substantially the following form or address the following issues:
 - A. Possession or use of illegal drugs is not permitted;
 - B. No alcohol is permitted;
 - C. No weapons are permitted;
 - ~~D. All knives over three and one-half (3-1/2) inches must be turned in to the encampment managing organization for safekeeping;~~
 - ED. No violence is permitted;
 - FE. No open flames are permitted;
 - GF. No trespassing into private property in the surrounding neighborhood is permitted;
 - HG. No littering on the temporary encampment site or in the surrounding neighborhood is permitted; and
 - ~~I. No convicted sex offender shall reside in the temporary encampment.~~

H. Excessive noise shall be limited to the restrictions identified in OHMC 6.56.

- (xxi) The temporary encampment managing organization shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by obtain warrant and sex offender checks from the Oak Harbor Police Department related to identified sex offenders or prospective residents with warrants shall be met. for all current camp residents within the seven (7) days prior to moving to Oak Harbor, as well as from all new residents checking into the temporary encampment. If said check reveals the subject is a sex offender or has an active warrant, the temporary encampment managing organization or sponsor shall immediately contact the Oak Harbor Police Department. The temporary encampment sponsor shall be responsible for verifying that the warrant and sex offender checks occur, that the log of persons residing at the temporary encampment is kept and that verifiable forms of identification are being provided.
- (xxii) Upon determination that there has been a violation of any condition of approval, the ~~code official~~ director or his/her designee may give written notice to the permit holder describing the alleged violation. Within seven (7) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the seven (7) day period, the ~~code official~~ director or his/her designee shall sustain or revoke the permit. When a temporary encampment permit is revoked, the ~~code official~~ director or his/her designee shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a temporary encampment permit will be processed pursuant to RCW 36.70C. The availability of this procedure shall be in addition to the procedures set out in OHMC 18.20.510-550.
- (xxiii) The ~~code official~~ director or his/her designee may require any other condition as necessary to mitigate impacts from temporary encampments.
- (b) Permit Application. The applicant for a temporary encampment shall submit all of the following, unless waived by the ~~code official~~ director or his/her designee:
- (i) General application form;

- (ii) A site plan, which extends fifty (50) feet beyond the proposed site's property boundaries, drawn to scale showing all of the following:
 - A. all existing and proposed temporary structures;
 - B. Existing and proposed ingress and egress and existing or proposed parking stalls available for the temporary encampment use;
 - ~~C. parking stalls proposed to be unavailable for parking vehicles during the temporary encampment;~~
 - ~~D. all proposed temporary structures;~~
 - ~~E. proposed electrical and plumbing connections;~~
 - C. location of trash receptacles, including trash dumpsters;
 - ~~F~~D. location of toilets and other sanitary facilities;
 - ~~G~~E. location and details of any proposed connection to wastewater, potable water, stormwater, electrical supply, or other public or private utility systems;
 - ~~H~~F. proposed and existing location of site lighting ingress and egress;
 - ~~I~~G. any permanent alterations on the lot, to the site, or structures; and
 - ~~J~~H. designated smoking area;
- (iii) Proposed fencing detail or typical section;
- (iv) Written authorization from a temporary encampment sponsor on which the temporary encampment is located;
- (v) A hold harmless agreement, on a form approved by the City Attorney, with a signature of the temporary encampment sponsor;
- (vi) A copy of any agreements with other parties regarding use of parking, either on-site or off-site;
- (vii) A copy of any agreement between the temporary encampment sponsor, temporary encampment managing organization, and any schools and/or child care services;

- (viii) A copy of the code of conduct;
 - (ix) The applicant shall provide:
 - A. The date, time, and location of the required informal public meeting;
 - B. The name of persons representing the temporary encampment managing organization and sponsor at the informal public meeting;
 - C. A summary of comments provided; and
 - D. Copies of any documents submitted at the informal public meeting;
 - (x) Any other information deemed necessary by the ~~code official~~ director or his/her designee for the processing of a temporary encampment permit; and
 - (xi) All applicable application filing fees in an amount established annually by resolution.
- (c) Application Process. A temporary encampment permit is a form of temporary use permit and is an administrative action. In addition to the requirements for the processing of administrative actions specified in OHMC Chapter 18.20, the following additional procedures shall apply:
- (i) Informal Public Meeting Required. The ~~code official~~ director or his/her designee shall require an applicant to conduct an informal public meeting to inform citizens about a proposed temporary encampment prior to submittal of an application. Notice of the informal public meeting shall be provided in the same manner as required ~~for notice of the application by~~ OHMC Section 18.20.380(2), at least ten (10) days prior to the informal public meeting. Prior to the informal public meeting, the temporary encampment sponsor and managing organization shall meet and confer with the Oak Harbor Police Department regarding any proposed security measures. At the informal public meeting, a representative of the temporary encampment sponsor and managing organization shall present in writing and describe the proposed temporary encampment location, timing, site plan, code of conduct, encampment concerns, management security measures, and any input or comment received on the plan, including any comment or input from the Oak Harbor Police Department, or comment or input from schools and/or child care services under subsection (ii) of this section. Copies of the agenda and other materials

