

**AGENDA
DAYTON CITY COUNCIL
REGULAR SESSION**



DATE: TUESDAY, SEPTEMBER 7, 2021
TIME: 6:30 PM
PLACE: VIRTUAL ZOOM MEETING – ORS 192.670/HB 2560

If you would like to attend the meeting virtually, please click the link: <https://us06web.zoom.us/j/94322193926> to join the webinar or Telephone: 1 346 248 7799

Dayton – Rich in History . . . Envisioning Our Future

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER	
B.	ROLL CALL & PLEDGE OF ALLEGIANCE	
C.	APPEARANCE OF INTERESTED CITIZENS	
This time is reserved for questions or comments from persons in the audience on any topic.		
D.	CONSENT AGENDA	
	1. Work Special Session Meeting Minutes – July 19, 2021	1-4
	2. Regular Session Meeting Minutes – August 2, 2021	5-10
E.	ACTION ITEMS	
	1. Second Reading and Adoption of Ordinance 652 Updating the Dayton Municipal Code Establishing Sign Regulations	11-80
	2. Water Rate Study Presentation – Tim Tice, OAWU	81-116
	3. Approval of Resolution 2021/22-07 Equipment Surplus	117-120
F.	CITY COUNCIL COMMENTS/CONCERNS	
G.	INFORMATION REPORTS	
	1. City Manager’s Report	121-136
H.	ADJOURN	

Posted: September 3, 2021
Patty Ringnalda, City Recorder

Persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the City of Dayton AT LEAST 32 WORKING HOURS (4 DAYS) prior to the meeting date in order that appropriate communication assistance can be arranged. The City Hall Annex is accessible to the disabled. Please let us know if you need any special accommodations to attend this meeting.

NEXT MEETING DATES

City Council Work Session, Monday, September 20, 2021 *Virtually via Zoom*
City Council Regular Session, Monday, October 4, 2021- *Virtually via Zoom*
City Council Regular Session, Tuesday, November 1, 2021- *Virtually via Zoom*

MINUTES
DAYTON CITY COUNCIL
WORK/SPECIAL SESSION – HYBRID MEETING HELD IN PERSON & VIRTUALLY
July 19, 2021

PRESENT: Council President Rosalba Sandoval-Perez
Councilor Annette Frank
Councilor Daniel Holbrook
Councilor Kitty Mackin
Councilor Trini Marquez
Councilor Darrick Price

ABSENT: Mayor Elizabeth Wytoski

STAFF: Rochelle Roaden, City Manager
Patty Ringnalda, City Recorder
Steve Sagmiller, Public Works Director

A. CALL TO ORDER

Council President Sandoval-Perez called the meeting to order at 6:37 pm.

B. ROLL CALL

Council President Sandoval-Perez noted there was a quorum with Councilors Frank, Holbrook, Marquez and Price present in Council Chambers and Councilor Mackin present virtually. Council President Sandoval-Perez noted the absence of Mayor Wytoski.

C. APPEARANCE OF INTERESTED CITIZENS

No one was in attendance to comment.

D. CONSENT AGENDA

1. Approval of Meeting Minutes

a. Work/Special Session Meeting Minutes – June 21, 2021

DARRICK PRICE MOVED TO APPROVE THE MINUTES OF THE WORK/SPECIAL SESSION MEETING OF JUNE 21, 2021 AS WRITTEN. SECONDED BY TRINI MARQUEZ. Motion carried with Frank, Holbrook, Mackin, Marquez, Price and Sandoval-Perez voting aye. Wytoski absent.

E. ACTION ITEMS

1. Approval of Resolution 2021/22-01 Support for the Willamette Falls & Landing Heritage Area Coalition

Rochelle Roaden, City Manager reported that the request from the Willamette Falls and Landing Heritage Area Coalition (WFLHAC) is a refresh to City resolution 2014/15-07 which supports the Willamette Falls & Landing Heritage Area Coalition. Jim Mattis introduced himself and Executive Director Britta Stewart who were both in attendance via zoom. Mr. Mattis shared his presentation with the Council and asked Council to re-refresh their support of the coalition.

DANIEL HOLBROOK MOVED TO APPROVE RESOLUTION 2021/22-01 A RESOLUTION IN SUPPORT OF THE WILLAMETTE FALLS AND LANDINGS NATIONAL HERITAGE AREA COALITION. SECONDED BY ANNETTE FRANK. Motion carried with Frank, Holbrook, Mackin, Marquez, Price and Sandoval-Perez voting aye. Wytoski absent.

2. Approval of Planning Commission Appointment

Rochelle Roaden, reviewed the need to appoint a Planning Commissioner and advised that Mayor Wytoski had met with Mr. David Mackin and recommends his appointment to the Dayton Planning Commission.

ANNETTE FRANK MOVED TO APPROVE THE APPOINTMENT OF DAVID MACKIN TO THE DAYTON PLANNING COMMISSION WITH A 4 YEAR TERM EXPIRING DECEMBER 31, 2024. SECONDED BY DARRICK PRICE. Motion carried with Frank, Holbrook, Mackin, Marquez, Price and Sandoval-Perez voting aye. Wytoski absent.

3. Approval of Resolution 2021/22-02 Small City Allotment Grant Application

Rochelle Roaden reviewed the Small City Allotment Grant and asked Council to approve the Grant Application so that the City can perform an additional road overlay project on 6th Street from Ferry to Church Streets. This resolution will give the City Manager the authority to apply for the grant.

DARRICK PRICE MOVED TO APPROVE RESOLUTION 2021/22-02 A RESOLUTION AUTHORIZING THE APPLICATION FOR THE 2021 SPECIAL CITY ALLOTMENT GRANT. SECONDED BY ANNETTE FRANK. Motion carried with Frank, Holbrook, Mackin, Marquez, Price and Sandoval-Perez voting aye. Wytoski absent.

4. Cost of Living Adjustment (COLA) Discussion/Approval

Rochelle Roaden reviewed the proposed Cost of Living Adjustment (COLA) for fiscal year 21/22, advising Council on how she calculated the proposed amount. Rochelle Roaden advised that in the past Council has requested that calculations be based on the first 5 months of each year.

Councilor Holbrook asked why the COLA calculation was not based on a full year instead of five months stated he would prefer the calculation be based on a whole year rather than part of a year. Rochelle Roaden provided the calculations based on a whole year and advised that would change the requested COLA amount to 2.91%.

Councilor Price advised he is not opposed to 3.5%, but feels that Council needs to keep in mind how that works year after year and be mindful that savings are being used. Councilor Price stated that he would support a 3% COLA.

Councilor Holbrook agreed with Councilor Price, but would like to see a 12 month standard and requested it apply to next year's COLA request. Discussion continued with Council in agreement to give staff a 3% cost of living adjustment.

DARRICK PRICE MOVED TO APPROVE A 3.0% COST OF LIVING ADJUSTMENT FOR CITY STAFF EFFECTIVE JULY 1, 2021. SECONDED BY DANIEL HOLBROOK. *Motion carried with Frank, Holbrook, Mackin, Marquez, Price and Sandoval-Perez voting aye. Wytoski absent.*

5. Approval of Resolution 2021/22-03 City of Dayton Social Media Policy

Rochelle Roaden reviewed the proposed Social Media Policy, stating the City does not currently have a social media policy. League of Oregon Cities (LOC) has put together a Social Media Policy and that is what the proposed policy is based on. The City's attorney has reviewed the proposed policy and has given her approval. Rochelle Roaden advised that she has secured the services of Archive Social and they will be responsible for archiving all of the City's social media. Social Media user guidelines were discussed in length.

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 2021/22-03 A RESOLUTION ADOPTING A SOCIAL MEDIA POLICY FOR THE CITY OF DAYTON. SECONDED BY TRINI MARQUEZ. *Motion carried with Frank, Holbrook, Mackin, Marquez, Price and Sandoval-Perez voting aye. Wytoski absent.*

F. CITY COUNCIL COMMENTS AND CONCERNS

Councilor Mackin advised that the curb ramps at the corner of 4th and Ferry Streets, north side of the street and at the intersection of 7th and Ferry Streets next to the Fire hall are hard on her wheelchair. Rochelle Roaden stated that she will review the issue with the City's Engineer and see what the City's options are.

Councilor Frank reported that there were not too many issues arising out of 4th of July fireworks, unlike past years.

Councilor Holbrook commented on the painting of curbs along 7th and Ferry Streets, stating that they looked good.

G. INFORMATION REPORTS

1. City Manager's Report.

Steve Sagmiller, Public Works Director, updated the Council on the City's water system, stating that the City is in a good place in regards to water and well levels. Council was advised that Public Works is in the process of required water testing and asked that Councilors who agreed to help fill their sample bottles and let Public Works know when they are ready to be picked up.

Rochelle Roaden advised that the Urban Growth Boundary (UGB) swap project, held its first technical advisory meeting and there will be another one in a couple of weeks. They are in the process of scheduling an open house which will be the start of the community outreach.

Dayton is expected to receive \$560,000 to \$600,000 in American Rescue Plan funds. Funds were expected to be received the beginning of June, but have been delayed. Rochelle Roaden reported that Council has requested that funds be set aside to help community members, who have been affected by COVID, with their water and sewer bills. YCAP will be receiving additional funds and the Mayor would like to wait and see who receives funds from the County or have YCAP distribute City of Dayton funds.

Bands on the Run 2 City sponsored event – English and Spanish flyers will be distributed to every household with a 97114 zip code this week. Local businesses were contacted to see if they would like to participate in the event, Juanita’s, the Pirate’s Den and the ByPass will have event specials. We Be Cheezy, a locally owned food truck, will be parked at Andrew Smith Park and Trini’s Tacos will be at the Grade School.

The next City sponsored event will be “National Night Out” on August 3rd. The City has been working with Yamhill County Sheriff’s Office (YCSO) to bring back this event. Details of the event were discussed in length.

The City Wide Clean-up is scheduled for August 28th. There will be a city wide garage sale day on August 21st and the city-wide swap meet will be the week of August 23rd at the Community Center. All remaining items will be disposed of during the Clean-up.

Cyndi Park has been working on the 2021 Certified Local Governmental Grant (CLG) and the City has been awarded the grant. Funds will be used to create a brochure with a map of the cemetery, head marker cleaning workshop and completing ground penetrating radar survey.

H. ADJOURN

There being no further business, the meeting adjourned at 7:50 pm.

Respectfully submitted:

By: Patty Ringnalda
City Recorder

APPROVED BY COUNCIL on September 7, 2021.

As Written As Amended

Elizabeth Wytoski, Mayor

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
HYBRID MEETING HELD IN PERSON & VIRTUALLY
August 2, 2021

PRESENT: Mayor Elizabeth Wytoski
Council President Rosalba Sandoval-Perez
Councilor Annette Frank
Councilor Daniel Holbrook
Councilor Kitty Mackin
Councilor Darrick Price *left meeting at 7:37 pm*

ABSENT: Councilor Trini Marquez

STAFF: Rochelle Roaden, City Manager
Patty Ringnalda, City Recorder

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:34 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Frank, Holbrook, Price and Sandoval-Perez, present in Council Chambers and Councilor Mackin present virtually. Mayor Wytoski noted the absence of Councilor Marquez.

C. APPEARANCE OF INTERESTED CITIZENS

Sergeant Robert Eubanks appeared via Zoom and reviewed the Yamhill County Sheriff's Office (YCSO) annual report that was handed out to Council. Councilor Sandoval-Perez asked if there was data that tracked cases with language barriers. Sergeant Eubanks advised that language issues were not tracked, but noted that Deputies have language translations apps on their phones.

D. ACTION ITEMS

PUBLIC HEARING

Mayor Wytoski open the public hearing to obtain citizen input on Text Amendments to the Dayton Land Use and Development Code, planning action, Ordinance 652, amending Chapter 7 Sign Codes at 6:50 pm.

There were no declarations from the Council and there were no objections noted. Mayor Wytoski read the declarations and order for a Type IV Public Hearing required by law.

1. Staff Report / Sign Code Discussion – Kiel Jenkins Mid-Willamette Valley COG

Kiel Jenkins, City Planner, reviewed his staff report with Council explaining the purpose of the proposed changes to the Dayton Municipal Code and the process required to amend the proposed amendments for the legislative change to Land Use and Development Code and the Type IV land use action.

Kiel Jenkins advised that a letter has been received from an attorney representing property owners who own industrial property facing Highway 99W asking for separate provisions for signs facing highways. The Planning Commission agreed with the request and changes were made to the proposed text amendments. Highway signs were discussed in length.

Councilor Holbrook asked about existing signs within the City referring to an email he sent to the City Manager. Kiel Jenkins deemed Baker Rock wine bottles and the Auto's to Go sign as non-conforming and stated that the City is limited as to what can be done with non-conforming signs that were present before code was lawfully approved. Kiel Jenkins advised that language could be added to address these types of advertisement at a later time, once staff has time to evaluate on a case by case basis. Discussion continued.

Public Requests:

Fred Wilson of Ellington Law Group, PO Box 159, Lake Oswego, OR 97034, Attorney representing Andrea Angel was in attendance. Mr. Wilson stated that Ms. Angel owns 30 acres northeast of the RV Park along highway 99W that is zoned commercial and industrial, advising that their concern is regarding signage facing a highway. Mr. Wilson stated that he and his client are happy with the changes that the planning commission recommended and asks that Council approve the Code with the requested changes.

Mayor Wytoski closed the public hearing at 7:28 pm.

2. First Reading of Ordinance 652 – Sign Code Amendment

Darrick Price performed the first reading of Ordinance 652.

DANIEL HOLBROOK MOVED TO APPROVE THE FIRST READING OF ORDINANCE 652 AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING THE DAYTON DEVELOPMENT CODE, CHAPTER 7 OF THE DAYTON MUNICIPAL CODE, SECTION 7.2.111.07 CENTRAL BUSINESS AREA OVERLAY ZONE SIGNS AND ADDING SECTION 7.4 SIGNS TO ADD SIGN REGULATIONS FOR ALL PROPERTIES WITHIN THE CITY OF DAYTON. SECONDED BY KITTY MACKIN. *Motion carried with Frank, Holbrook, Mackin, Price, Sandoval-Perez and Wytoski voting aye. Marquez absent.*

3. Public Safety Discussion and Survey Results

Rochelle Roaden reviewed her staff report stating that the City's current 3-year levy will expire June 30, 2022. The Council has agreed to change the levy from a 3-year to a 5-year levy and per Council's request a short survey was created and rolled out in English and Spanish.

Rochelle Roaden reviewed the results of the survey that were included in the agenda packet and advised that the survey results indicated that tax payers were not willing to pay more to add an additional deputy. Discussion continued regarding costs, levy options and public safety fees.

Council agreed to going out to the voters for a 5 year local option tax with a \$2.30 increase; and to continue to work on going to the voters with an additional tax levy options.

4. Approval of Resolution 2021/22-04 - Proposed Local Option Tax Levy

KITTY MACKIN MOVED TO APPROVE RESOLUTION 2021/22-04 A RESOLUTION OF THE DAYTON CITY COUNCIL SUBMITTING TO THE REGISTERED VOTERS OF THE CITY FOR THEIR APPROVAL A LOCAL OPTION TAX AT A RATE OF \$2.30 PER \$1,000 OF ASSESSED VALUE ANNUALLY FOR 5 YEARS BEGINNING IN FISCAL YEAR 2022/2023 TO PROVIDE POLICE SERVICES. SECONDED BY ANNETTE FRANK. Motion carried with Frank, Holbrook, Mackin, Sandoval-Perez and Wytoski voting aye. Marquez & Price absent.

5. Approval of Resolution 2021/22-05 Public Record Request Policy

Rochelle Roaden reviewed the proposed changes to the records request policy and proposed rates. Council discussed the option to pay for attorney fees and agreed to pass the cost of the attorney fees to the requestor, the public record request fees were passed as proposed.

DANIEL HOLBROOK MOVED TO APPROVE RESOLUTION 2021/22-05 A RESOLUTION OF THE DAYTON CITY COUNCIL REPEALING RESOLUTION 2010/11-07 AND AMENDING THE PUBLIC RECORDS POLICY. SECONDED BY KITTY MACKIN. Motion carried with Frank, Holbrook, Mackin, Sandoval-Perez and Wytoski voting aye. Marquez & Price absent.

6. Approval of Resolution 2021/22-06 Fee Schedule Update

DANIEL HOLBROOK MOVED TO APPROVE RESOLUTION 2021/22-06 A RESOLUTION OF THE DAYTON CITY COUNCIL AMENDING THE FEE SCHEDULE. SECONDED BY ANNETTE FRANK. Motion carried with Frank, Holbrook, Mackin, Sandoval-Perez and Wytoski voting aye. Marquez & Price absent.

E. CITY COUNCIL COMMENTS AND CONCERNS

Councilor Mackin noted the new yellow curb paint, saying that she appreciated the ability to see the curb ramps better.

Councilor Holbrook thanked staff for all their hard work with the Bands on the Run event, advising that his out of town guests enjoyed the event very much.

Mayor Wytoski reviewed the Oregon Mayor's Association (OMA) conference, stating that it was a successful event. Mayor Wytoski advised that she taught several sessions at the conference and brought back some ideas that she will be sharing. The Mayor proposed the implantation of a Civic Academy/Class for citizens who are interested in serving on a commission or committee. Mayor Wytoski advised that she was the recipient of the Small Cities Leadership Award.

F. INFORMATION REPORTS

1. City Manager's Report.

Rochelle Roaden updated the Council on the progress of the Utility Bridge, stating that the Geo Tech drawings are complete and the survey is being completed this week. Design will be the next step in the process.

Water Systems – Water levels are holding and Lafayette has been using Mac water when temperatures are at the highest – Steve Sagmiller, Public Works Director has been working with Lafayette's new Public Works Supervisor and they have a good working relationship.