shall be provided by the applicant at the meeting. The meeting shall be conducted on the subject property whenever feasible.

(ii) Additional Mailed Notice. The requirements for mailing the notice of application set forth in OHMC Section 18.20.380(2) shall be expanded to include owners of real property within six hundred (600) feet of the lot(s) containing the proposed temporary encampment. Prior to any application for a temporary encampment permit, the temporary encampment sponsor, or temporary encampment managing organization shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within six hundred (600) feet of the boundaries of the lot(s) proposed to contain the temporary encampment. The temporary encampment sponsor and the school administration and/or child care service operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address school and/or child care concerns regarding the location of a temporary encampment within six hundred (600) feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the code official-director or his/her designee for consideration, for inclusion within the temporary encampment permit. In the event the parties fail to agree on any conditions, either party may provide the code official director or his/her designee with a written summary of the parties' discussions, which the director or his/her designee may consider in evaluating whether the conditions for the temporary encampment permit are met, or the need for additional conditions upon the temporary encampment permit, without violating the legal rights of the temporary encampments sponsor.

(d) Emergencies. The code official-director or his/her designee may waive these requirements when a catastrophic event necessitates the immediate establishment of a temporary encampment.

Section Two. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder or the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section Three. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication.

PASSED by the City Council this _____ day of _____, 2014 2015.

THE CITY OF OAK HARBOR

Veto ()
Approve ()

By _____

Scott Dudley, Mayor

Dated: _____

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published: _____

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6/9/2015 2:17 PM

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OAK HARBOR ADDING A NEW SECTION 19.35.060 ENTITLED "HOMELESS ENCAMPMENT REGULATIONS" TO CHAPTER 19.35 ENTITLED "TEMPORARY USE PERMITS" OF THE OAK HARBOR MUNICIPAL CODE

WHEREAS, there are an estimated 115 homeless people in the greater Oak Harbor area each night; and

WHEREAS, the City of Oak Harbor neither promotes nor disapproves of tent cities. Rather it acknowledges that tent cities are an emergency response to a greater problem of homelessness in Oak Harbor and a safer alternative to life on the streets; and

WHEREAS, both the First Amendment to the United States Constitution and Article 1, Section 11 of the Washington State Constitution protect the free exercise of religion; further, the Religious Land Use and Institutionalized Persons Act of 2000 prohibits governments from imposing a land use regulation that unreasonably limits religious assemblies, institutions or structures. Court decisions hold that a church sponsoring a temporary homeless encampment on its own property constitutes protected religious expression; and

WHEREAS, RCW 35A.21.360 expressly authorizes religious organizations to host temporary encampments for homeless persons on property owned or controlled by religious organizations, and likewise authorizes cities to establish permit or other regulatory conditions necessary to protect public health and safety, provided, however, that they do not substantially burden the decisions or actions of religious organizations providing housing or shelter for homeless persons on property owned or controlled by religious organizations; and

WHEREAS, the City of Oak Harbor and its elected and appointed officials are committed to protecting the health, safety and well-being of its citizens, as mandated by the State Constitution; and

WHEREAS, in keeping with the duties and responsibilities of municipal government, temporary encampments and the hosting facility are also protected by all public safety, health and welfare regulations routinely provided to Oak Harbor citizens and visitors; and

WHEREAS, City staff prepared draft changes to the Oak Harbor Municipal Code to address safety, health and welfare issues related to temporary encampments and on December 17, 2014, a City Council workshop was held to introduce the proposed code changes to the public; and

WHEREAS, the Oak Harbor Planning Commission was briefed on the temporary encampment issues and began its review of the proposed code changes on January 27, 2015, and;

WHEREAS, the Oak Harbor Planning Commission held additional review meetings on the proposed amendment on February 24, 2015; March 24, 2015; and, May 26, 2015, and;

P:\Boards and Committees GS2012-027 (6yrs XFR)\CITY COUNCIL\CC Workshop\15\6-17-15\Homeless Code Attach 2..docx

Homeless Encampment Ordinance

Page 1

WHEREAS, a SEPA determination of _____ was issued on _____; and

WHEREAS, notice of the proposed amendment was provided to the Department of Commerce on _____; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the proposed changes on _____; and

WHEREAS, on _____, the Oak Harbor Planning Commission made its final recommendations on proposed temporary encampment regulations; and

WHEREAS, the Oak Harbor City Council was again briefed on the proposed amendment at their regular workshop on _____; and

WHEREAS, the Oak Harbor City Council considered the Planning Commission's recommendations on _____, held an open record public hearing on; and

WHEREAS, after considering testimony by staff and all public comments submitted to the Council; and

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. There is hereby added a new Section 19.35.060 entitled "Homeless Encampment Regulations" to Chapter 19.35 of the Oak Harbor Municipal Code to read as follows:

**19.35.060
HOMELESS ENCAMPMENT REGULATIONS**

(1) **Definitions.**

- (a) **Place of Worship.** An establishment, the principal purpose of which is religious worship and for which the principal building or structure contains the sanctuary or principal place of worship and which includes related accessory uses in the principal building or in other separate structures.
- (b) **Temporary Encampment.** A group of persons temporarily residing in one or more temporary structures except for recreational purposes, and located at a place of worship.
- (c) **Temporary Encampment Sponsor.** A place of worship which owns the property or has an ownership interest in the property, for which a temporary encampment is to be located, and that has an agreement with the temporary encampment managing organization to provide basic services and support for the residents of a temporary encampment and liaison with the surrounding community and joins

with the managing organization in an application for a temporary encampment permit. A "sponsor" may be the same entity as the managing organization.

- (d) Temporary Encampment Managing Organization. A group or organization that has the capacity to organize and manage a temporary encampment. A temporary encampment "managing organization" may be the same entity as the temporary encampment sponsor.

(2) Temporary Encampment Permit.

- (a) General Conditions. Temporary encampments are allowed only pursuant to a permit issued in accordance with the following conditions:
- (i) A temporary encampment shall be located at a place of worship. If the place of worship is not actively practicing on the site proposed for a temporary encampment, then the place of worship must comply with all other permit requirements for the underlying zone required for siting a new place of worship and temporary encampment.
 - (ii) Each lot occupied by a temporary encampment must provide or have available off-street parking and vehicular maneuvering area.
 - (iii) The temporary encampment and the parking of any vehicles associated with a temporary encampment application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the director or his/her designee.
 - (iv) The temporary encampment shall be located within one-half (½) mile of a public transit stop.
 - (v) No temporary encampment shall operate within the city of Oak Harbor for more than ninety (90) consecutive days, except that the director or his/her designee may allow up to five (5) additional days to accommodate moving on a weekend.
 - (vi) Not more than one (1) temporary encampment may operate at a given time in the city so as to ensure adequate resources and support services.
 - (vii) The city shall not grant a permit for a temporary encampment that is proposed to commence on a lot or lots within one-half (½) mile of any lot(s) that contained a temporary encampment within the last eighteen (18) months. For the purposes of this subsection, the eighteen (18) months

shall be calculated from the last day of the prior temporary encampment within the one-half mile (½) radius.

- (viii) All temporary encampments shall obtain, prior to occupancy of the lots, all applicable city of Oak Harbor permits, licenses and other approvals.
- (ix) Each site occupied by a temporary encampment shall be left free of debris, litter, or other evidence of the temporary encampment upon completion of removal of the use.
- (x) The applicant shall submit a complete application for a temporary encampment permit at least seventy-five (75) days before or any occupancy by the temporary encampment.
- (xi) The encampment shall be limited to a maximum of fifty (50) persons. After the encampment reaches its fifty (50) person capacity, any individual(s) who arrive after sundown (and meet all screening criteria) will be allowed to stay for one (1) night, after which the individual(s) will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the director or his/her designee on a weekly basis.
- (xii) Because of their temporary nature, temporary structures within temporary encampments shall not be required to meet the site plan review procedures of OHMC 19.48 nor the commercial and industrial design guidelines criteria of OHMC 19.48.969. Any permanent structures, as determined by the director or his/her designee, shall meet all applicable Design Review criteria, and receive any necessary Design Review permits. All temporary structures for temporary encampments shall comply with the following design criteria:
 - A. Temporary encampment structures shall be located a minimum of twenty (20) feet from any property line that abuts a property that has a residential use, unless otherwise approved by the director or his/her designee. All other setbacks and yards applicable to permanent structures shall apply to temporary structures related to temporary encampments;
 - B. A six (6) foot high sight obscuring fence, vegetative screen or other visual buffering consistent with the provisions of OHMC 19.46.030, as applicable, shall be provided between the temporary encampment and any abutting residential property and the right-of-way. The fence shall provide a privacy and a visual buffering among neighboring properties in a manner and material approved by the director or his/her designee. The director or his/her

designee shall consider existing vegetation, fencing, topographic variations and other site conditions in determining compliance with this requirement; and