UGB Swap – the second meeting with the Technical Advisory Committee will be Wednesday, August 4, 2021. Kiel Jenkins is in the process of scheduling an open house, which will be the first process for outreach to the property owners. Kiel Jenkins has pointed out that some of the property is in the flood plain, therefore the area that was thought to be buildable will not be. The land that is designated EF80 is recommended to be included in the swap due to lack of inventory of swappable land. The City Planner recommended removing the EF80 property from the application, stating that there would be less resistance from outside agencies. Discussion continued. Councilor Holbrook asked if the documentation could be added to the website so that anyone interested could find the information.

American Rescue Plan - Department of Administrative Services (DAS) documents have been sent, the next step is to receive the funds. The City of Dayton is to receive \$609,000 per numbers established by the US Treasury.

RFP Dayton Village – Lumber prices are down and expected to stay down, Rochelle Roaden asked Council if they are in favor of her starting on that project. Council was in agreement to start working on the RFP for Dayton Village.

Events – National Night Out – Scheduled for Tuesday, August 3, 2021 at the Community Center. Mayor Wytoski spoke to the history of National Night Out and advised that Council traditionally works this community event and will be expected to work the event next year. This event is being combined with the Summer Reading Program end of the year party.

Citywide Garage Sale/Swap Meet & Clean Up. August 22nd – 28th – Rochelle Roaden reviewed the schedule for the up-coming Clean Up event. Councilor Sandoval-Perez inquired about homes with garbage on their property, asking if there would be opportunity for volunteers to help haul away garbage. Discussion continued.

G. ADJOURN

There being no further business, the meeting adjourned at 8:34 pm.

Respectfully submitted:

By: Patty Ringnalda
City Recorder

APPROVED BY COUNCIL on September 7, 2021.

As Written As Amended

Elizabeth Wytoski, Mayor

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Second Reading and Adoption of Ordinance 652 Updating the Dayton Municipal Code Establishing Sign Regulations
Date: September 7, 2021

Background and Information

On August 2nd, Kiel Jenkins, City Planner, presented his staff report and code amendment to establish sign regulations. After review and discussion, no changes were requested from the council. Attached is the staff report, exhibits, and code amendment.

Council Goal B –*Create a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy.*

City Manager Recommendation: I recommend approving the second reading and adoption of Ordinance 652.

Potential Motion to Approve the 2nd Reading: “I move to approve the reading of Ordinance 652 an Ordinance of the Dayton City Council Amending the Dayton Development Code, Chapter 7 of the Dayton Municipal Code, Section 7.2.111.07 Central Business Area Overlay Zone Signs and Adding Section 7.4 Signs to Add Sign Regulations for All Properties within the City of Dayton.”

Potential Motion to Adopt: “I move to adopt Ordinance 652 an Ordinance of the Dayton City Council Amending the Dayton Development Code, Chapter 7 of the Dayton Municipal Code, Section 7.2.111.07 Central Business Area Overlay Zone Signs and Adding Section 7.4 Signs to Add Sign Regulations for All Properties within the City of Dayton.”

City Council Options:

- 1 – Approve the 2nd Reading and adoption of Ordinance 652 as recommended.
- 2 – Approve the 2nd Reading and adoption of Ordinance 652 with amendments.
- 3 –Take no action and ask staff to do more research and bring further options back to the City Council.

ORDINANCE NO. 652

AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING THE DAYTON DEVELOPMENT CODE, CHAPTER 7 OF THE DAYTON MUNICIPAL CODE, SECTION 7.2.111.07 CENTRAL BUSINESS AREA OVERLAY ZONE SIGNS AND ADDING SECTION 7.4 SIGNS TO ADD SIGN REGULATIONS FOR ALL PROPERTIES WITHIN THE CITY OF DAYTON

WHEREAS, the City Council desires to adopt the text amendments to Chapter 7, Section 7.2.111.07, and add Section 7.4, Dayton Land Use and Development Code (DLUDC) that are detailed in Exhibit 1; and

WHEREAS, the purpose of these amendments is to add sign regulations that apply to all properties within the City; and.

WHEREAS, a public hearing was held before the Planning Commission on July 8, 2021, where the Commission considered the proposed text amendments to Section 7.2.111.07 and 7.4; and

WHEREAS, notice of the Planning Commission hearing was provided consistent with ORS 227.186; and,

WHEREAS, the Planning Commission recommended the proposed text amendments be adopted by the City Council with a vote of 4 in favor, 0 opposed and 1 absent; and

WHEREAS, a public hearing was held before the City Council on August 2, 2021, to consider the proposed text amendments; and

WHEREAS, notice of the City Council hearing was provided consistent with section 7.3.204.03 of the DLUDC.

The City of Dayton ordains as follows:

Section 1. The City Council hereby adopts the findings in the Staff Report dated July 22, 2021, attached as Exhibit 1.

Section 2. The City Council adopts the amendments to Chapter 7 of the DLUDC detailed in Exhibit 1 and set forth in their final form in Exhibit 2.

Section 3. This Ordinance shall become effective 30 days after adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Dayton on this 2nd day of August 2021.

Mode of Enactment:

Date of first reading: _____ In full _____ or by title only _____

Date of second reading: _____ In full _____ or by title only _____

_____ No Council member present at the meeting requested that the ordinance be read in full.

_____ A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder no later than one week before the first reading of the Ordinance.

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Elizabeth Wytoski, Mayor

Date of Signing

ATTESTED BY:

Patty Ringnalda, City Recorder

Date of Enactment

EXHIBIT 1

CITY OF DAYTON

416 Ferry Street – P. O. Box 339
Dayton, OR 97114-0039
503-864-2221 fax 503-864-2956

STAFF REPORT

City Council – August 2, 2021

REPORT DATE: July 22, 2021

FILE NUMBER: LA 2021-01 (Legislative Amendment)

APPLICANT: City of Dayton

REQUEST: Amend the Dayton Development Code to add sign regulations for all properties within the City of Dayton.

PROPERTY:

<u>Tax Lot</u>	<u>Size</u>	<u>Zoning</u>
Citywide	NA	All Zones

ZONING: All Zones

SURROUNDING ZONING: North: NA
South: NA
East: NA
West: NA

CURRENT USE: N/A

CRITERIA: **Dayton Land Use and Development Code (LUDC)**
Section 7.3.112.03: Criteria to Amend Development Code Text

EXHIBITS: A: Text Amendments
B: Marked-up draft amendments reviewed by the Planning Commission
C: Heights of existing signs
D: Letter from Kellington law group attorney regarding proposed amendments.

I. PURPOSE

The purpose of this staff report is to provide the City Council with information related to proposed additions to the Dayton Development Code regarding the regulation of signs within the City Limits.

II. PROCESS

The proposed amendments are a legislative change to the LUDC and are processed as a legislative Type IV land use action.

The LUDC Type IV process set forth in Section 7.3.203.01, Type IV Initiation, requires a Type IV process to be initiated by a majority of the City Council, a majority of the Planning Commission or by a recommendation by the City Manager subject to majority approval by Planning Commission or the City Council. The Planning Commission has held two work sessions, on February 11, 2021 and April 20, 2021. At the second work session, the Planning Commission directed staff to prepare a set of draft amendments for review.

Measure 56 notice was sent to all property owners within the City Limits on May 5, 2021. Newspaper notice was posted on Friday, May 21, 2021. On the date of the originally scheduled meeting on May 27, the Planning Commission did not have enough present members for a quorum, so the hearing was rescheduled to June 24. All members of the public present at the meeting were asked to provide contact information. Newspaper notice was re-posted on June 8, 2021, and notice was sent to those in attendance at the May 27 meeting. On June 24th, the Planning Commission Hearing was continued to a date and time certain- 6:30 PM on July 8th. On July 8th, the Planning Commission recommended approval of LA 2021-01 with changes. Notice for the City Council hearing was posted in the McMinnville News-Register on July 23, 2021, 10 days prior to the hearing.

Written comment was received by Mr. Fred Wilson with Kellington Law Group on May 27, 2021 and is attached as Exhibit D to the staff report.

III. BACKGROUND

Staff have incorporated comments from the Planning Commission given at the April 20, 2021 work session, the June 24, 2021 PC meeting, the July 8, 2021 PC meeting, and received from the City Attorney as follows:

1. Comment: Add "US" to section 7.4.101.A regarding the constitution.
Response: Upon review of the proposed amendments, the City Attorney recommended removal of all reference to the first amendment.
2. Comment: Replace "in order to" with "So as to" as originally written in section 7.4.101.4.B
Response: Changed back as requested.
3. Comment: Change typo saying "per limit" to "per minute" as intended in section 7.4.101.4.H
Response: Changed as requested.
4. Comment: Add change of ownership requirement for removal of non-conforming signs in section 7.4.101.6.D
Response: Added requirement that new owners or tenants must remove non-conforming signs within six months of the change.
5. Comment: Add six-month replacement requirement for non-conforming signs when affected by natural causes in section 7.4.101.F

Response: Added requirement that owners or tenants must bring non-conforming signs into conformance within six months of the damage occurring.

6. Comment: Change timeline for repair of non-conforming signs with less than 50% damage from one year to six months in section 7.4.101.F.ii.

Response: Changed to one year as requested.

7. Comment: Add definitions for free-standing and off-premise signs.

Response: Definitions have been added as requested.

8. Comment: Clarify that the “property owner approval” in reference to off-premise signs refers to the property owner of the property on which the off-premise sign is to be placed upon in section 7.4.101.7.

Response: Clarified as requested.

9. Comment: Add section for signs within the public zone.

Response: Added as requested. New section is 7.4.107.

10. Comment: Look into existing signs within the City of Dayton to determine an appropriate height for signs within the Commercial zone. Reduce height maximum from 30 feet to 20 feet.

Response: Not all, but the majority of signs within the commercial district are below 20 feet as indicated on Exhibit C. The maximum height has been reduced to 20 feet as requested.

11. Comment: Clarify regulations for the CR zone.

Response: Commercial uses within the CR zone are subject to the standards of the Commercial zone. Additionally, signs utilized for commercial uses within the CR zone in the CBO will be subject to the standards of the CBO.

12. Comment: Edit typo adding currently reading “sixty (21) days” in section 7.4.104.2.c.i.

Response: Changed to “twenty-one (21) days” as requested.

13. Comment: Add freestanding signs as a permitted sign type within the CBO.

Response: Added to section 7.4.105.2.B as requested.

14. Comment: Add 15-foot maximum height of freestanding signs within the CBO.

Response: Added as requested.

15. Comment: Look into lighting requirements.

Response: Lighting requirements for development are listed in multiple sections throughout the development code. Typically, lighting requirements indicate the need to direct lighting away from adjacent properties, similar to the requirements for signs within the proposed sign code. The standards as proposed are more restrictive than typical within the LUDC.

16. Comment: Remove “Grand Opening and special event signs” from Section 7.4.2.4.C.i because it relates to the content of the sign.

Response: Removed as requested.

Comments from 6/24 Meeting:

17. Comment: Replace reference to removed section of the ordinance relating to sign variances and replacing with the new section 7.3.2.

Response: Changed as requested.

18. Comment: Increase permitted sign height and area for signs located on properties with frontage on highway 18

Response: Added as subsections to sign regulations for Commercial and Industrial zones.

19. Comment: Reduce sign height and area to 6 and 24 feet respectively for CBO signs.

Response: Added to sections 7.4.105.3B and 4B.

20. Comment: Change CBO design guidelines to design standards to ensure they are clear and objective.

Response: Changed as requested.

21. Comment: Internal or underlit lighting of awnings should be prohibited within the CBO.

Response: Changed as requested. Staff recommends the Planning Commission review further to determine if the additional design standards should be removed entirely.

22. Comment: Sign imagery or writing shall be located only on the awning skirt.

Response: Changed as requested.

23. Comment: Freestanding signs should be limited within the CBO.

Response: Provision added in Section 7.4.105.5.D.i

24. Comment: Draft example language for both the prohibition of internally illuminated signs in the CBO and a CUP process for internally illuminated signs.

Response: Added as requested

25. Comment: Add requirement for planting around base of freestanding signs within the CBO

Response: Added to design standards as listed in Section 7.4.105.7.F.v

Changes as recommended by the Planning Commission on July 8, 2021

26. Comment: Remove all design standards for the CBO (7.4.105.7) excepting the following:

7A. The placement of signage shall not visually obscure architecturally significant features of the building.

7B. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.

7C. Generally, the placement of signage shall occur below the sill of the second story windows. Alternative placement may be considered under the following circumstances:

i. Freestanding signs must have a base of either a flower bed or shrubbery to integrate the sign into the streetscape.

ii. The placement of signs must not disrupt or obstruct the vision of drivers or pedestrians so as to create a hazardous situation. No signs shall be so located as to significantly obstruct pedestrian circulation.

Response: Removed as recommended.

27. Comment: Remove options for CUP and prohibition of illuminated signs within the CBO as written per 7.4.105.B.

Response: Removed as recommended.

28. Comment: Staff observed a typo in section 7.4.101.8- Adjustments and Variances. The text reviewed by the PC says variances shall be reviewed as a Type II procedure, when variances should be reviewed as a Type II due to the subjective nature of the variance criteria.

Response: Changed review type to Type II.

Changes recommended by City Attorney, July 23, 2021

29. Remove all references to off-premise signs because off-premise signs are defined by content.

Response: Deleted definition “off-premise signs” and Section 7.4.101.07- Off-premise signs. The removed section included a Conditional Use Permit process for off-premise signs. As edited, off-premise signs will be subject to the regulations of the zone in which they are located.

IV. PROPOSED AMENDMENTS – AMENDMENT LISTED

A list of proposed amendments is included as attachment A to the staff report.

V. PROPOSED AMENDMENTS – MARK-UP VERSION- PC REVIEW

A marked-up version of the proposed amendments reviewed by the Planning Commission is included as attachment B to the staff report.

Vi. APPLICABLE APPROVAL CRITERIA

The Dayton Land Use and Development Code, Section 7.3.112.03, Criteria For Approval of Development Code text amendments.

7.3.112.03 CRITERIA FOR APPROVAL, DEVELOPMENT CODE TEXT AMENDMENTS

7.3.112.03, A:

A. Impact of the proposed amendment on land use and development patterns within the city, as measured by:

1. Traffic generation and circulation patterns;

FINDINGS: Not applicable because the proposed amendments are related to sign code regulations, which do not affect traffic generation and circulation patterns.

2. Demand for public facilities and services;

FINDINGS: Not applicable because the proposed amendment does not affect public facilities and services.

3. *Level of park and recreation facilities;*

FINDINGS: Not applicable because the proposed amendment does not affect park and recreation facilities.

4. *Economic activities;*

FINDINGS: Not applicable because the proposed amendment does not affect economic activities.

5. *Protection and use of natural resources;*

FINDINGS: Not applicable because the proposed amendment does not affect natural resources.

6. *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.*

FINDINGS: Not applicable because the proposed amendment does not affect adopted special purpose plans or programs such as public facilities improvements.

B. A demonstrated need exists for the product of the proposed amendment.

FINDINGS: There is no existing sign code for any properties located outside of the Central Business Overlay Zone. As such, the City has no ability to regulate location and size of signs within the City Limits. Staff finds the lack of sign code represents a demonstrated need for the product of the amendments.

C. The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements.

FINDINGS: The Statewide Planning Goals follow.

Goal 1, Citizen Involvement: The Planning Commission held a work session regarding the proposed amendment on February 10, 2021, and second work session on April 20, 2021. Measure 56 notice was sent to all property owners within the City of Dayton on May 5, 2021, 22 days prior to the date of the scheduled Planning Commission Hearing on May 27. Newspaper notice was provided on May 21st. At the meeting on May 27, the Planning Commission did not have a quorum and was therefore unable to act on the application. The public hearing was rescheduled for June 24 and re-noticed on June 8. The public hearing was then continued to date and time certain at 6:30 on July 8. The City Council hearing is scheduled for August 2, 2021. The hearings are consistent with the Development Code's procedures for legislative amendments to the Development Code. Goal 1 is met.

Goal 2, Land Use Planning: Goal 2 supports clear and thorough local procedures. The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Development Code for processing legislative amendments to the Development Code.

Goal 3, Agricultural Lands and Goal 4, Forest lands: Goals 3 and 4 are not applicable. The proposal does not involve or affect farm or forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 is not applicable. The proposal amends the City's historic resources regulations in accordance with Goal 5 requirements.

Goal 6, Air, Water and Land Resource Quality: Goal 6 is not applicable. The proposal does not address Goal 6 resources.

Goal 7, Natural Hazards: Goal 7 is not applicable. The proposal does not address Goal 7 resources.

Goal 8, Recreation: Goal 8 is not applicable. The proposal does not address recreational needs.

Goal 9, Economic Development: Goal 9 is not applicable. The proposal does not address Goal 9 issues.

Goal 10, Housing: Goal 10 is not applicable. The proposal does not address Goal 10 issues.

Goal 11, Public Facilities and Services: Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation: Goal 12 is not applicable. The proposal does not address Goal 12 issues.

Goal 13, Energy Conservation: Goal 13 is not applicable. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues.

D. The amendment is appropriate as measured by at least one of the following criteria:

1. It corrects identified error(s) in the provisions of the plan.

FINDINGS: There are no identified errors in the provisions of the plan.

2. It represents a logical implementation of the plan.

FINDINGS: There are no specific guidelines for the regulation of signs listed in the comprehensive plan.

3. It is mandated by changes in federal, state, or local law.

FINDINGS: The changes are not mandated by changes in federal, state, or local law.

4. It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDINGS: The City Council requested staff review the sign code provisions. Therefore, staff finds that the update to the sign code and the associated amendments can be considered deemed by the council to be desirable, appropriate, and proper.

VII. STAFF RECOMMENDATION

Based upon the staff report and the above findings, staff recommends the City Council adopt the findings in the staff report approve LA 2021-01 via ordinance # 652.

VIII. PLANNING COMMISSION OPTIONS – Sample Motions

A. Option 1: Adopt as presented.

Motion: I move the City Council adopt the staff report and findings and adopt Ordinance #652 approving LA 2021-01.