- C. Exterior lighting shall be shaded and directed so as not to be visible from any residentially classified property or property designated for residential uses and contained within the temporary encampment.
- (xiii) No children under the age of eighteen (18) are allowed to stay overnight in a temporary encampment unless accompanied by a parent or legal guardian. If any other child under the age of eighteen (18) attempts to stay overnight at the temporary encampment, the temporary encampment managing organization shall immediately contact the Washington State Department of Social and Health Services Child Protective Services, or its successor.
 - (xiv) The temporary encampment shall comply with all applicable standards of the Island County Health Department, or its successor.
 - (xv) The temporary encampment shall comply with all Washington State and City codes concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, cooking and food handling and fire resistant materials. Servicing of portable toilets and trash dumpsters is prohibited between the hours of 9:00 pm and 7:00 am on Mondays through Fridays, excluding legal holidays, and between the hours of 9:00 pm and 9:00 am on Saturdays, Sundays and legal holidays, except in the case of bona fide emergency or under permit from the director or his/her designee in case of demonstrated necessity.
 - (xvi) The temporary encampment shall permit regular inspections by the city, including the police department, and Island County Health Department to check compliance with the standards for temporary encampments. Nothing in this ordinance shall require inspections by the Island County Health Department. The Oak Harbor Fire Department shall do an initial fire inspection and safety meeting at the inception of the temporary encampment.
 - (xvii) All temporary encampments shall have services, such as food, water, and waste disposal, provided by a temporary encampment sponsor and supervised by a temporary encampment managing organization.
 - (xviii) The managing organization and temporary encampment sponsor shall sign a hold harmless agreement for the temporary encampment.

- (xix) The temporary encampment managing organization shall maintain a resident log for all who are residing at the temporary encampment. Such log shall be kept onsite at the temporary encampment. Prospective encampment residents shall provide a verifiable form of identification when signing the log.

- (xx) The temporary encampment sponsor and encampment managing organization shall ensure enforcement of a code of conduct at the temporary encampment site. The code of conduct shall be in substantially the following form or address the following issues:
 - A. Possession or use of illegal drugs is not permitted;
 - B. No alcohol is permitted;
 - C. No weapons are permitted;
 - D. All knives over three and one-half (3-1/2) inches must be turned in to the encampment managing organization for safekeeping;
 - E. No violence is permitted;
 - F. No open flames are permitted;
 - G. No trespassing into private property in the surrounding neighborhood is permitted;
 - H. No littering on the temporary encampment site or in the surrounding neighborhood is permitted; and
 - I. No convicted sex offender shall reside in the temporary encampment.
 - J. Excessive noise shall be limited to the restrictions identified in OHMC 6.56.

- (xxi) The temporary encampment managing organization shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the Oak Harbor Police Department related to identified sex offenders or prospective residents with warrants shall be met. The temporary encampment sponsor shall be responsible for verifying that the warrant and sex offender checks occur, that the log of persons residing at

the temporary encampment is kept and that verifiable forms of identification are being provided.

- (xxii) Upon determination that there has been a violation of any condition of approval, the director or his/her designee may give written notice to the permit holder describing the alleged violation. Within seven (7) days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the seven (7) day period, the director or his/her designee shall sustain or revoke the permit. When a temporary encampment permit is revoked, the director or his/her designee shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a temporary encampment permit will be processed pursuant to RCW 36.70C. The availability of this procedure shall be in addition to the procedures set out in OHMC 18.20.510-550.
- (xxiii) The director or his/her designee may require any other condition as necessary to mitigate impacts from temporary encampments.