B. Option 2: Adopt with changes.

Motion: I move the City Council adopt the staff report and findings and adopt Ordinance #652 approving LA 2021-01

C. Option 3: Do not adopt.

I move the City Council deny LA 2021-01 and adopt findings to support the denial of Ordinance #652 and the findings are.....

D. Option 4: Continue the Hearing.

Motion: I move the City Council continue the public hearing to a date/time/location certain for staff to provide more information on the following issues...and state the issues.

Exhibit A

Exhibit A- Final Amendments

7.2.111.07- Signs: Sign standards within the Central Business Overlay Zone may be found in Section 7.4.105

7.4.101 General Provisions

1. Applicability. All properties within Dayton City Limits shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited.
2. Purpose
 - A. While signs communicate all types of helpful information, unregulated signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this section is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values; the character of the various neighborhoods; the creation of a convenient, attractive, and harmonious community; protection against destruction of or encroachment on historic properties, convenience to citizens and encouraging economic development. This section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. If any provision of this section is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this section which can be given effect without the invalid provision.
 - B. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral, but accessory and subordinate, part of the principal use of land or building. Therefore, the intent of this section is to establish limitations on signs to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this section.
 - C. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
 - D. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
 - E. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

3. Definitions:

Abandoned Sign: A sign that is no longer used by the person who constructed/installed the sign on the property where the sign is located or cessation of use of the property where the sign is located.

A-Board Sign: Includes signs that are ordinarily in the shape of an “A”, or some variation thereof, on the ground, easily movable and which is usually two sided.

Area Sign: The area contained within lines drawn between or around the outermost points of a sign, including cutouts, 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. For signs having two or more display surfaces, the area is the maximum area of the surfaces that can be seen from any one point.

Banner Sign: A sign made of fabric or other non-rigid material with no enclosing framework or not affixed to the primary structure and shall include every type of decoration or banner displayed over or upon the city streets of the City of Dayton on a temporary or seasonal basis, whether attached to utility poles or any other structure.

Billboard: A sign height over ten feet from the ground surface, on which same is located, to the top of such billboard, and sign area greater than sixty-four (64) square feet, on which the copy is designed to be periodically changed and which is not located on the premises to which such advertising copy pertains.

Direct Illumination: A source of illumination directed towards such signs so that the beam of light falls upon the exterior surface of the sign.

Facade: The architectural front of a building; usually the front but sometimes the rear or side, used to meet architectural treatment details and setting the tone for the rest of the building.

Freestanding Sign: A sign, including monument signs, supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign.

Government Sign: A sign erected, constructed, or placed within the public right-of-way or on public property by or with the approval of the government agency having authority over, control of, or ownership of the right-of-way or public property.

Highway Oriented Signs: Signs fronting Highway 18.

Illuminated Sign: A sign illuminated by an interior or exterior light source, which exterior light source is primarily designed to illuminate such sign.

Integrated Business Center: A group of two or more businesses that are planned or designed as a center, or Center: share a common off-street parking area or access, whether or not the businesses, buildings, or land are under common ownership.

Light-Emitting Diode or LED: A form of illumination using a semiconductor light source that converts applied voltage to light and is used in digital displays.

Mural: A hand-painted, hand-tiled or digitally printed image on the exterior wall of a building.

Neon Light: A form of illumination using inert gases in glass tubes and includes black light and other neon lights.

Nonconforming Sign: A sign that was lawful when it was constructed but does not meet the requirements of this Section.

Portable Sign: A sign that is not attached to any building or facade that is easily portable. It may stand alone or be illuminated, have wheels attached, or be located on a trailer.

Projecting Sign or Blade Sign: A two-sided sign other than a wall sign which projects beyond the building surface to which it is attached.

Reader Board: Any sign not permanently attached to the ground or building and capable of being moved from place to place, including signs attached to vehicles and trailers.

Sign: A display, illustration, structure or device that has a visual display visible from a right-of-way, private roadway or lot under other ownership.

Temporary Sign: A sign not permanently attached to a building, structure or ground that is intended to be displayed for a limited period of time. Such signs may include banners, pennants, streamers, spinners, or other similar devices.

Vehicle Sign: A sign placed in or attached to the motor vehicle, trailer, railroad car, or light rail car that is used for either personal purpose or is regularly used for purposes other than the display of signs.

Wall Sign: A sign that is painted or attached on a wall of a building, and extending no more than twelve inches from the wall. Window signs that are permanently attached to the outside of a window are wall signs.

Window Sign: Includes text or graphics that are painted on or attached to a window. Window signs do not include business hours of operation or non-illuminated open/closed signs.

4. Prohibited Signs. Signs not conforming to Section 7.4 of the Dayton Municipal Code are unlawful and shall constitute a Class C violation according to the City of Dayton Fee Schedule.
 - A. Installation or posting of any notice or signage on utility poles, street lights, stop signs, other street signs, trees in the public right-of-way, public places or premises shall be prohibited without approval from the Utility or the City of Dayton.
 - B. Access. Signs that block ingress or egress so as to interfere with the flow of pedestrian or vehicle traffic, doors, windows, fire escapes or parking areas shall be prohibited.
 - C. Billboards.
 - D. Any sign on vacant property unless allowed as a temporary sign.
 - E. Condition. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
 - F. Reader board or portable signs.
 - G. Obscene Signs- A sign that creates a public nuisance displaying an obscenity as defined under ORS Chapter 167.
 - H. Flashing signs, signs that produce glare, or animated signs that change image more than six times per minute.
5. Exempt Signs. The following signs and devices shall not be subject to the provisions of this Chapter and shall no require approval from the City.
 - A. Identification Signs. Memorial and Historic Identification Signs and Donation Plates. Memorial tablets, cornerstones, donation plates or similar plaques, such as National Register listing, not exceeding six square feet.
 - B. Occupant or Owner Sign. A sign identifying the name of the occupant or owner, provided the sign is not larger than one (1) square foot, is not illuminated and is either attached to the structure or located within the front yard setback.
 - C. Window signs shall not be calculated in total sign area calculations but are limited to a maximum of twenty-four (24) square feet or twenty five percent (25%) of the total window area, whichever is less.
 - D. State Highway Requirements. Applicants are advised to contact the State Highway Division of the Oregon Department of Transportation regarding other possible sign regulations adjacent to Ferry Street and Third Street.
 - E. Vehicle Signs. Signs painted on or otherwise attached to vehicles.
6. Non-conforming signs: Non-conforming signs are subject to the following provisions:
 - a. Legally established nonconforming permanent signs may continue to exist in accordance with this section. Nonconforming Signs that were not legally established have no legal right to continue and must be removed or reconstructed in conformance with this code.

- b. Maintenance. A non-conforming sign may undergo normal maintenance, which includes normal care or servicing needed to keep a sign functional, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs. “Normal maintenance” excludes major structural repairs designed to extend the useful life of the non-conforming sign.
- c. Sign face. The sign face or sign copy may be changed without affecting the nonconforming status of the sign.
- d. Ownership. Should a property change ownership or a building have a new tenant, all non-conforming signs must be removed within six months of the change.
- e. Changes to nonconforming signs.
 - i. A non-conforming sign shall not be enlarged or altered in a way that would increase its nonconformity.
 - ii. Signs and sign structures that are moved or replaced shall be brought into conformance with the sign regulations.
 - iii. Signs that are structurally altered by more than fifty (50) percent of the replacement value, shall be brought into conformance with the sign regulations.
 - iv. Signs that are structurally altered by fifty (50) percent or less than the replacement value may continue to be used as a nonconforming sign provided the alterations do not increase the nonconformity of the sign.
- f. Damaged nonconforming signs:
 - i. When a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds fifty (50) percent of its replacement value, non- conforming sign shall be removed or brought into conformance with the sign regulations within six months of the date the damage occurred.
 - ii. When a nonconforming sign is damaged by wind, fire, or by any other cause and the estimated cost to repair the sign is fifty (50) percent or less of its replacement value, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within six months of the date the sign was damaged and are diligently pursued thereafter.
 - 1. Whenever repairs and restoration of a damaged nonconforming sign are not started within one year of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.
 - 2. Abandoned signs shall not be permitted as nonconforming signs. Abandoned signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found.

7. Adjustments and Variances.

Sign adjustments/variances shall be reviewed in accordance with a Type II action, as specified in Section 7.3.2 using the following criteria.

Criteria for Sign Variance/Adjustments.

- A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the same zone, and the adjustment is necessary to permit signage comparable with other properties in the same zone.
- B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

7.4.102- Review Procedures

- 1. All signs not specifically exempt from permitting requirements by Section 7.4.101.5 shall be subject to the permitting procedures of this section. No signs in conflict with any provisions of this ordinance shall be permitted.
- 2. Permit Fees: Permit fees shall be established by City Council resolution and updated as needed.
- 3. Application Requirements: An application for a sign permit shall be submitted on a form provided by the City Planner or designee. The application shall include the following items, at minimum:
 - A. A sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises.
 - B. The sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability.
 - C. The names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.
- 4. Revocation of permits: Sign permits mistakenly issued in violation of these regulations or other provisions of the Dayton Land Use and Development Code are void. The City Planner or designee may revoke a sign permit if they find that there was a material and misleading false statement of fact in the application for the permit.
- 5. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - A. Compliance with Building Codes. All signs shall comply with the applicable provisions of the Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance

of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.

- B. Materials. Except for banners, flags, portable signs, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
- C. Maintenance. All signs shall be maintained in a good structural condition and readable at all times.
- D. Owner Responsibility. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.
- E. Aesthetics. All signs shall be professional in appearance, constructed in a workmanship like manner to professional standards.

DESIGN STANDARDS

7.4.103 Residential

- 1. Purpose and applicability: To provide a set of regulations for the placement of signs within Residential (R-1, R-2, R-3) zones. The provisions within this section shall also apply to residential uses within the Commercial Residential zone.
- 2. Permitted Signs- All permitted signs are subject to the standards of 7.4.103
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within Residential zones shall be limited to 21 days per calendar year.
- 3. Maximum sign area
 - A. Single Family and Duplex uses: 6 square feet.
 - B. Multi-family (greater than two units): For subdivisions, multiple-family developments (including planned developments), uses, or identified neighborhood areas, one single or double-faced, indirectly lit sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces is permitted. The applicant for the sign permit must own or represent a majority of the lots or dwelling units within the subdivision, multiple-family development, identified neighborhood area, or the applicable homeowner's association. If the sign pertains to any development request, then the location and design shall be subject to the appropriate review.
 - C. Temporary Signs: 12 square feet.
- 4. Maximum sign height: 6 feet
- 5. Location:
 - A. Wall, canopy or window sign shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted

use; provided that wall signs may project into the required setback space up to 1.5 feet.

- B. Free-standing signs are permitted where fences are allowed for residential uses.
6. Illumination
- A. Single family and duplex uses: Not permitted.
 - B. Multi-family: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.

7.4.104 Commercial Zone

1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Commercial (C) zoning district. Signs located on properties within the CBO (Central Business Overlay) shall be subject to the provisions of Section 7.4.105.
2. Permitted Signs
 - a. Wall signs
 - b. Free-standing signs
 - c. Temporary signs: Temporary signs shall be permitted within the Commercial zoning district in accordance with the following provisions.
 - i. Permitted Temporary signs are allowed provided they are erected not longer than twenty-one (21) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
3. Maximum sign area
 - A. Non-Integrated business center
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet
 - B. Integrated business center
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 1. Wall signs may be placed over all shared main public entries to the business center. Shared public entries must be shared by at least two tenants. Such signs are limited to 130 square feet in size.
 2. When an individual business does not have frontage on a street or parking lot, the business is allowed a maximum aggregate wall sign area of 16 square feet.

or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.

2. Permitted Signs- All permitted signs are subject to the standards of 7.4.105
 - A. Wall signs
 - B. Freestanding signs
 - C. Projecting signs
 - D. A-Board signs (one per tenant space)
 - E. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
 - F. Awning signs
 - i. Sign lettering and imagery may only be located on the awning skirt.
 - G. Flags (maximum of two per property)
3. Maximum sign area:
 - A. Wall signs: one (1) square foot of sign area for each one linear foot of building façade not exceeding 100 square feet. This maximum area shall apply to all signs attached to the building such that the total area of all signs combined on the property does not exceed 100 square feet.
 - B. Freestanding Signs: 24 square feet
 - C. Projecting signs: Blade, projecting or hanging signs shall be limited to one (1) per tenant space. Projecting signs shall have a maximum area of eight (8) square feet.
 - D. One (1) A-Board sign is permitted per business or property and shall measure no more than three (3) feet wide and not more than four (4) feet high. A-Board signs shall not be calculated in total sign area calculations.
 - E. Temporary signs: 12 square feet
 - F. Awning: 6 square feet. Must comply with the provisions of 7.4.105.2.F.i
 - G. Flags: 15 square feet per flag.
4. Maximum sign height:
 - A. Wall signs: 6 feet. May not project higher than the height of the roof.
 - B. Freestanding signs: 6 feet
5. Location:
 - A. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms, on cornice fascia boards, or below cornices.

- B. The edge of a projecting sign furthest from the wall shall not extend more than 42 inches from a wall, the bottom of the sign shall be no lower than eight (8) feet above a right-of-way or private sidewalk area and the top of the sign shall not extend over the roof line of the building.
 - C. A-board signs
 - i. A-Board signs may be placed upon private property or within an adjacent public right-of-way along the frontage of the business displaying the sign when a minimum of forty-two (42) inches of clear pedestrian walkway is available immediately adjacent to the sign.
 - ii. Removal. A-Board signs shall be movable at all times and displayed only during the hours the business is open.
 - D. Freestanding
 - i. Freestanding signs shall only be permitted when the property has a building setback greater than 15 feet.
 - E. Temporary signs must be located on the subject property and may not infringe upon the frontage of another business.
 - F. Awnings: Text on awnings shall be limited to that placed upon the awning skirt only and shall be included in the calculation of the maximum allowable sign area.
6. Illumination
- A. Hanging signs may be externally illuminated although ambient light is usually sufficient to light these small signs. Planning staff must review and approve alternative lighting designs.
 - B. Direct or in-direct illumination shall be permitted, provided all illumination is directed away from adjacent property. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.
 - i. Internally lit signs, including Neon or LED signage shall be permitted subject to the following restrictions:
 - 1. Signs shall be limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing lights are prohibited.
 - C. Awning signs may not be illuminated.

7. Design Standards: All signs within the CBO shall be subject to the following additional design standards.

- A. The placement of signage shall not visually obscure architecturally significant features of the building.
- B. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
- C. Generally, the placement of signage shall occur below the sill of the second story windows. Alternative placement may be considered under the following circumstances:

- i. Freestanding signs must have a base of either a flower bed or shrubbery to integrate the sign into the streetscape.
- ii. The placement of signs must not disrupt or obstruct the vision of drivers or pedestrians so as to create a hazardous situation. No signs shall be so located as to significantly obstruct pedestrian circulation.

7.4.106 Industrial

1. Purpose and applicability: Purpose and applicability: To provide a set of regulations for the placement of signs within the Industrial (I) zone.
2. Permitted Signs
 - A. Wall signs
 - B. Freestanding signs
 - C. Awning signs
 - D. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
2. Maximum sign area
 - A. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - i. A tenant occupying a minimum of 40,000 square feet will be allowed a maximum of 200 square feet.
 - B. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - C. Temporary signs: 12 square feet
 - D. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
3. Maximum sign height:
 - A. Wall signs: No maximum, but no sign shall not project onto or over a parapet or roof eave.
 - B. Free-standing signs: 30 feet
4. Location:
 - A. Wall or projecting signs may project up to two feet from a building.

- B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
- 5. Illumination:
 - A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties or an adjacent public right of way.

7.4.107- Public

- 1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Public zoning district.
- 2. Permitted Signs- All permitted signs are subject to the standards of 7.4.107
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within the Public Zone shall be limited to 21 days per calendar year, with a maximum of 5 signs per calendar year.
- 3. Maximum sign area
 - A. 32 square feet
- 4. Maximum sign height:
 - A. Freestanding Signs: 20 feet
 - B. Wall Signs: 6 feet, but no sign shall project over a parapet or roof eave.
- 5. Location
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
- 6. Illumination
 - A. May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare. Animated signs are permitted so long as they do not change image more than 6 times per minute.

Exhibit B

Draft Amendments V4

The entirety of Section 7.2.111.07 shall be deleted and replaced with the following:

7.2.111.07- Signs: Sign standards within the Central Business Overlay Zone may be found in Section 7.4.105

NEW SECTIONS

7.4.101 General Provisions

1. Applicability. All properties within ~~the Central Business Overlay (CBO)~~ Dayton City Limits shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited.
2. Purpose (~~Existing Section 7.2.111.07.B- Purpose deleted, included in section 7.4.105~~)

~~Purpose. Sign regulations are intended to protect the character while enhancing and contributing to the economic vitality of the commercial core. The City acknowledges the need to effectively communicate and attract the eye to the business for which they are intended to advertise. Signs should be compatible or integrated with the architecture and should not obscure or dominate the building or business. In the review of sign applications within the City, the following criteria and standards shall apply. The Dayton Sign Code shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.~~

- A. While signs communicate all types of helpful information, unregulated signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this section is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values; the character of the various neighborhoods; the creation of a convenient, attractive, and harmonious community; protection against destruction of or encroachment on historic properties, convenience to citizens and encouraging economic development. This section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. ~~This section shall be interpreted in a manner consistent with the United States Constitution's First Amendment guarantee of free speech.~~ If any provision of this section is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this section which can be given effect without the invalid provision.

- B. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral, but accessory and subordinate, part of the principal use of land or building. Therefore, the intent of this section is to establish limitations on signs to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this section.
 - C. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible ~~and appropriate to the activity to which they pertain~~, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
 - D. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
 - E. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.
3. Definitions:

Abandoned Sign: A sign that is no longer used by the person who constructed/installed the sign on the property where the sign is located or cessation of use of the property where the sign is located.