(b) Permit Application. The applicant for a temporary encampment shall submit all of the following, unless waived by the director or his/her designee:

- (i) General application form;
- (ii) A site plan, which extends fifty (50) feet beyond the proposed site's property boundaries, drawn to scale showing all of the following:
 - A. all existing and proposed temporary structures;
 - B. Existing and proposed ingress and egress and existing or proposed parking stalls available for the temporary encampment use;
 - C. location of trash receptacles, including trash dumpsters;
 - D. location of toilets and other sanitary facilities;
 - E. location and details of any proposed connection to wastewater, potable water, stormwater, electrical supply, or other public or private utility systems;
 - F. proposed and existing location of site lighting;
 - G. any permanent alterations on the lot, to the site, or structures; and
 - H. designated smoking area;

- (iii) Proposed fencing detail or typical section;
 - (iv) Written authorization from a temporary encampment sponsor on which the temporary encampment is located;
 - (v) A hold harmless agreement, on a form approved by the City Attorney, with a signature of the temporary encampment sponsor;
 - (vi) A copy of any agreements with other parties regarding use of parking, either on-site or off-site;
 - (vii) A copy of any agreement between the temporary encampment sponsor, temporary encampment managing organization, and any schools and/or child care services;
 - (viii) A copy of the code of conduct;
 - (ix) The applicant shall provide:
 - A. The date, time, and location of the required informal public meeting;
 - B. The name of persons representing the temporary encampment managing organization and sponsor at the informal public meeting;
 - C. A summary of comments provided; and
 - D. Copies of any documents submitted at the informal public meeting;
 - (x) Any other information deemed necessary by the director or his/her designee for the processing of a temporary encampment permit; and
 - (xi) All applicable application filing fees in an amount established annually by resolution.
- (c) Application Process. A temporary encampment permit is a form of temporary use permit and is an administrative action. In addition to the requirements for the processing of administrative actions specified in OHMC Chapter 18.20, the following additional procedures shall apply:
- (i) Informal Public Meeting Required. The director or his/her designee shall require an applicant to conduct an informal public meeting to inform citizens about a proposed temporary encampment prior to submittal of an application. Notice of the informal public meeting shall be provided in the

same manner as required by OHMC Section 18.20.380(2), at least ten (10) days prior to the informal public meeting. Prior to the informal public meeting, the temporary encampment sponsor and managing organization shall meet and confer with the Oak Harbor Police Department regarding any proposed security measures. At the informal public meeting, a representative of the temporary encampment sponsor and managing organization shall present in writing and describe the proposed temporary encampment location, timing, site plan, code of conduct, encampment concerns, management security measures, and any input or comment received on the plan, including any comment or input from the Oak Harbor Police Department, or comment or input from schools and/or child care services under subsection (ii) of this section. Copies of the agenda and other materials shall be provided by the applicant at the meeting. The meeting shall be conducted on the subject property whenever feasible.

- (ii) Additional Mailed Notice. The requirements for mailing the notice of application set forth in OHMC Section 18.20.380(2) shall be expanded to include owners of real property within six hundred (600) feet of the lot(s) containing the proposed temporary encampment. Prior to any application for a temporary encampment permit, the temporary encampment sponsor, or temporary encampment managing organization shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within six hundred (600) feet of the boundaries of the lot(s) proposed to contain the temporary encampment. The temporary encampment sponsor and the school administration and/or child care service operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address school and/or child care concerns regarding the location of a temporary encampment within six hundred (600) feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the director or his/her designee for consideration, for inclusion within the temporary encampment permit. In the event the parties fail to agree on any conditions, either party may provide the director or his/her designee with a written summary of the parties' discussions, which the director or his/her designee may consider in evaluating whether the conditions for the temporary encampment permit are met, or the need for additional conditions upon the temporary encampment permit, without violating the legal rights of the temporary encampments sponsor.

- (d) Emergencies. The director or his/her designee may waive these requirements when a catastrophic event necessitates the immediate establishment of a temporary encampment.

Section Two. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder or the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section Three. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication.

PASSED by the City Council this _____ day of _____, 2015.

THE CITY OF OAK HARBOR

Veto ()
Approve ()

By _____
Scott Dudley, Mayor

Dated: _____

Attest:

Anna Thompson, City Clerk

Approved as to Form:

Nikki Esparza, City Attorney

Published: _____

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Workshop Item

Police Calls for Service

Ed Green, Police Chief

Attachments

Attachment A: Police Calls for Service - May 2014 through May 2015

Law Total Incident Report, by Nature of Incident

Nature of Incident	Total Incidents
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911 Hang Up	108
Alarm Commercial	23
Alarm Residence	13
Animal	118
Assault Physical	12
Assist Agency	22
Assist Public	68
Burglary Attempt	2
Burglary Commercial	1
Burglary Residential	5
BURN COMPLAINT	1
Civil	20
Court Detail	1
Court Order Violation	8
Custodial Interference	5
Death Invest Unattended	3
Disorderly Conduct	18
Physical Domestic	28
Verbal Domestic	21
Fire Commercial	1
Fire Residential	4
Fireworks Complaint	1
Fraud Other	8
Harassment	10
Information Report	18
Juvenile Complaint	13
Juvenile Neglect/Abuse	7
Juvenile Runaway	8
Littering	4
Malicious Mischief	23
Medical Emergency	12
Medical Emergency	1
Mental Non Criminal	3
Missing Person	10
Non Injury Accident	31
Unknown Injury Accident	6
Noise Complaint	19
Nuisance Other	1
Nuisance Phone Calls	1
Patrol Check	1
Lost or Found Property	16
Prowler	4
Rape	1
Reminder (office use)	1
Water Rescue	1
Robbery Strongarm	1
Sex Lewd Conduct	3
Sex Offense Other	9
Soliciting	1
Threatened Suicide	10
Suspicious Person/Circumstance	63
Theft	13
Theft Services	1
Theft Shoplift	12
Threats	15

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OAK HARBOR POLICE
Law Total Incident Report, by Nature of Incident

Page: 245
2

Nature of Incident	Total Incidents
General Traffic	37
Traffic Disable	6
TRAFFIC CRIMINAL DWLSR	6
Traffic Hazard	10
TRAFFIC POSSIBLE DUI	8
**Traffic Stop	1
Trespass Other	17
Unsecure Premise	3
Utility Problem	14
VEHICLE ABANDON	11
Vehicle Impound	4
Prowl Motor Vehicle	14
Vehicle Theft	1
Verbal Dispute	3
Vice Liquor HBD	4
Vice VUCSA	12
Wanted Person	17
Weapon Offense	6
Welfare Check	46

Total Incidents for This Report: 1030

OAK HARBOR POLICE
 Law Total Incident Report, by Nature of Incident
 May 2014

Nature of Incident	Total Incidents
911 Hang Up	131
Alarm Commercial	39
Alarm Residence	13
Animal	118
Assault Physical	21
Assist Agency	28
Assist Public	94
Burglary Attempt	1
Burglary Commercial	2
Burglary Residential	6
BURN COMPLAINT	1
Civil	31
Court Order Violation	18
Custodial Interference	4
Death Invest Unattended	4
Disorderly Conduct	27
Physical Domestic	12
Verbal Domestic	21
Commercial Fire Alarm	1
Fire Residential	1
Fraud Bad Check	1
Fraud Other	30
Harassment	19
Information Report	6
Juvenile Complaint	9
Juvenile Neglect/Abuse	11
Juvenile Runaway	11
Littering	5
Malicious Mischief	29
Medical Emergency	8
Medical Emergency	1
Mental Non Criminal	10
Missing Person	9
Non Injury Accident	36
Unknown Injury Accident	9
Noise Complaint	38
Telephone Message	1
Lost or Found Property	13
Prowler	4
Rape	1
Reminder (office use)	5
Sex Lewd Conduct	1
Sex Offense Other	6
Soliciting	2
Threatened Suicide	14
Suspicious Person/Circumstance	44
Theft	28
Theft Services	2

Theft Shoplift	16
Threats	17
TMVWOP	1
General Traffic	48
Traffic Disable	7
TRAFFIC CRIMINAL DWLSR	12
Traffic Hazard	8
TRAFFIC POSSIBLE DUI	18
Trespass Other	18
Unsecure Premise	6
Utility Problem	11
VEHICLE ABANDON	10
Vehicle Impound	9
Prowl Motor Vehicle	3
Vehicle Theft	5
Verbal Dispute	11
Vice Liquor HBD	5
Vice VUCSA	17
Wanted Person	19
Weapon Offense	13
Welfare Check	42

Total Incidents for This Report:	1222
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Nature	Number of Calls	Cases Taken	Adult Arrests	Juvenile Arrests
Assault Physical	21	6	3	1
Burglary	9	5	1	0
Physical Domestic	12	6	4	0
Verbal Domestic	21	2	1	0
Juvenile Runaway	11	7	7 Returned home	
Missing Person	9	0	Located not missing	
Rape	1	1	Under Investigation	
Theft	46	18	8	0
Vehicle Theft	5	3	2 Recovered, 1 adult arrest	
Vice (Liquor/VUCSA)	25	4	0	1
Weapons Offense	13	3	1	0