A-Board Sign: Includes signs that are ordinarily in the shape of an “A”, or some variation thereof, on the ground, easily movable and which is usually two sided.

Area Sign: The area contained within lines drawn between or around the outermost points of a sign, including cutouts, 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. For signs having two or more display surfaces, the area is the maximum area of the surfaces that can be seen from any one point.

Banner Sign: A sign made of fabric or other non-rigid material with no enclosing framework or not affixed to the primary structure and shall include every type of decoration or banner displayed over or upon the city streets of the City of Dayton on a temporary or seasonal basis, whether attached to utility poles or any other structure.

Billboard: A sign height over ten feet from the ground surface, on which same is located, to the top of such billboard, and sign area greater than sixty-four (64) square feet, on

which the copy is designed to be periodically changed and which is not located on the premises to which such advertising copy pertains.

Direct Illumination: A source of illumination directed towards such signs so that the beam of light falls upon the exterior surface of the sign.

Facade: The architectural front of a building; usually the front but sometimes the rear or side, used to meet architectural treatment details and setting the tone for the rest of the building.

Freestanding Sign: A sign, including monument signs, supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign.

Government Sign: A sign erected, constructed, or placed within the public right-of-way or on public property by or with the approval of the government agency having authority over, control of, or ownership of the right-of-way or public property.

Highway Oriented Signs: Signs fronting Highway 18.

Illuminated Sign: A sign illuminated by an interior or exterior light source, which exterior light source is primarily designed to illuminate such sign.

Integrated Business Center: A group of two or more businesses that are planned or designed as a center, or Center: share a common off-street parking area or access, whether or not the businesses, buildings, or land are under common ownership.

Light-Emitting Diode or LED: A form of illumination using a semiconductor light source that converts applied voltage to light and is used in digital displays.

Mural: A hand-painted, hand-tiled or digitally printed image on the exterior wall of a building.

Neon Light: A form of illumination using inert gases in glass tubes and includes black light and other neon lights.

Nonconforming Sign: A sign that was lawful when it was constructed but does not meet the requirements of this Section.

Off-Premise Sign: A sign that identifies, advertises or attracts attention to a business, product, service, event or activity sold, existing or offered at a different location than the property on which the sign is located.

Portable Sign: A sign that is not attached to any building or facade that is easily portable. It may stand alone or be illuminated, have wheels attached, or be located on a trailer.

Projecting Sign or Blade Sign: A two-sided sign other than a wall sign which projects beyond the building surface to which it is attached.

Reader Board: Any sign not permanently attached to the ground or building and capable of being moved from place to place, including signs attached to vehicles and trailers.

Sign: A display, illustration, structure or device that has a visual display ~~The physical components of materials placed or constructed primarily to convey a message or other display and which can be viewed~~ visible from a right-of-way, private roadway or lot under other ownership.

Temporary Sign: A sign not permanently attached to a building, structure or ground that is intended to be displayed for a limited period of time. Such signs may include banners, pennants, streamers, spinners, or other similar devices.

Vehicle Sign: A sign placed in or attached to the motor vehicle, trailer, railroad car, or light rail car that is used for either personal purpose or is regularly used for purposes other than the display of signs.

Wall Sign: A sign that is painted or attached on a wall of a building, and extending no more than twelve inches from the wall. Window signs that are permanently attached to the outside of a window are wall signs.

Window Sign: Includes text or graphics that are painted on or attached to a window. Window signs do not include business hours of operation or non-illuminated open/closed signs.

Existing LUDC 7.2.111.07.D- Permitted Sign Types Deleted

4. Prohibited Signs. Signs not conforming to Section ~~7.4 7.2.111~~ of the Dayton Municipal Code are unlawful and shall constitute a Class C violation according to the City of Dayton Fee Schedule.
 - A. Installation or posting of any notice or signage on utility poles, street lights, stop signs, other street signs, trees in the public right-of-way, public places or premises shall be prohibited without approval from the Utility or the City of Dayton.
 - B. Access. Signs that block ingress or egress so as to interfere with the flow of pedestrian or vehicle traffic, doors, windows, fire escapes or parking areas shall be prohibited.
 - C. Billboards.
 - D. Any sign on vacant property unless allowed as a temporary sign.

- E. Condition. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
 - F. Reader board or portable signs.
 - ~~G. Obscene Signs- A sign that creates a public nuisance displaying an obscenity as defined under ORS Chapter 167 Any sign upon which displays any obscenity or obscene material as defined in ORS Chapter 167.~~
 - H. Flashing signs, signs that produce glare, or animated signs that change image more than six times per minute.
5. Exempt Signs. The following signs and devices shall not be subject to the provisions of this Chapter and shall no require approval from the City.
- A. Identification Signs. Memorial and Historic Identification Signs and Donation Plates. Memorial tablets, cornerstones, donation plates or similar plaques, such as National Register listing, not exceeding six square feet.
 - B. Occupant or Owner Sign. A sign identifying the name of the occupant or owner, provided the sign is not larger than one (1) square foot, is not illuminated and is either attached to the structure or located within the front yard setback.
 - C. Window signs shall not be calculated in total sign area calculations but are limited to a maximum of twenty-four (24) square feet or twenty five percent (25%) of the total window area, whichever is less.
 - D. State Highway Requirements. Applicants are advised to contact the State Highway Division of the Oregon Department of Transportation regarding other possible sign regulations adjacent to Ferry Street and Third Street.
 - E. Vehicle Signs. Signs painted on or otherwise attached to vehicles.
6. Non-conforming signs: Non-conforming signs are subject to the following provisions:
(Added new section)
- a. Legally established nonconforming permanent signs may continue to exist in accordance with this section. Nonconforming Signs that were not legally established have no legal right to continue and must be removed or reconstructed in conformance with this code.
 - b. Maintenance. A non-conforming sign may undergo normal maintenance, which includes normal care or servicing needed to keep a sign functional, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs. "Normal maintenance" excludes major structural repairs designed to extend the useful life of the non-conforming sign.
 - c. Sign face. The sign face or sign copy may be changed without affecting the nonconforming status of the sign.
 - d. Ownership. Should a property change ownership or a building have a new tenant, all non-conforming signs must be removed within six months of the change.
 - e. Changes to nonconforming signs.
 - i. A non-conforming sign shall not be enlarged or altered in a way that would increase its nonconformity.
 - ii. Signs and sign structures that are moved or replaced shall be brought into conformance with the sign regulations.

- iii. Signs that are structurally altered **by** more than fifty (50) percent of the replacement value, shall be brought into conformance with the sign regulations.
 - iv. Signs that are structurally altered by fifty (50) percent or less than the replacement value may continue to be used as a nonconforming sign provided the alterations do not increase the nonconformity of the sign.
 - f. Damaged nonconforming signs:
 - i. When a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds fifty (50) percent of its replacement value, non-conforming sign shall be removed or brought into conformance with the sign regulations **within 6 months of the date the damage occurred.**
 - ii. When a nonconforming sign is damaged by wind, fire, or by any other cause and the estimated cost to repair the sign is fifty (50) percent or less of its replacement value, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within **six months** ~~one year~~ of the date the sign was damaged and are diligently pursued thereafter.
 - 1. Whenever repairs and restoration of a damaged nonconforming sign are not started within one year of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.
 - 2. Abandoned signs shall not be permitted as nonconforming signs. Abandoned signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found.
7. Off-Premise Signs: Any application for an off-premise sign shall be processed as a conditional use permit in accordance with the provisions of 7.3.107 ~~and shall be subject to the standards of the applicable zone.~~ Approval from the property owner **of the property on which the off-premise sign will be placed** shall be required as part of the sign permit application process. ~~All~~ **A conditional use permit for an off-premise sign shall be subject to the following criteria instead of those listed in Section 7.3.107.04.**
- A. Sign area may not exceed four square feet in residential zones and 32 square feet in non-residential zones.
 - B. The proposed sign will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.**
 - C. The proposed sign shall comply with all standards of the applicable zone.**
8. Adjustments and Variances.

Sign adjustments/variances shall be reviewed in accordance with a Type I action, as specified in Section 7.3.2 using the following criteria.

Criteria for Sign Variance/Adjustments.

- A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the same zone, and the adjustment is necessary to permit signage comparable with other properties in the same zone.
- B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

7.4.102- Review Procedures (Added Section)

- 1. All signs not specifically exempt from permitting requirements by Section 7.4.101.5 shall be subject to the permitting procedures of this section. No signs in conflict with any provisions of this ordinance shall be permitted.
- 2. Permit Fees: Permit fees shall be established by City Council resolution and updated as needed.
- 3. Application Requirements: An application for a sign permit shall be submitted on a form provided by the City Planner or designee. The application shall include the following items, at minimum:
 - A. A sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises.
 - B. The sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability.
 - C. The names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.
- 4. Revocation of permits: Sign permits mistakenly issued in violation of these regulations or other provisions of the Dayton Land Use and Development Code are void. The City Planner or designee may revoke a sign permit if they find that there was a material and misleading false statement of fact in the application for the permit.
- 5. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - a. Compliance with Building Codes. All signs shall comply with the applicable provisions of the Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other

regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.

- b. Materials. Except for banners, flags, portable signs, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
- c. Maintenance. All signs shall be maintained in a good structural condition and readable at all times.
- d. Owner Responsibility. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.
- e. Aesthetics. All signs shall be professional in appearance, constructed in a workmanship like manner to professional standards.

DESIGN STANDARDS

7.4.103 Residential ~~and Public zones~~

1. Purpose and applicability: To provide a set of regulations for the placement of signs within Residential (R-1, R-2, R-3) zones. ~~and Public zoning districts~~. The provisions within this section shall also apply to residential uses within the Commercial Residential zone.
2. Permitted Signs- All permitted signs are subject to the standards of 7.4.103.3
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within Residential zones shall be limited to 21 days per calendar year.
3. Maximum sign area
 - A. Single Family and Duplex uses: 6 square feet.
 - B. Multi-family (greater than two units): For subdivisions, multiple-family developments (including planned developments), uses, or identified neighborhood areas, one single- or double-faced, indirectly lit sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces is permitted. The applicant for the sign permit must own or represent a majority of the lots or dwelling units within the subdivision, multiple-family development, identified neighborhood area, or the applicable homeowner's association. If the sign pertains to any development request, then the location and design shall be subject to the appropriate review.
 - C. Temporary Signs: 12 square feet.
4. Maximum sign height: 6 feet
5. Location:
 - A. Wall, canopy or window sign shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted

use; provided that wall signs may project into the required setback space up to 1.5 feet.

B. Free-standing signs are permitted where fences are allowed for residential uses.

6. Illumination

A. Single family and duplex uses: Not permitted.

B. Multi-family: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.

~~C. Public/Institutional: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.~~

7.4.104 Commercial Zone

1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Commercial (C) zoning district. Signs located on properties within the CBO (Central Business Overlay) shall be subject to the provisions of Section 7.4.105.

2. Permitted Signs

A. Wall signs

B. Free-standing signs

C. Temporary signs: **Temporary signs shall be permitted in the Commercial zoning district in the accordance of the following provisions.**

i. ~~Grand opening and special event signs:~~ Permitted Temporary signs are allowed provided they are erected not longer than twenty-one (21) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.

ii. **All other temporary signs shall be installed for not longer than 30 days in a calendar year.**

3. Maximum sign area

A. Non-Integrated business center

i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.

ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.

iii. Temporary signs: 12 square feet

B. Integrated business center

i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.

1. ~~Business center identity~~ Wall signs may be placed over all shared main public entries to the business center. Shared

public entries must be shared by at least two tenants. Such signs are limited to 130 square feet in size.

2. When an individual business does not have frontage on a street or parking lot, the business is allowed a maximum aggregate wall sign area of 16 square feet.
- ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 1. Shared free-standing signs: Where two or more businesses choose to combine their permitted free-standing signs into one sign, the following standards shall apply:
 - a. One freestanding, shared sign per street frontage that has a customer entrance is allowed. The sign must comply with the provisions of this section. A maximum of 150 square feet of sign area is permitted.
- iii. Temporary signs: 12 square feet

C. Highway-Oriented Signs

- i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
- ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
- iii. Temporary signs: 12 square feet.

4. Maximum sign height:

- A. Wall signs: None, but no sign shall project over a parapet or roof eave.
- B. Free-standing signs: 20 feet, except 30 feet for highway-oriented signs.

5. Location:

- A. Wall or projecting signs may project up to two feet from a building.
- B. Free-standing signs within an integrated business center must be located a minimum of 100 feet from one another.
- C. No limitations, except that signs shall not be located within a right of way and shall comply with requirements for vision clearance areas and special street setbacks.

6. Illumination:

- A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.

7.4.105 Central Business Overlay

1. Purpose and applicability: Sign regulations are intended to protect the character while enhancing and contributing to the economic vitality of the commercial core. The City acknowledges the need to effectively communicate and attract the eye to the business for which they are intended to advertise. Signs should be compatible or integrated with the architecture and should not obscure or dominate the building or business. In the review of sign applications within the City, the following criteria and standards shall apply.

All properties within the Central Business Overlay (CBO) and all commercial uses within the Commercial Residential (CR) Zone shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited. The Dayton Sign Code shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.

2. Permitted Signs- All permitted signs are subject to the standards of 7.4.105
 - A. Wall signs
 - B. Freestanding signs
 - C. Projecting signs
 - D. A-Board signs (one per tenant space)
 - E. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
 - F. Awning signs
 - i. Sign lettering and imagery may only be located on the awning skirt.
 - G. Flags (maximum of two per property)
3. Maximum sign area:
 - A. Wall signs: one (1) square foot of sign area for each one linear foot of building façade not exceeding 100 square feet. This maximum area shall apply to all signs attached to the building such that the total area of all signs combined on the property does not exceed 100 square feet.
 - B. Freestanding Signs: 24 ~~32~~ square feet
 - C. Projecting signs: Blade, projecting or hanging signs shall be limited to one (1) per tenant space. Projecting signs shall have a maximum area of eight (8) square feet.
 - D. One (1) A-Board sign is permitted per business or property and shall measure no more than three (3) feet wide and not more than four (4) feet high. A-Board signs shall not be calculated in total sign area calculations.
 - E. Temporary signs: 12 square feet
 - F. Awning: 6 square feet. Must comply with the provisions of 7.4.105.2.F.i
 - G. Flags: 15 square feet per flag.
 - H. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.

- ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
- 4. Maximum sign height:
 - A. Wall signs: 6 feet. May not project higher than the height of the roof.
 - B. Freestanding signs: 6 ~~15~~ feet
- 5. Location:
 - A. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms, on cornice fascia boards, or below cornices.
 - B. The edge of a projecting sign furthest from the wall shall not extend more than 42 inches from a wall, the bottom of the sign shall be no lower than eight (8) feet above a right-of-way or private sidewalk area and the top of the sign shall not extend over the roof line of the building.
 - C. A-board signs
 - i. A-Board signs may be placed upon private property or within an adjacent public right-of-way along the frontage of the business displaying the sign when a minimum of forty-two (42) inches of clear pedestrian walkway is available immediately adjacent to the sign.
 - ii. Removal. A-Board signs shall be movable at all times and displayed only during the hours the business is open.
 - D. Freestanding
 - i. Freestanding signs shall only be permitted when the property has a building setback of 15 feet or greater.
 - E. Temporary signs must be located on the subject property and may not infringe upon the frontage of another business.
 - F. Awnings: Text on awnings shall be limited to that placed upon the awning skirt only and shall be included in the calculation of the maximum allowable sign area.
- 6. Illumination
 - A. Hanging signs may be externally illuminated although ambient light is usually sufficient to light these small signs. Planning staff must review and approve alternative lighting designs.
 - B. Direct or in-direct illumination shall be permitted, provided all illumination is directed away from adjacent property. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.
 - i. Internally lit signs, including Neon or LED signage shall be permitted subject to the following restrictions:
 - 1. Signs shall be limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing lights are prohibited.
 - ii. Internally lit signs, including Neon or LED signage shall be permitted as a conditional use in accordance with the provisions of Section 7.3.107. and are limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing

lights are prohibited. Criteria for a conditional use permit for an internally lit sign are as follows:

1. The sign shall not have a detrimental impact on neighboring properties.
2. The sign must comply with the requirements of Section 7.4.105.6.B.i.1.
3. The proposed sign will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.
4. The proposed sign shall comply with all standards of the applicable zone.

iii. Internally lit signs are prohibited.

C. Awning signs shall not be illuminated.

7. Design Standards ~~guidelines~~: All signs within the CBO shall be subject to the following additional design standards. ~~While not design standards, staff shall consider the guidelines during review:~~

A. Additional design standards

- i. Signage on all buildings, historic and contemporary, shall be carefully considered, taking into account the scale, character and design of the subject building and its surrounding context.
- ii. Signs shall not dominate building facades or obscure their architectural features (arches, transom panels, sills, moldings, cornices, windows, etc.)
- iii. Design, selection of materials, and workmanship shall be of high quality in appearance and character, complementary to the materials and character of the building, and convey a sense of permanence and durability.
- iv. In a downtown setting, the design of signage shall be oriented and sized to reflect the nature of movement around the building, with an emphasis primarily on the pedestrian and slow-moving traffic.
- v. The design of signage shall be respectful of the building on which it is located, carefully designed to fit a given façade, and complementing the building's architectural features.
- vi. Where multiple signs occur on a single building, there shall be a common pattern and character between such signs. Signs need not all be identical, but there should be a common pattern or placement, general scale and design, and type of illumination.

B. The placement of signage shall take into account the traditional location of signage on buildings and the specific architectural features of the given façade. Features to consider include existing sign boards, lower cornices, lintels and piers.

C. The placement of signage shall not visually obscure architecturally significant features of the building.

~~D. The use of a continuous sign band extending over adjacent shops within the same building is encouraged, as a unifying element.~~

- E. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
- F. **Generally,** The placement of signage **shall** occur below the sill of the second story windows. Placement elsewhere on a building may be considered under the following circumstances:
 - i. Where the design of the base portion of the building establishes some higher point as an appropriate location;
 - ii. where unusual site characteristics exist; or
 - iii. where the proposed signage exhibits exceptional design merit and is integrated into the design vocabulary of the subject building.
 - iv. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
 - v. **Freestanding signs must have a base of either a flower bed or shrubbery to integrate the sign into the streetscape.**
 - ~~vi. For historic structures, upper floor signage (including rooftop signs) is generally not allowed, except for permanent window signs or where unique circumstances warrant an exception (e.g. where a historically or architecturally significant rooftop sign is to be recreated).~~
 - ~~vii. Freestanding signs are generally not allowed. However, if the distance of the building or tenant's frontage from the street makes a building sign infeasible or ineffective, a freestanding sign may be considered. Integration of such signs into site features, such as planter walls, is encouraged.~~
 - ~~viii. In addition to placement criteria above, the minimum clearance of projecting signs, awnings, canopies and marquees from the sidewalk must conform to current building codes (generally 8' clearance).~~
 - ix. The placement of signs must not disrupt or obstruct the vision of drivers or pedestrians so as to create a hazardous situation. No signs **shall** be so located as to significantly obstruct pedestrian circulation.

7.4.106 Industrial

1. Purpose and applicability: Purpose and applicability: To provide a set of regulations for the placement of signs within the Industrial (I) zone.
2. Permitted Signs
 - A. Wall signs
 - B. Freestanding signs
 - C. Awning signs
 - D. Temporary Signs**

- i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
- 2. Maximum sign area
 - A. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - i. A tenant occupying a minimum of 40,000 square feet will be allowed a maximum of 200 square feet.
 - B. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - C. Temporary signs: 12 square feet
 - D. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
- 3. Maximum sign height:
 - A. Wall signs: No maximum, but no sign shall not project onto or over a parapet or roof eave.
 - B. Free-standing signs: 30 feet
- 4. Location:
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
 - ~~C. No limitations, except that signs shall not be located within a right of way and shall comply with requirements for vision clearance areas and special street setbacks.~~
- 5. Illumination:
 - A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties or an adjacent public right of way.

7.4.107- Public

- 1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Public zoning district.
- 2. Permitted Signs- All permitted signs are subject to the standards of 7.4.107
 - A. Wall, canopy, and window signs.

- B. Free-standing signs
 - C. Temporary signs. Temporary signs within the Public Zone shall be limited to 21 days per calendar year, with a maximum of 5 signs per calendar year.
3. Maximum sign area
 - A. 32 square feet
 4. Maximum sign height:
 - A. Freestanding Signs: 20 feet
 - B. Wall Signs: 6 feet, but no sign shall project over a parapet or roof eave.
 5. Location
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
 6. Illumination
 - A. May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare. Animated signs are permitted so long as they do not change image more than 6 times per minute.

Exhibit C

Heights of existing signs

Block House (Free standing, Wood)

Height 4'3"

3' x 3' = 9 Square feet

Zone: CR

Dayton Christian Church (Free standing, Wood & changeable letter display)

Height 7'4"

4'6" x 4'6" = 20.25 Square feet

Zone: R-2

Grade School (Free standing, Electric reader board)

Height 14'6"

7'6" x 4' = 30 Square feet

Zone: P

Dollar General (Free standing, Electric)

Height 20'8"

15'6" x 6' = 93 Square feet

Zone: C

Fire Department (Free standing, Electric, Changeable letter display)

Height 6'4"

6' x 4'6" = 27 Square feet

Zone: C

Pirates Den (Free standing, Electric)

Height 12'9"

6'6" x 2'6" = 16.25 Square feet

Zone: C

High School (Free standing, Wood)

Height 5'

8' x 4' = 32 Square feet

Zone: P

High School (Mounted to building, Electric)

Height 12'7"

7'6" x 4'6" = 33.75 Square feet

Zone: P

Center Market (Free standing, Electric)

Height 16'9"

6'6" x 6'6" = 42.25 Square feet

Zone: C

Junior High (Mounted to building, Electric)

Height 13'7"

7' x 2'6" = 17.5 Square feet

Zone: P

Fresa Park (Free standing, Wood)

Height 3'

5'6" x 3' = 16.5 Square feet

Zone: R-2

Country View Manor (Free standing, Electric)

Height 12'10"

4'6" x 4' = 18 Square feet

Zone: R-3

Dayton First Baptist Church (Free standing, Electric, Changeable letter display)

Height 5'6"

8' x 3' = 24 Square feet

Zone: R-1

By-Pass (Mounted to building, Electric)

Height 14'6"

5' x 4' = 20 Square feet

Zone: C

US Bank (Mounted to building, Electric)

Height 15'4"

4' x 5'6" = 22 Square feet

Zone: C

The Vintages (Free standing, Electric)

Height 30'6"

10' x 12'6" = 125 Square feet

Zone: C

The Joel Palmer House (Free standing, Wood)

Height 6'4"

3'6" x 5' = 17.5 Square feet

Zone: C



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May 27, 2021

Via Electronic Mail
City of Dayton Planning Commission
C/O Cyndi Park
416 Ferry Street
Dayton, OR 97114

RE: Legislative Amendment 2021-01 (LA 2021-01) Dayton Sign Code

City of Dayton Planning Commission:

I. Introduction

This office represents Andrea Angell, who owns property in the City of Dayton located at 16405 SE Kreder Road, Dayton, OR 97114 on Highway 18 just north of The Vintages Trailer Resort and Willamette Wine Country RV Park. Please include this letter in the record for LA 2021-01.

We have reviewed the Draft V3 Amendments proposed for Section 7.4 of the City of Dayton Land Use Development Code (LUDC). We would like to commend the planning staff for their work in developing a City-wide sign code with only the existing Central Business Overlay (CBO) provisions to work with. Drafting ordinances is a difficult task, and planning staff has done an excellent job. We do not ask the Planning Commission to make any substantial changes to the proposed amendments, only to consider adding an additional section to apply to properties like Mrs. Angell's that are outside the downtown area and along Highway 18.

II. V3 Proposed Standards

Mrs. Angell's property is an approximately 33-acre parcel split-zoned Commercial and Industrial. The Commercial portion is on the western side of the

property along Highway 18, while the remaining portion is zoned Industrial. The V3 Draft Amendments would establish a maximum wall sign area of 120 square feet and a maximum freestanding sign area of 50 square feet per face in both the Commercial and Industrial zones. Proposed LUDC 7.4.104.3.A.i&ii and LUDC 7.4.106.2.A&B. Proposed LUDC 7.4.106.2.A.i allows a maximum of 200 square feet for wall signs for Industrial tenants occupying at least 40,000 square feet. The most recent amendments would also reduce the maximum height for signs in the Commercial zone to 20 feet from 30 feet. LUDC 7.4.104.3.4.B.

As the February 4, 2021 Work Session #1 Staff Summary states, the “impetus for an update to the Dayton Sign Code was the installment of a large sign located on Ferry Street.” As a result, the City Manager directed staff to prepare a proposal regarding “[d]esign standards for signs in downtown Dayton, particularly surrounding historic properties.” While the proposed amendments will apply throughout the City, it seems reasonably clear that the aim of the amendments is directed more towards the downtown area rather than freeway properties like Mrs. Angell’s.

The proposed amendments make perfect sense for properties located near downtown and the CBO as businesses are close to the street, traffic speed is slower (25-35 MPH), and there are numerous pedestrians. Under those circumstances, the proposed maximum sign areas should be more than sufficient to serve the purpose of identifying the businesses. Mrs. Angell’s property, on the other hand, is fundamentally different than Commercial or Industrial zoned property closer to the downtown area. Properties located north of the Yamhill River along Highway 18 face traffic that is traveling at highway speeds, and the location of signs would likely be much further from the road than in the downtown area. Travelers moving at high speeds and further away from the signs would have difficulty reading the signs at

the proposed size limitations and could even cause a safety hazard if they slow down or veer while trying to read the signs. Such travelers also might just ignore the signs if they are too difficult to read easily.

III. Proposed Addition

City planning staff wisely reviewed the sign codes of nearby similarly sized cities. In particular, planning staff appears to have looked at the City of Albany sign code for guidance. We agree that the City of Albany sign code provisions provide a good example. In the City of Albany, the maximum square footage for wall signs in commercial and industrial zones is 200 square feet rather than the 120 square feet proposed in the V3 Draft Amendments. Albany Development Code (ADC) Table 13-2. The City of Albany also allows a maximum of 160 square feet per face for freestanding signs in commercial and industrial zones rather than the 50 square feet per face in the V3 Draft Amendments. ADC Table 13-3.

Other city sign codes the planning staff looked at also allow larger signs. Independence Development Code (IDC) 58.190 provides:

“General Requirements for Signs in Commercial and Industrial Zones.

“A. Every business shall be allowed a total sign area, including both permanent and Temporary Signs, but excluding Directional and Safety Signs; of $\frac{3}{4}$ square feet per property frontage foot to a maximum of 150 square feet. If all signs are Wall Signs, a total of 1.5 square feet to a total maximum of 300 square feet are allowed. * * *.”

City of Keizer Development Code (KDC) 2.308.08 provides:

“The following regulations apply to signs for commercial and industrial uses:

“A. Non-integrated Business Centers:

- “1. Total allowed area. One and one-half square feet of total allowed sign area for each lineal foot of building frontage, up to a maximum total allowed area of 150 square feet, except that awnings shall be allowed 50% of awning area be exempt from this limit.
- “2. On a Secondary Building Frontage, one wall sign shall be allowed, in addition to that listed above, at the rate of 0.75 sq ft per lineal foot of that portion of the building designated a Secondary Building Frontage, up to a maximum of 75 sq ft.
- “3. Type, maximum number of signs. Within the total allowed area, one free standing sign per street frontage and an unlimited number of wall, canopy or projecting signs shall be limited to a maximum of 100 square feet in area, shall not exceed one sign on each frontage, and shall be oriented to face the traffic flow on the street upon which they front.”

“* * * * *”

Although the total sign area allowed may not be computed exactly the same way, the other city sign codes the planning staff considered allow for larger total sign areas in commercial and industrial zones. We are not asking that all Commercial and Industrial zoned areas have the same maximum sign size restrictions as the other cities, merely that areas outside of the downtown area like Mrs. Angell’s property have larger limits.

The City of Albany recognizes that areas near a freeway need larger signs. ADC 13.530(7) provides:

“Freeway Area Signs General Provisions.

- “(a) The Freeway Interchange Area is defined and shown in Figure 1 [generally located at I-5 Interchange].
- “(b) A business within the freeway Interchange Area may have one freestanding sign up to 50 feet tall. Maximum sign area is limited to 250 square feet for one face and 500 square feet for two or more faces.
- “(c) If such sign is erected, it shall be in lieu of and not in addition to the signs permitted by Subsection (6) for such business along the street frontage on which it is located.”

Other cities also recognize the need for larger signs along freeways. For instance, the City of Tigard has a special provision for freestanding freeway-oriented signs. Tigard Municipal Code (TMC) 18.435.090.D provides:

“Freestanding Freeway-oriented signs.

- “1. For signs requiring a permit under the Oregon Motorist Information Act, the city will provide the applicant the affidavits required under the provisions of ORS 377.723 only after a local sign permit has been approved.
- “2. Freeway-oriented signs are allowed only in the C-G, TMU, I-P, I-L and I-H zones.
- “3. Freeway-oriented signs must be located within 200 feet of Highway 217 or Interstate 5 rights-of-way.
- “4. A maximum of one freeway-oriented sign is allowed per premises.
- “5. The maximum height of a freeway-oriented sign is 35 feet from the ground level at its base.
- “6. The maximum area of a freeway-oriented sign is 160 square feet per face and a total of 320 square feet for all faces.
- “7. Freeway-oriented signs must be oriented to be viewed from the freeway.

- “8. In addition to a freeway-oriented sign, each lot, development complex, or premises is allowed one freestanding sign provided all other provisions of this chapter can be met and both signs are located on separate frontages with different orientations.
- “9. Freeway-oriented signs are only allowed as freestanding signs and are not allowed as any other sign type.”

Mrs. Angell’s property is located along Highway 18, which is similarly situated to the Freeway Interchange Area in the City of Albany and the area where freeway-oriented signs are allowed near Highway 217 and I-5 in the City of Tigard. As discussed, such areas are fundamentally different from areas located downtown or on local streets. With highway speeds and increased distances to the signs, a larger maximum sign area is necessary for the signs to serve their intended purpose. For instance, the Vintages (which is located adjacent to Mrs. Angell’s property) has a freestanding electric sign that is over 30 feet tall and has an area of 125 square feet. The proposed amendments would restrict Mrs. Angell to significantly smaller signs in the same area. While Mrs. Angell is not necessarily requesting a specific maximum sign size, she would appreciate a larger maximum sign area than the proposed V3 Draft Amendments would allow. We have prepared proposed additions to the V3 Amendments. Again, these are just suggestions, and Mrs. Angell would be happy with other changes that would increase the allowed maximum sign areas for her property. Finally, reducing the maximum freestanding sign height from 30 feet to 20 feet in Commercial zones would also make it difficult to see the signs from Highway 18.

Proposed Additions:

- (1) In the Design Standards under 7.4.104.3 for Commercial Zone Maximum Sign Area – add the following subsection:

C. Freeway-Oriented Signs

- i. Freeway-oriented signs are those signs facing Highway 18 north of the Yamhill River. [This could also be added under the definitions section.]
- ii. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
- iii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
- iv. Temporary signs: 12 square feet. [This is not an increase.]
- v. The maximum freestanding sign height for freeway-oriented signs is 30 feet.

(2) In the Design Standards under 7.4.106.2 for Industrial Maximum Sign Area – add the following subsection:

D. Freeway-Oriented Signs

- i. Freeway-oriented signs are those signs facing Highway 18 north of the Yamhill River. [Again, this could also be added under the definitions section.]
- ii. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
- iii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
- iv. Temporary signs: 12 square feet. [This is not an increase.]

While Mrs. Angell would be amenable to changing the maximum sign area standards for all Commercial and Industrial zones, she understands that the City has carefully decided to address signs in the downtown and near-downtown area. Therefore, Mrs. Angell respectfully requests that the City allow a slightly larger

maximum sign area and height in the limited area of the City north of the Yamhill River along Highway 18 that is in harmony with similarly situated properties in other cities.

IV. Variances

Although this is not a primary concern of Mrs. Angell, the proposed V3 Draft amendments do not make any changes to LUDC 7.4.101.8 Adjustments and Variances, which provides:

“Sign adjustments/variances shall be reviewed in accordance with a Type I action, as specified in Section 7.3.2 using the criteria listed in **7.2.111.07.G.2.**

“Criteria for Sign Variance/Adjustments.

- “A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the **CBO**, and the adjustment is necessary to permit signage comparable with other properties in the **CBO**.
- “B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- “C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.” (Emphases added.)

As the emphasized portions above illustrate, the variance and adjustments provision references the criteria from LUDC 7.2.111.07.G.2. It is our understanding that LUDC 7.2.11.07 is being deleted and replaced by the proposed amendments. Also, the sign code will now apply to all zones in the City rather than just the CBO as referenced in 7.4.101.8.B. We would respectfully suggest something like the following:

“Sign adjustments/variances shall be reviewed in accordance with a Type I action, as specified in Section 7.3.2 using the **following** criteria ~~listed in 7.2.111.07.G.2.~~

“Criteria for Sign Variance/Adjustments.

- “A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the **same zone CBO**, and the adjustment is necessary to permit signage comparable with other properties in the **same zone CBO**.
- “B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- “C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.”

V. Conclusion

We appreciate all the hard work staff and the Planning Commission have put into drafting the proposed amendments to the City's sign code. We agree with everything that has been proposed. We only request that the Planning Commission include an additional provision for properties like Mrs. Angell's that have very different circumstances from properties in other areas of the City.

Very truly yours,

A handwritten signature in blue ink that reads "Fred Wilson". The signature is written in a cursive style with a prominent "F" and "W".

Fred Wilson

Exhibit 2

Exhibit A- Final Amendments

7.2.111.07- Signs: Sign standards within the Central Business Overlay Zone may be found in Section 7.4.105

7.4.101 General Provisions

1. Applicability. All properties within Dayton City Limits shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited.
2. Purpose
 - A. While signs communicate all types of helpful information, unregulated signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this section is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values; the character of the various neighborhoods; the creation of a convenient, attractive, and harmonious community; protection against destruction of or encroachment on historic properties, convenience to citizens and encouraging economic development. This section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. If any provision of this section is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this section which can be given effect without the invalid provision.
 - B. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral, but accessory and subordinate, part of the principal use of land or building. Therefore, the intent of this section is to establish limitations on signs to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this section.
 - C. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
 - D. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
 - E. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

3. Definitions:

Abandoned Sign: A sign that is no longer used by the person who constructed/installed the sign on the property where the sign is located or cessation of use of the property where the sign is located.

A-Board Sign: Includes signs that are ordinarily in the shape of an “A”, or some variation thereof, on the ground, easily movable and which is usually two sided.

Area Sign: The area contained within lines drawn between or around the outermost points of a sign, including cutouts, 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. For signs having two or more display surfaces, the area is the maximum area of the surfaces that can be seen from any one point.

Banner Sign: A sign made of fabric or other non-rigid material with no enclosing framework or not affixed to the primary structure and shall include every type of decoration or banner displayed over or upon the city streets of the City of Dayton on a temporary or seasonal basis, whether attached to utility poles or any other structure.

Billboard: A sign height over ten feet from the ground surface, on which same is located, to the top of such billboard, and sign area greater than sixty-four (64) square feet, on which the copy is designed to be periodically changed and which is not located on the premises to which such advertising copy pertains.

Direct Illumination: A source of illumination directed towards such signs so that the beam of light falls upon the exterior surface of the sign.

Facade: The architectural front of a building; usually the front but sometimes the rear or side, used to meet architectural treatment details and setting the tone for the rest of the building.

Freestanding Sign: A sign, including monument signs, supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign.

Government Sign: A sign erected, constructed, or placed within the public right-of-way or on public property by or with the approval of the government agency having authority over, control of, or ownership of the right-of-way or public property.

Highway Oriented Signs: Signs fronting Highway 18.

Illuminated Sign: A sign illuminated by an interior or exterior light source, which exterior light source is primarily designed to illuminate such sign.

Integrated Business Center: A group of two or more businesses that are planned or designed as a center, or Center: share a common off-street parking area or access, whether or not the businesses, buildings, or land are under common ownership.

Light-Emitting Diode or LED: A form of illumination using a semiconductor light source that converts applied voltage to light and is used in digital displays.

Mural: A hand-painted, hand-tiled or digitally printed image on the exterior wall of a building.

Neon Light: A form of illumination using inert gases in glass tubes and includes black light and other neon lights.

Nonconforming Sign: A sign that was lawful when it was constructed but does not meet the requirements of this Section.

Portable Sign: A sign that is not attached to any building or facade that is easily portable. It may stand alone or be illuminated, have wheels attached, or be located on a trailer.

Projecting Sign or Blade Sign: A two-sided sign other than a wall sign which projects beyond the building surface to which it is attached.

Reader Board: Any sign not permanently attached to the ground or building and capable of being moved from place to place, including signs attached to vehicles and trailers.

Sign: A display, illustration, structure or device that has a visual display visible from a right-of-way, private roadway or lot under other ownership.

Temporary Sign: A sign not permanently attached to a building, structure or ground that is intended to be displayed for a limited period of time. Such signs may include banners, pennants, streamers, spinners, or other similar devices.

Vehicle Sign: A sign placed in or attached to the motor vehicle, trailer, railroad car, or light rail car that is used for either personal purpose or is regularly used for purposes other than the display of signs.

Wall Sign: A sign that is painted or attached on a wall of a building, and extending no more than twelve inches from the wall. Window signs that are permanently attached to the outside of a window are wall signs.

Window Sign: Includes text or graphics that are painted on or attached to a window. Window signs do not include business hours of operation or non-illuminated open/closed signs.

4. Prohibited Signs. Signs not conforming to Section 7.4 of the Dayton Municipal Code are unlawful and shall constitute a Class C violation according to the City of Dayton Fee Schedule.
 - A. Installation or posting of any notice or signage on utility poles, street lights, stop signs, other street signs, trees in the public right-of-way, public places or premises shall be prohibited without approval from the Utility or the City of Dayton.
 - B. Access. Signs that block ingress or egress so as to interfere with the flow of pedestrian or vehicle traffic, doors, windows, fire escapes or parking areas shall be prohibited.
 - C. Billboards.
 - D. Any sign on vacant property unless allowed as a temporary sign.
 - E. Condition. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
 - F. Reader board or portable signs.
 - G. Obscene Signs- A sign that creates a public nuisance displaying an obscenity as defined under ORS Chapter 167.
 - H. Flashing signs, signs that produce glare, or animated signs that change image more than six times per minute.
5. Exempt Signs. The following signs and devices shall not be subject to the provisions of this Chapter and shall not require approval from the City.
 - A. Identification Signs. Memorial and Historic Identification Signs and Donation Plates. Memorial tablets, cornerstones, donation plates or similar plaques, such as National Register listing, not exceeding six square feet.
 - B. Occupant or Owner Sign. A sign identifying the name of the occupant or owner, provided the sign is not larger than one (1) square foot, is not illuminated and is either attached to the structure or located within the front yard setback.
 - C. Window signs shall not be calculated in total sign area calculations but are limited to a maximum of twenty-four (24) square feet or twenty five percent (25%) of the total window area, whichever is less.
 - D. State Highway Requirements. Applicants are advised to contact the State Highway Division of the Oregon Department of Transportation regarding other possible sign regulations adjacent to Ferry Street and Third Street.
 - E. Vehicle Signs. Signs painted on or otherwise attached to vehicles.
6. Non-conforming signs: Non-conforming signs are subject to the following provisions:
 - a. Legally established nonconforming permanent signs may continue to exist in accordance with this section. Nonconforming Signs that were not legally established have no legal right to continue and must be removed or reconstructed in conformance with this code.

- b. Maintenance. A non-conforming sign may undergo normal maintenance, which includes normal care or servicing needed to keep a sign functional, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs. “Normal maintenance” excludes major structural repairs designed to extend the useful life of the non-conforming sign.
- c. Sign face. The sign face or sign copy may be changed without affecting the nonconforming status of the sign.
- d. Ownership. Should a property change ownership or a building have a new tenant, all non-conforming signs must be removed within six months of the change.
- e. Changes to nonconforming signs.
 - i. A non-conforming sign shall not be enlarged or altered in a way that would increase its nonconformity.
 - ii. Signs and sign structures that are moved or replaced shall be brought into conformance with the sign regulations.
 - iii. Signs that are structurally altered by more than fifty (50) percent of the replacement value, shall be brought into conformance with the sign regulations.
 - iv. Signs that are structurally altered by fifty (50) percent or less than the replacement value may continue to be used as a nonconforming sign provided the alterations do not increase the nonconformity of the sign.
- f. Damaged nonconforming signs:
 - i. When a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds fifty (50) percent of its replacement value, non- conforming sign shall be removed or brought into conformance with the sign regulations within six months of the date the damage occurred.
 - ii. When a nonconforming sign is damaged by wind, fire, or by any other cause and the estimated cost to repair the sign is fifty (50) percent or less of its replacement value, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within six months of the date the sign was damaged and are diligently pursued thereafter.
 - 1. Whenever repairs and restoration of a damaged nonconforming sign are not started within one year of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.
 - 2. Abandoned signs shall not be permitted as nonconforming signs. Abandoned signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found.

7. Adjustments and Variances.

Sign adjustments/variances shall be reviewed in accordance with a Type II action, as specified in Section 7.3.2 using the following criteria.

Criteria for Sign Variance/Adjustments.

- A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the same zone, and the adjustment is necessary to permit signage comparable with other properties in the same zone.
- B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

7.4.102- Review Procedures

- 1. All signs not specifically exempt from permitting requirements by Section 7.4.101.5 shall be subject to the permitting procedures of this section. No signs in conflict with any provisions of this ordinance shall be permitted.
- 2. Permit Fees: Permit fees shall be established by City Council resolution and updated as needed.
- 3. Application Requirements: An application for a sign permit shall be submitted on a form provided by the City Planner or designee. The application shall include the following items, at minimum:
 - A. A sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises.
 - B. The sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability.
 - C. The names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.
- 4. Revocation of permits: Sign permits mistakenly issued in violation of these regulations or other provisions of the Dayton Land Use and Development Code are void. The City Planner or designee may revoke a sign permit if they find that there was a material and misleading false statement of fact in the application for the permit.
- 5. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - A. Compliance with Building Codes. All signs shall comply with the applicable provisions of the Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance

of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.

- B. Materials. Except for banners, flags, portable signs, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
- C. Maintenance. All signs shall be maintained in a good structural condition and readable at all times.
- D. Owner Responsibility. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.
- E. Aesthetics. All signs shall be professional in appearance, constructed in a workmanship like manner to professional standards.

DESIGN STANDARDS

7.4.103 Residential

1. Purpose and applicability: To provide a set of regulations for the placement of signs within Residential (R-1, R-2, R-3) zones. The provisions within this section shall also apply to residential uses within the Commercial Residential zone.
2. Permitted Signs- All permitted signs are subject to the standards of 7.4.103
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within Residential zones shall be limited to 21 days per calendar year.
3. Maximum sign area
 - A. Single Family and Duplex uses: 6 square feet.
 - B. Multi-family (greater than two units): For subdivisions, multiple-family developments (including planned developments), uses, or identified neighborhood areas, one single or double-faced, indirectly lit sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces is permitted. The applicant for the sign permit must own or represent a majority of the lots or dwelling units within the subdivision, multiple-family development, identified neighborhood area, or the applicable homeowner's association. If the sign pertains to any development request, then the location and design shall be subject to the appropriate review.
 - C. Temporary Signs: 12 square feet.
4. Maximum sign height: 6 feet
5. Location:
 - A. Wall, canopy or window sign shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted

use; provided that wall signs may project into the required setback space up to 1.5 feet.

- B. Free-standing signs are permitted where fences are allowed for residential uses.
6. Illumination
- A. Single family and duplex uses: Not permitted.
 - B. Multi-family: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.

7.4.104 Commercial Zone

1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Commercial (C) zoning district. Signs located on properties within the CBO (Central Business Overlay) shall be subject to the provisions of Section 7.4.105.
2. Permitted Signs
 - a. Wall signs
 - b. Free-standing signs
 - c. Temporary signs: Temporary signs shall be permitted within the Commercial zoning district in accordance with the following provisions.
 - i. Permitted Temporary signs are allowed provided they are erected not longer than twenty-one (21) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
3. Maximum sign area
 - A. Non-Integrated business center
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet
 - B. Integrated business center
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 1. Wall signs may be placed over all shared main public entries to the business center. Shared public entries must be shared by at least two tenants. Such signs are limited to 130 square feet in size.
 2. When an individual business does not have frontage on a street or parking lot, the business is allowed a maximum aggregate wall sign area of 16 square feet.

or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.

2. Permitted Signs- All permitted signs are subject to the standards of 7.4.105
 - A. Wall signs
 - B. Freestanding signs
 - C. Projecting signs
 - D. A-Board signs (one per tenant space)
 - E. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
 - F. Awning signs
 - i. Sign lettering and imagery may only be located on the awning skirt.
 - G. Flags (maximum of two per property)
3. Maximum sign area:
 - A. Wall signs: one (1) square foot of sign area for each one linear foot of building façade not exceeding 100 square feet. This maximum area shall apply to all signs attached to the building such that the total area of all signs combined on the property does not exceed 100 square feet.
 - B. Freestanding Signs: 24 square feet
 - C. Projecting signs: Blade, projecting or hanging signs shall be limited to one (1) per tenant space. Projecting signs shall have a maximum area of eight (8) square feet.
 - D. One (1) A-Board sign is permitted per business or property and shall measure no more than three (3) feet wide and not more than four (4) feet high. A-Board signs shall not be calculated in total sign area calculations.
 - E. Temporary signs: 12 square feet
 - F. Awning: 6 square feet. Must comply with the provisions of 7.4.105.2.F.i
 - G. Flags: 15 square feet per flag.
4. Maximum sign height:
 - A. Wall signs: 6 feet. May not project higher than the height of the roof.
 - B. Freestanding signs: 6 feet
5. Location:
 - A. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms, on cornice fascia boards, or below cornices.

- B. The edge of a projecting sign furthest from the wall shall not extend more than 42 inches from a wall, the bottom of the sign shall be no lower than eight (8) feet above a right-of-way or private sidewalk area and the top of the sign shall not extend over the roof line of the building.
 - C. A-board signs
 - i. A-Board signs may be placed upon private property or within an adjacent public right-of-way along the frontage of the business displaying the sign when a minimum of forty-two (42) inches of clear pedestrian walkway is available immediately adjacent to the sign.
 - ii. Removal. A-Board signs shall be movable at all times and displayed only during the hours the business is open.
 - D. Freestanding
 - i. Freestanding signs shall only be permitted when the property has a building setback greater than 15 feet.
 - E. Temporary signs must be located on the subject property and may not infringe upon the frontage of another business.
 - F. Awnings: Text on awnings shall be limited to that placed upon the awning skirt only and shall be included in the calculation of the maximum allowable sign area.
6. Illumination
- A. Hanging signs may be externally illuminated although ambient light is usually sufficient to light these small signs. Planning staff must review and approve alternative lighting designs.
 - B. Direct or in-direct illumination shall be permitted, provided all illumination is directed away from adjacent property. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.
 - i. Internally lit signs, including Neon or LED signage shall be permitted subject to the following restrictions:
 - 1. Signs shall be limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing lights are prohibited.
 - C. Awning signs may not be illuminated.

7. Design Standards: All signs within the CBO shall be subject to the following additional design standards.

- A. The placement of signage shall not visually obscure architecturally significant features of the building.
- B. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
- C. Generally, the placement of signage shall occur below the sill of the second story windows. Alternative placement may be considered under the following circumstances:

- i. Freestanding signs must have a base of either a flower bed or shrubbery to integrate the sign into the streetscape.
- ii. The placement of signs must not disrupt or obstruct the vision of drivers or pedestrians so as to create a hazardous situation. No signs shall be so located as to significantly obstruct pedestrian circulation.

7.4.106 Industrial

1. Purpose and applicability: Purpose and applicability: To provide a set of regulations for the placement of signs within the Industrial (I) zone.
2. Permitted Signs
 - A. Wall signs
 - B. Freestanding signs
 - C. Awning signs
 - D. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
2. Maximum sign area
 - A. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - i. A tenant occupying a minimum of 40,000 square feet will be allowed a maximum of 200 square feet.
 - B. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - C. Temporary signs: 12 square feet
 - D. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
3. Maximum sign height:
 - A. Wall signs: No maximum, but no sign shall not project onto or over a parapet or roof eave.
 - B. Free-standing signs: 30 feet
4. Location:
 - A. Wall or projecting signs may project up to two feet from a building.

- B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
- 5. Illumination:
 - A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties or an adjacent public right of way.

7.4.107- Public

- 1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Public zoning district.
- 2. Permitted Signs- All permitted signs are subject to the standards of 7.4.107
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within the Public Zone shall be limited to 21 days per calendar year, with a maximum of 5 signs per calendar year.
- 3. Maximum sign area
 - A. 32 square feet
- 4. Maximum sign height:
 - A. Freestanding Signs: 20 feet
 - B. Wall Signs: 6 feet, but no sign shall project over a parapet or roof eave.
- 5. Location
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
- 6. Illumination
 - A. May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare. Animated signs are permitted so long as they do not change image more than 6 times per minute.



Water Rate Study

City of Dayton

Final Report

July 2021



Prepared by:
Oregon Association of Water Utilities

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EXECUTIVE SUMMARY

The City of Dayton called upon the Oregon Association of Water Utilities to conduct a water rate study to determine the adequacy of the water rates in conjunction with the proposed budget for the 2021-2022 fiscal year, with subsequent adjustments for years 2022-2025. The purpose of the study was to develop financial assistance and rates that:

- Provide examples of rates which meet the projected capital and operation and maintenance (O&M) costs of the system
- Determine equitable costs among the different types of system users
- Encourage efficient use of the water
- Are relatively simple to administer, understand, and are consistent with industry standards

The rate study stems from a justification of a single expenditure line created and managed by the city's administration office and the public works department. This figure includes personnel services, materials and services, contingency funding, and capital improvement. The capital improvement costs are reviewed in this study and implemented to align system costs to future rates. The current rates are based on a formula using an equivalent dwelling unit (EDU) calculated approximately twenty plus years using 400 cubic feet (2,992 gallons). As water usage is charged per 100 cubic feet (one unit), an allowance of four units is provided in the base rate. Residential users are considered one EDU (single-family residence)(SFR).

Table 1: Current Rate Information						
Service Connection Size (in.)	# of connections	Allowance (Units) ¹	Base Rate	Unit Rate Cost	Average Consumption	Typical Monthly Cost
5/8 Residential	808	4	\$59.00	\$3.00 ¹	5.44	\$63.32
5/8 Residential - out	25	4	\$64.00	\$3.00 ¹	5.44	\$68.32
5/8 Commercial	35	4	\$59.00	\$3.00 ¹	NA	NA
1.0 Commercial	29	4	\$59.00	\$3.00 ¹	NA	NA
1.5 Commercial	12	4	\$59.00	\$3.00 ¹	NA	NA
2.0 Commercial	9	4	\$59.00	\$3.00 ¹	NA	NA
3.0 Commercial	2	4	\$59.00	\$3.00 ¹	NA	NA
4.0 Commercial	2	4	\$59.00	\$3.00 ¹	NA	NA
Total Connections	922	NA		NA		
Total Annual Base			\$725,196.00 ²			
Total Annual Consumption			\$117,977.16			
Combined Base and Consumption			\$843,173.16	109.15%		
Proposed Budget			\$772,483.00			
1 – \$3.00 unit rate is for 2 units, first tier in an 8-tier structure up to \$6.21 per unit, 2-figured on using EDUs						

The City of Dayton currently uses an EDU system to charge for water, the total number of EDUs associated with the water system is 1,022 units. Larger service connections are counted using a methodology unknown during the time of this study. Typically, an EDU is equal to an approximation of the amount of sewage generated by an average SFR. The proposed format will simply use the number of service connections the water system serves, then consider the base rate determined by the size of the meter.

The meter base rate applies a meter ratio according to American Water Works Association (AWWA) meter ratios as it relates to infrastructure replacement costs.

Current Revenues / Expenditures:

Proposed revenue requirements for fiscal year 2021-2022 are \$772,483.00 dollars. The base rate revenues equal \$725,196.00 or 93.88 percent of the total proposed budget. An annual adjustment to the base rate should be initiated, the last adjustment was June 1, 2016. Using the Consumer Price Index (CPI) adjustments to water rates can match fluctuations corresponding to inflation and or capital planning expenses. The existing consumption rate (a charge per unit of water) is \$3.00, with an allowance of water provided in the base rate. The allowance of water included is four units or 2,992 gallons per month. All water consumed after the allowance is charged per unit, ranging from \$3.00 to \$6.21 per unit at the eighth tier. Consumption revenues equal 15.79 percent of the proposed budget or \$117,977.16 dollars. The combination of base and consumption rates total 109.15 percent of proposed budget or \$843,173.16 dollars.

User Characteristics:

Equitable fees assessed to customers begin with a determination of the type of users. For the City of Dayton, the classification of customers is categorized as follows:

- 835 - Single-family residents, residential services are 93.3 percent of total users
- 025 - Outside city services
- 059 - Classified as commercial.

Base rates were originally set up in 2010 using an EDU of measure. This structure is typically used when determining wastewater rates, yet the variation in the implementation is somewhat disordered. The primary change from the current to proposed rate format will be based on size of service connection, being the tangible unit of measure and not an EDU.

Cost Evaluations:

If the total operating expenditures were equally divided per the number of consumers, the cost per user for the city would be \$69.82 per month. This simplistic approach immediately proves unfair due to the average amounts of water consumed varies among all users.

$$\text{\$772,483.00 divided by 12 months divided by 922 connections} = \text{\$69.82}$$

Believed as the highest priority regarding water costs, all consumers pay for those costs associated with the infrastructure that provides continued high quality, safe, clean drinking water.

When determining the cost for water, consumption should be the decisive reason and applied across the spectrum of users, (meter size and classification of the connection). This is accomplished by means of determining the price per unit and the amount of consumption per month. The intrinsic value associated with water service and the consumption of water during each billing cycle make up a fair and equitable rate for all customers.

Rates:

Water rate designs involve outlining charges necessary to generate a level of revenue to meet proposed budget forecasts for the water system. At this point, we reviewed the amount of water purchased and divided the new expenditure line to determine the cost associated with producing a single unit of water (one hundred cubic feet or 748-gallons). Using the production numbers from 2018-2020 and applying those same amounts to the new fiscal year expenditures, provides a way for the price per unit required to meet proposed expenditures. See Table 2:

Table 2: Cost per unit of production		
Annual Production of Water	Proposed Expenditures	Cost per 748 gallons (1 unit)
102,041 units (76,326,781 gallons)	\$772,483.00	\$6.58

The monthly allowance of water (four units) equates to \$26.32 operating expense the water department incurs to deliver to each tap. With a \$59.00 monthly base rate (inside residential), one can speculate the favorable revenues for the water department at these consumption levels, but an additional consideration with total consumption is necessary to consider. When the unit production cost (currently \$6.58) is more than the unit sold price, at all tiers sold, an adjustment in the rate is necessary.

One main interest within this study was the equitability of usage for all customers and their charges, respectively. Fairness across the user classification is often defined in a manner that low volume consumption should pay a fair share, while large consumers should not receive a volume discount.

Several methods to determine rates can be applied to a study, with the basic approach examining the base rates versus consumption (volume) rates. It is typically suggested that the base rate cover 60 percent-75 percent of the annual fixed expenses of the water budget, allowing the balance of revenues to be generated by what is termed a *volume rate*. The City of Dayton has executed sound practices in this area as current base rates equal 93.88 percent of the proposed budget.

Existing Rates:

This first step provides a concise view of the existing rates (both base and consumption rates) which currently provides an indication of the overall revenues generated using current water rates. The City of Dayton first priority request was discerning a comparable rate for low volume users, upcoming bridge infrastructure annual expenses and an overall equitable approach to water rates. Discovered immediately were the vast discrepancies to the base rates which were designed using an EDU system and the cost associated with multi-dwelling and larger service connections. This format calculated 1,022 EDUs from 922 service connections. In an attempt to process the method behind the current conclusions, the efforts to move towards a service connection method was accepted.

Preliminary Observations:

In this example, the emphasis is not on the base rate, but how the price per unit influences, plays a role in the total proposed budget. The increase in budgetary requirements to \$772,483.00 is based on sustaining capital monies for smaller annual projects, and the infrastructure bridge project. The bridge project has an annual expense at \$174, 322.00

As the above proposed budget was confirmed, a review of the base rates from respective classes of users indicated a skew in relevancy according to the size of the meter. Discussions indicated an unclear reasoning behind how the base rates were established, but they may have been conceived by labeling a connection as a single-family dwelling. The oversight in this approach is the comparison of the same sized metered connection, yet the application is dissimilar.

Through this step of the process, two recommendations were provided for consideration, a) change the base rate, removing the EDU distinction and apply a meter multiplier to the base rate which will also provide the same ratio of allowance of water for the user, b) apply a simplified tiered (increase block) rate for all consumption beyond the allowances stipulated with the meter ratios. This approach affords the per unit cost for all users, regardless of the size of the service connection for the base rates. Step two applies a conservation minded approach to the consumption rates. Table 3 makes available both the current monthly base rates and the proposed base rates. See page V

All figures recommended in the water rate study provides a single monthly base rate and consumption rate. The current consumption rate is a tiered structured rate beginning at \$3.00 per unit (two additional units), with seven additional tiers beginning at \$1.56 -\$6.21 per unit. These figures were developed and calculated to match all proposed expenses using AWWA standards, applied in a fair and equitable manner.

Meter Multiplier Base Rate:

Discoverable during the water rate study is the two levels of base rates, a) inside users and b) outside users. Derived from the estimating base rate methodologies, water usage applied to a varied number of connections would be considered inconsistent. A comparative example is looking at both single-family dwellings (one single home vs apartment dwelling). The apartment would use less water as the footprint is much smaller. Even though the similarities are evident, the total amounts of water are not.

The meter multiplier advocated for the City of Dayton uses a standard that relates a monthly cost based on replacement of a meter and adjacent infrastructure over the life of the meter. Table 3 on the following page shows a comparison of both current and recommended base rates, a meter ratio applied to each of the sized meters.

Using experienced approaches for community water systems, the base rate is calculated by establishing a rate for the majority of users (SFR) and centering the initial cost on the fixed outlays associated with the annual budget. Once applied, the base rates equal 76.97 percent of the budget.

Table 3: Rate Comparison Current vs Proposed					
Current Base Rates					
	Residential	Commercial	Outside	Meter Multiplier	Allowances
5/8"- 3/4"	\$ 59.00	\$ 59.00	\$ 64.00	Uses EDUs	4.00
5/8"- 3/4" out	\$ -	\$ -	\$ 64.00		4.00
1"	\$ 59.00	\$ 59.00	\$ 64.00		4.00
1 1/2"	\$ 59.00	\$ 59.00	\$ -		4.00
2"	\$ 59.00	\$ 59.00	\$ -		4.00
3"	\$ 59.00	\$ -	\$ 64.00		4.00
4"	\$ -	\$ 59.00	\$ -		4.00
\$59.00 per EDU, Schools exception ¹					
Tiers Levels	Per Unit				
One	\$ 3.00				
Two	\$ 1.56				
Three	\$ 2.28				
Four	\$ 3.00				
Five	\$ 3.83				
Six	\$ 4.38				
Seven	\$ 5.09				
Eight	\$ 6.21				
Proposed Rates					
	Residential	Commercial	Outside	Meter Multiplier	Allowances
5/8"- 3/4"	\$ 48.87	\$ 48.87	\$ 58.65	1.0 - 1	2.00
5/8"- 3/4" out	\$ -	\$ 53.76	\$ 58.65	1.0 - 1	2.00
1"	\$ 68.42	\$ 68.42	\$ 82.11	1.4 - 1	2.80
1 1/2"	\$ 87.97	\$ 87.97	\$ 105.57	1.8 - 1	3.60
2"	\$ 141.73	\$ 141.73	\$ 170.08	2.9 - 1	5.80
3"	\$ 537.61	\$ 537.61	\$ 645.13	11.0 - 1	22.00
4"	\$ 684.23	\$ 684.23	\$ 821.08	14.0 - 1	28.00
Meter size will determine base rate ²					
Tiers Levels	Per Unit ³				
One	\$ 3.00				
Two	\$ 4.50				
Three	\$ 6.00				
Four	NA				
Five	NA				
Six	NA				
Seven	NA				
Eight	NA				
1 - EDUs (equivalent dwelling units) beginning resolution is unsubstantiated					
2 - American Water Works Association standard for meter multiplier (replacement costs)					
3- Beginning tier levels for 5/8'-3/4" meter are 2, 4 and 8 units					

Water Rate Study

Introduction:

In September 2020, the City of Dayton authorized Oregon Association of Water Utilities to review current water rates. The purpose of this study is to develop examples of financial strategies and rates that:

- Provide adequate revenue to meet the operation and maintenance costs, capital improvement costs, as well as review contingency funding
- Determine and distribute costs among the various consumer types
- Are relatively simple to understand and implement, being consistent with industry practices

It is Oregon Association of Water Utilities' privilege to provide this level of rate study assessment as a member service to the City of Dayton. When conducting a rate study, the best results are based on the most accurate data obtained, equity among the consumers, and revenues that meet demands and allow the water system to operate per state regulations.

After careful review of the written materials provided by the city's staff, along with discussions with key personnel, some points are necessary to mention to maintain continuity, they are:

- Changes in necessary monies for capital improvement
- Creation of a contingency fund for emergency purposes
- Existing expenditures based on billing unit of 748 gallons
- Monthly costs based on the number of active meter connections or 100 cubic feet (ccf)

After an extensive evaluation of current budget numbers regarding this rate study, it appears that modifications in the existing water rates are necessary to create a fair and equitable structure. The last formal rate review (adjustment) was effective June 1, 2016.

Reserves have been created for future capital replacement projects, contingencies, and for major maintenance and repairs. System Development Charges (SDCs) will not be part of this study, but it is recommended that they be reviewed on a regular basis.

A recommended contingency fund for emergencies may be 10 to 20 percent of the operational portion of the budget. This single line item (\$50,000.00) is 6.9 percent of the 2021-22 budget. These contingencies do not need to be expanded if not essential to match future necessities. It is advisable to carry unused contingencies and other revenues not expended over to the next year's working capital expense line item. The following fiscal year set aside a new contingency figure for the next budget cycle. The City's water rate adjustment was arbitrarily applied when it was deemed necessary. Oregon Association of Water Utilities will recommend an annual adjustment based on the basket of services entailing water, sewer operations and maintenance.

Several water rates examples and options for the City of Dayton’s Council to review are included in this report. In addition to the general expectations of a water rate study, Oregon Association of Water Utilities considers policies, ordinances, and customer relations as factors in the development of water rates. Special interests, political climate, and an ease of understanding also play roles in the formation of rates.

Oregon Association of Water Utilities utilizes the information provided by the water system that is most pertinent when performing a water rate study. The information includes the existing/adopted budget that consists of revenues necessary for O&M, personnel, contingency, capital outlay, loan debt service, and loan debt reserve fund if required. We also consider policies, practices, resolutions, and ordinances that have been adopted from an operational view, not a legal review or opinion. The system figures are based upon as close an estimate as can be determined from the existing records and future needs as discussed and outlined in the proposed budget. This has been provided in a one single budget expense figure at \$772,483.00 dollars.

Table 1: Proposed Budget Information		
Personnel and Materials Services:	\$537,661.00	69.60%
Sub-total:		\$537,661.00
Contingency Reserve/Transfers: ¹	\$50,000.00	6.47%
Annual Debt Service:	\$174,322.00	22.57 %
Capital Outlay: ²	\$10,500.00	1.36%
Total Expenditures:		\$772,483.00

Additional pertinent information is as follows: approximately 922 active connections with an approximate ninety percent of customers are classified residential. Also included in the calculation of rates is the amount of averaged water produced at approximately a) 87.75 million gallons (MG) or 117 thousand hundred cubic feet (ccf) annually, b) amount of averaged water sold at 76.32 MG, or 102 thousand ccf, and c) amount of averaged unaccounted for water at 11.4 MG. The remaining unaccounted-for water at 13 percent is a significant achievement, as most public water systems strive for 15 percent or less unaccounted-for water.

Originally, the primary purpose for a formal water rate study was to assist the City in developing a structure that establishes a format that appeared balanced for all users. While reviewing revenues and expenditures, the primary emphasis was directed at a) fair and equitable rates for all users, b) assure no single classified group supplements another group, c) low volume usage customers would maintain a relatively set monthly rate.

The concept with emphasizing annual short-term projects is in providing funding of maintenance for projects often tabled for a later time. This step coordinates completion of projects for the water system

during the timeframes the City Council adopts resolutions for monies allocated for such. The City’s approach to short-term (low cost) projects is balancing monthly revenues against necessary maintenance.

Annual production and delivery of water provides insight as to the efficiency of the water system when correlating deliverables against the total operating expenses. Viewed as cost per unit of water, 748 - gallons, the water system can determine the actual system cost as it relates to each consumer in each billing cycle.

Table 2, Cost per unit for delivery is figured on a running average of all water produced over a *given period*. When water is not accounted for through meter readings, it is seen as a 100 percent loss associated with the expenditure cost for that unit. The exception to this is when operations can provide accurate water use for water expending duties and other maintenance tasks. This water is then considered non-billable water used rather than unaccounted for water. Water that cannot be sold should be considered potential lost revenues.

Table 2: Cost per Unit for Delivery			
Total Expenditures: Used in this study		\$772,483.00	
Water Production: 87.7 million gallons (102,041 ccf) units			
Unaccounted for Water: 11.4 million gallons (15,000 ccf) units		13.04%	
Average cost per single unit (748 gallons)			
Expense per gallon	0.0088	Current rate per 748 gallons	Potential Revenue
Expense per unit	\$8.80 (1,000 gals)	\$6.58	\$98,700.00 ¹
1 – Figure based on sales of all 15K units of unaccounted water, which is unlikely to occur.			

Rate structures vary from utility to utility, but generally include three elements. First, is consideration of the classification of customers served, i.e., residential, commercial, and industrial. Second, all customers have an established frequency in billing, third, the schedule of charges will be identified and assessed.

For water utilities using a cost-of-service approach, the level of the utility’s rates is a direct reflection of the utility’s costs and customer’s demands. The above table outlines this approach to reveal how water deliverables affects the overall revenue required.

Setting the base rate per size of connection, multiply by the number of connections and then multiply by 12 (12 months/yr.) forecasts an amount that can be considered as revenue income to help ensure that most “fixed” annual expenditures are covered.

It is normally suggested that the base rate covers 60-75 percent of the annual water budget. This allows for the balance of revenues to be generated by what is termed a *volume rate*. The metered amount of water can be charged by a unit measurement in gallons or cubic feet. The meters, measure in 748-gallon units and a dollar amount can be charged per said unit.

In table 3, the City of Dayton’s revenues are derived from: the size of the connection, the allowance of water given in the base rate, if applicable, base and volume unit rates, the average monthly consumption per meter size, and the total approximate monthly cost. To recover the difference in revenues not earned in the base rate, the volume (consumption) rate income should meet the total revenue requirements when added to the base rate income.

Table 3: Current Rate Information						
Service Connection Size (in.)	# Of connections	Allowance (units)	Base Rate	Unit Rate Cost¹	Average Consumption	Typical Monthly Cost
5/8" Residential	868 ²	4	\$59.00	\$3.00	5.44	\$63.32
1" Residential	29 ³	4	\$59.00	\$3.00	10.00	\$71.24
1.5" Commercial	12		\$59.00	\$3.00		
2" Commercial	9	4	\$59.00	\$3.00		
3" Commercial	2	4	\$59.00	\$3.00		
4" Commercial	2	4 ⁴	\$59.00	\$3.00		
Total Connections	922					
Total Annual Base			\$654,396.00			
Total Annual Consumption *			\$119,869.73			
Combined Base and Consumption			\$774,265.73	100.23 %		
Proposed Budget			\$772,483.00			
<small>1 – Unit cost is tier one, with an additional seven tiers (\$1.56 - \$6.21), 2 – small number of users are outside city limits – base rate = \$64.00, 3 – Users are considered residential or commercial accounts, 4- larger customers are allowed 4 units per established EDU, * - all units assumed to be sold at \$1.50 to balance budget</small>						

When developing a rate structure that meets the water system requirements, the rate study results, suggestions, and final decision to be fair to all customers will outline following key points.

- Total revenues generated by base rates.
- Total gallons of water associated with the base rates.
- The price per unit that establishes equitability among all consumers.
- Amount of available water for sale and the price per unit.
- Total revenues generated by volume (consumption) rates.

When the above points are defined Oregon Association of Water Utilities can utilize the gathered information, and apply it to various scenarios, providing a method to better understand the effects from an assortment of various rate approaches.

Cost Evaluations:

If the total operating expenditures are equally segregated per the number of connections, the cost per connection for the City of Dayton would be \$69.82 per month.

$$\text{\$772,483.00 divided by 12 months divided by 922 users} = \text{\$69.82 per month}$$

Believed as the highest priority regarding water costs, all consumers pay for those costs associated with the infrastructure that provides continued high quality, safe, clean water. When determining the cost for water, equity centered on water consumption should be applied across the spectrum of users, (meter size and classification of the connection) and this is accomplished by means of determining the price per unit and the amount of consumption per month. The intrinsic value associated with water service and the consumption of water each billing cycle make up a fair and equitable rate for all customers.

Rate Study Approach:

Many diverse and competing models can be applied to any rate study, but when they are not well understood and evaluated, they can cause confusion among those that are affected by a change in the water utility rates. It is the goal of this water rate study to bridge key elements and provide an informational tool for the City Council to draw on in selecting an appropriate rate structure, one that is easily adopted and understood by your customers.

Examples shown in this rate study are based on a single line budget to operate and maintain the City's water system. While there are many approaches to determining a monthly consumer's cost, this rate study that builds on a methodical style with the following points:

- Affordability Index – rates allowed by the affordability index and historical monthly costs
- System Data – information relevant to the study
- Existing Rates – current revenues and expenditures, speculation of gains and losses.
- Multi-meter Costs Rate – conservation mindset

The varied points will show base rates established, what percentage of revenues is generated from said base rates, and how consumption charges make up any revenue deficits. Examples provide both an amount of water included in the base rate. As the examples are presented, it will become evident that no single method satisfies all the requirements for every community.

Alternative rate structures identify aspects in rate studies that assist in highlighting the dynamics of the water system. Although rate structures are generally composed of three components, who is charged, how often and how much, additional attention is centered on the structure's consumption charge. Typically, there are four basic types of consumption charges: declining block, uniform block, inclining block, and seasonal.

As rates are adjusted, policy rates are the responsibility of the utility decision makers. Even though public involvement is not required to design and approve water rates, it is important to keep the public relations door open by allowing for comment at a public meeting, and following proper procedures for adopting policies, resolutions, or ordinances. This should take place prior to adopting rate policy by ordinance or

resolution. The level of impact on the consumer, and the values and views of the decision makers play a key role in sustaining rates that will meet the operation and maintenance of the City’s water system, all the while maintaining and building customer trust.

Factors that affect actual total forecasted revenues include the following: water conservation, weather, economic conditions, number of actual billable customers, etc. These are mentioned points to consider when forecasting revenue needs to meet budgeted expenditures. A conservative decision may be made to adopt rates that exceed expected revenues by ten percent.

The following information is designed to illustrate methods of approach that will expand the various examples and highlight specific points of relevancy. The focus with this water rate study is to build on all levels of understanding, create a fair and equitable approach for all consumers, and provide a rate structure frame for revenues for the water system to continue to operate.

Affordability Index:

One measurement of the impact of water cost for the median household incomes (MHI) of the area is the affordability index, a tool that federal and state agencies review to determine loan interest rates, loan fees, any percentage of principal forgiveness (if possible), loan repayment periods and the effect on the single-family residential user. These concerns may impact economically disadvantaged areas. For certain loan processes to continue, a review of the index may establish a pre-determined rate for a specific amount of water each month. For this rate study using the 2020 Median Household Income at \$59,688.00 and the 2020 Affordability Index of 1.25% (\$/Mo) for the 97714-zip code area, equates to \$62.17 for a monthly water bill.¹ See Table 4

Table 4: Median Household Income Information					
Zip Code	Certified Population 2016	U.S. Census Population 2010	Annual Growth	MHI 2019	2019 Affordability Index 1.25%
97714	2635	2534	1.14%	\$59,688 *	\$62.17

Information obtained from US Census Bureau American Community Survey 2018 – inflation adjusted for 2019, * - Average Household income - \$58,132 for Dayton service area

Historical Rates:

With the initial onset of figures, the City of Dayton water rates are \$59.00 base rate (single equivalent dwelling unit (EDU) per month for a 5/8-inch by 3/4-inch service connection and \$3.00 per unit (748 gallons) as a tier one consumption rate for all users. This structured format is labeled an increase block rate which sends a price signal to the customer based on varied usage, and the unit cost increases with higher consumptions.

The city has used an annual adjustment of \$1.00 to the base rate with no consumption rate adjustment added. Since 2015, the average annual inflation rate for water and sewer services is 3.27 ¹ percent or approximately \$1.92 increase.

1 -<https://www.in2013dollars.com/Water-and-sewerage-maintenance/price-inflation/2015-to-2021?amount=54>

System Data:

Information compiled in the “System Data” spreadsheet (see next page) outlines those factors that influence the required monthly revenues based on the annual proposed operating budget. Water produced, water sold, and water losses are criteria that affect the rates charged. Relating the volumes of water to the operating expenses will define the cost per unit, either 1,000 gallons or 100 cubic feet (748 gallons).

The number of connections, the size of connections, and the monthly rates determine if a surplus or deficit in revenues is associated with the current rate structure. One important factor to consider is the amount of water allowed with the base rate. A larger allowance of water included in the base rate will lower the price per unit within the base, thus providing water at a higher cost per unit to deliver beyond an allowance. All the information will relate to how much of the percentage of total expenditures is generated from the base rate. Consumption rates will be included in the existing rate spreadsheet. **(See Table 5: System Data)**

<i>Table 5: System Data</i>			
Total Gallons Produced		117,347 ccf	
Total Gallons Sold		102,041 ccf	
Cost per Unit (748 gallons)		\$6.58	
Base Rate Revenues		\$654,396.00	
Total Operating Budget	\$772,483.00	% Total Budget	84.71%

Additional information that relates to the initial review of the figures associated with the City of Dayton’s water rate study are:

- Current base rates are figured based on EDUs totaling 1,022
- Discretion of EDUs is based on SFR (multi-dwellings considered one EDU per dwelling)
- Current base rates equal 84.71 percent of proposed budget (standard 60-75 percent)
- Proposed base rates figured on service connection size totaling 922
- Proposed base rates will be applied using 65 percent of proposed budget for monthly charge
- Current base rates require all units of water to be sold at \$2.15 minimum
- Current base rates adjusted annually adding \$1.00 to the base rate
- Proposed annual adjustments will follow the Consumer’s Price Index (CPI)
 - Applying the baskets of services for water, wastewater operations and maintenance
- Current tiered rates equate to eight levels - \$1.56 to \$6.21 per 100 cubic feet
- Proposed rates will outline a tiered structure using three levels - \$3.00 to \$6.00
- Average usage among all users is 9 units, among SFR dwellings is 5.44 units

System Data spreadsheet:



**Water Rate Study
for
City of Dayton**

System Data

For Year: **2021-2022**
Date completed: **June-21**

Amount of Water Produced
Amount of Water Sold
Non-Revenue Water

Gallons (annual)	100 Cu. Ft. (annual)	3 year average	
87,775,798	117,347		
76,326,781	102,041		
11,449,017	15,306		13.04%

Personnel / Materials
Contingency
Debt Service
Capital Outlay
Total Annual Budget

Dollars
\$537,661.00
\$50,000.00
\$174,322.00
\$10,500.00
\$772,483.00

	Cost per Gallon	Cost Per 1000 Gals	Cost Per 100 Cu.Ft.
Added bridge debt	\$0.00880	\$8.80	\$6.58
Non-Revenue Costs	\$	100,758.65	\$ 100,758.65

Connection Information
Base Rate Only

only connections, not EDUs being figured

Size	# of connections			Total Connections
	Residential	Commercial	Outside	
5/8" - 3/4"	808	35	0	22 Public connection under "Commercial"
5/8" - 3/4" out			25	
1"	24	4	1	
1 1/2"	1	11		
2"	2	7		
3"	1		1	
4"		2		
6"				922

Current Rate information (base)

	Residential	Commercial	Outside	
5/8" - 3/4"	\$59.00	\$59.00	\$64.00	Need EDU totals
5/8" - 3/4" out			\$64.00	
1"	\$59.00	\$59.00	\$64.00	
1 1/2"	\$59.00	\$59.00		
2"	\$59.00	\$59.00		
3"	\$59.00		\$64.00	
4"		\$59.00		Base Rate Revenues
6"				

Current Consumption Rate
Base rate = 400 Cubic Feet

Per 100 Cu. Ft.	Residential	Commercial	Outside
	\$3.00	\$3.00	\$3.00

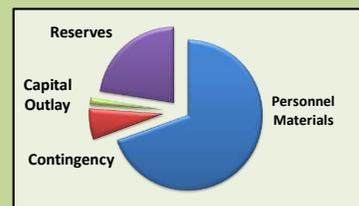
Operating Budget Outline

Personnel / Materials	\$537,661.00	69.60%
Contingency	\$50,000.00	6.47%
Capital Outlay	\$10,500.00	1.36%
Annual Debt Service	\$174,322.00	22.57%
TOTAL OPERATING EXPENDITURES	\$772,483.00	Base Rate % Total Cost
		84.71%

Percentage of budget without any consumption revenue

Notes:

- 1 meter (unknown) put under commercial heading (5/8-inch), 2-meters (1-inch).
- 922 billable service connections, 1022 EDUs
- 22-Public meters added to commercial column
- 400 cubic feet (2,992 gallons) allowance per month per EDU
- 8-Tier structure from 401 cu.ft. through 6,000 cu.ft. - same unit charge for outside users



Existing Rates:

The “Existing Rates” spreadsheet details much of the same information as the system data spreadsheet, yet expands the details on how the base rates, consumption rates and the allowance of water included in the base rate (if applicable) effect overall budget. Since the City of Dayton provides an allowance of water in the base rate, the consumption charge begins once the allowance is consumed. This factor will reveal the amount of revenue (or potential revenue) and the overall effect on the total revenues generated from water sales. Aligning the base rate revenue with the consumption revenue will determine any surpluses or deficits of the current rate structure. Included at the bottom of the “Existing rate spreadsheet” are supposed residential figures of monthly rates supported by three hypothetical levels of monthly consumption.

Table 6: Existing Rates			
Total # of EDUs	1,022		
Total Production of Water (annual ccf.)	117,347 ^a	Sold Water (Annual ccf)	102,041 ^b
Consumption Charge per Unit (1 - ccf)	\$3.00 ¹	Total Billable Units	102,041
Base Rate Revenues ²	\$725,196.00	Revenue Percent	93.88%
Consumption Rate Revenues	\$117,977.16	Non-Revenue Water	15,306
Total Revenues	\$843,173.16	% Of Total Budget	109.15%
Total Proposed Budget	\$772,483.00	Budget Shortfall	NA
Findings			
Cost Per Unit	\$6.58 ³	Allowed Units	49,056 (48%) ⁴
Water Allowance Revenues	\$336,033.60	% Of Total Budget	43.50%
<small>1- Averaged price sold among user groups at tier one, 2- Figure based on current base rates per month, 3- Cost per unit calculates total operating budget by total units in production, 4 – Allowed units is total units provided in allowance compared to total units produced,</small>			

The average residential consumer purchases approximately 5.44 units or 4,000 gallons per month, which equates to a water charge of \$63.32 per month. The average usage for all customers (residential, commercial, and industrial) is nine units per month.

Existing Rates spreadsheet:



Water Rate Study
for
City of Dayton

Existing Rates

For Year: **2021-2022**
Date completed: **March-21**

Amount of Water Produced
Amount of Water Sold
Unaccounted for Water

Annual Gals	Annual Units	
87,775,798	117,347	
76,326,781	102,041	
11,449,017	15,306	13%

Annual Operating Budget
Debt Service
Total Annual Budget

Dollars	Cost per 1,000 gallons
\$598,161.00	
\$174,322.00	\$ 8.80
\$772,483.00	

Connection information

Size	# of Equivalent Dwelling Units			Cost per 100 Cubic Feet	
	Residential	Commercial	Outside	\$ 6.58	
5/8"- 3/4"	850	23	0		
5/8"- 3/4" out	0	0	25		
1"	24	4	1		
1 1/2"	1	11	0		
2"	50	7	0		
3"	1	0	1		
4"	0	24	0		
6"	0	0	0		
	4	4	4		Total EDUs 1,022

Consumption w/ base
Unit of Water = 100 cu.ft.
Current Rate information

Size	Residential	Commercial	Outside
	5/8"- 3/4"	\$59.00	\$59.00
5/8"- 3/4" out	\$0.00	\$0.00	\$64.00
1"	\$59.00	\$59.00	\$64.00
1 1/2"	\$59.00	\$59.00	\$0.00
2"	\$59.00	\$59.00	\$0.00
3"	\$59.00	\$0.00	\$64.00
4"	\$0.00	\$59.00	\$0.00
6"	\$0.00	\$0.00	\$0.00

Consumption Charge - T1

per 100 cu.ft.	Residential	Commercial	Outside
	\$3.00	\$1.56	\$3.00

Current Base Revenue

Size	Residential	Commercial	Outside	Totals
	5/8"- 3/4"	\$50,150.00	\$1,357.00	\$0.00
5/8"- 3/4" out	\$0.00	\$0.00	\$1,600.00	\$ 1,600.00
1"	\$1,416.00	\$236.00	\$64.00	\$ 1,716.00
1 1/2"	\$59.00	\$649.00	\$0.00	\$ 708.00
2"	\$2,950.00	\$413.00	\$0.00	\$ 3,363.00
3"	\$59.00	\$0.00	\$64.00	\$ 123.00
4"	\$0.00	\$1,416.00	\$0.00	\$ 1,416.00
6"	\$0.00	\$0.00	\$0.00	\$ -
Total/month	\$54,634.00	\$4,071.00	\$1,728.00	\$ 60,433.00
12 mo. Total	\$655,608.00	\$48,852.00	\$20,736.00	\$ 725,196.00

Base Rate Totals

	Residential	Commercial	Outside	
	84.87%	6.32%	2.68%	93.88%

% of operating budget

Water with base charge

	Residential	Commercial	Outside	Totals
Total/month	3,704	276	108	4,088
12 mo. Total	44,448	3,312	1,296	49,056

Total Water Included in Base Rate

12 mo. Total	49,056	48.07%	24,528	\$ 73,584.00
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Available Units to be sold

	28,457			
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Consumption Rate Revenues

				\$ 44,393.16
--	--	--	--	--------------

Non-Revenue Units

	11,449	\$75,367.47		
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Total Revenue Generated

			\$ 843,173.16
--	--	--	---------------

Annual Gain/Shortfall

			\$ 70,690.16
--	--	--	--------------

Notes:

Speculation all water sold at \$3.00 per unit generates 20.58 % of budget or \$111K	109.15%
-------------------------------------------------------------------------------------	---------

Total Units available for sale is lower due to total # of EDUs increased

Typical Residential Water Bill	
Units of Water	Residential Water Bill
5.44	\$63.32
6.00	\$65.00
8.00	\$71.00

Billing by EDUs increases total revenues by ten percent

If all water sold at \$1.00 per unit, revenues would match budget

Preliminary Observations:

Expanding on “existing rates” using the figures provided by the city, some discoveries will be noted to enhance and support the methodology of a new rate structure.

- Approximately thirteen percent of production water is considered “non-accounted” water which for water system operations is in line with State’s guideline. This amount of water equates to approximately 15,000 units of non-revenue water that correlates to \$98,700.00 of costs associated with water production and operations
- With base rate revenues totaling 93.88 percent, this figure is substantially higher than typical percentages seen with other communities. This is likely associated with how the methodology is applied using EDUs as a counting format. This format creates an additional one-hundred units of billing which accounts for \$70,800.00 in annual revenues
- When using the number of service connections (922 total) and applying the current base rate (\$59.00) revenues equal 84.71 percent
- Current consumption rate at \$3.00 per unit (Tier 1) and based on 5.44 units generates 15.27 percent, or surplus revenues equals 109.15 percent
- Current consumption rates (Tier one) when utilized with the new proposed base rates will remain the same, with a variation towards when a tier begins and ends
- When determining total revenue from consumption rates, the \$3.00, \$1.56, apply to the average usage. There are six additional tiers, increasing from \$0.55 to \$1.12 randomly with the last tier beginning at 6,000 cubic feet (44,880 gallons)
- The new proposed water rates for the City of Dayton will simplify the consumption rates using only three tiers, reduced from eight tiers
- Allowances (4 units per EDU) of water account for 48 percent of total water produced, while the base rates equate 93.88 percent of total budget
- Proposed budget will recommend units of water allowance in correlation with meter size, beginning with two units of allowance for a 5/8-inch by 3/4-inch meter
- Preliminary Observations spreadsheet show the current rate structure (Equivalent Dwelling Units) and revenues generated from both base and consumption rates
- The second spreadsheet specifies the current rate structure (Service Connections) and the revenues generated from both the base and consumption rates

Preliminary Observation Spreadsheets:



Preliminary Observations

Rate Study
for

City of Dayton

For Year: 2021-2022
Date completed: March-21

Amount of Water Produced	Gallons MG	Units	Units / Month
Amount of Water Sold	87,775,798	117,347	9,779
Unaccounted for Water	76,326,781	102,041	
	11,449,017	13.04%	

Annual Operating Budget	Dollars	Monthly Cost per Connection \$62.99
Annual Debt Service	\$598,161.00	
Total Annual Budget	\$174,322.00	
		\$772,483.00

Connection information	Size	# of connections			Cost per 1,000 gallons \$ 8.80
		Residential	Commercial	Outside	
	5/8" - 3/4"	850	23	0	Cost per 100 Cubic Feet \$ 6.58
	5/8" - 3/4" out	0	0	25	
	1"	24	4	1	
	1 1/2"	1	11	0	
	2"	50	7	0	
	3"	1	0	1	
	4"	0	24	0	
	6"	0	0	0	
					Equivalent Dwelling Units
		4	4	4	1,022

Consumption w/ base (cu.ft.)	Residential	Commercial	Outside	
Current Rate (base)				
	5/8" - 3/4"	\$59.00	\$59.00	\$64.00
	5/8" - 3/4" out	\$0.00	\$0.00	\$64.00
	1"	\$59.00	\$59.00	\$64.00
	1 1/2"	\$59.00	\$59.00	\$0.00
	2"	\$59.00	\$59.00	\$0.00
	3"	\$59.00	\$0.00	\$64.00
	4"	\$0.00	\$59.00	\$0.00
	6"	\$0.00	\$0.00	\$0.00

Consumption Charge per 100 cu.ft. \$3.00

Current Base revenue		Residential	Commercial	Outside	Totals
	5/8" - 3/4"	\$50,150.00	\$1,357.00	\$0.00	\$ 51,507.00
	5/8" - 3/4" out	\$0.00	\$0.00	\$1,600.00	\$ 1,600.00
	1"	\$1,416.00	\$236.00	\$64.00	\$ 1,716.00
	1 1/2"	\$59.00	\$649.00	\$0.00	\$ 708.00
	2"	\$2,950.00	\$413.00	\$0.00	\$ 3,363.00
	3"	\$59.00	\$0.00	\$64.00	\$ 123.00
	4"	\$0.00	\$1,416.00	\$0.00	\$ 1,416.00
	6"	\$0.00	\$0.00	\$0.00	\$ -
	Total/month	\$54,634.00	\$4,071.00	\$1,728.00	\$ 60,433.00
	12 mo. Total	\$655,608.00	\$48,852.00	\$20,736.00	\$ 725,196.00

% of operating budget: Residential 84.87%, Commercial 6.32%, Outside 2.68%, Totals 93.88%

Water with base charge: Total/month 3,704, 12 mo. Total 44,448

Typical 5/8" Usage (gals): 9

Total Water Included in Base Rate 0.06%	12 mo. Total	Residential 44,448	Commercial 3,312	Other 1,296	Total Base Revenue \$ 725,196.00
	12 mo. Total				\$ 158,955.45
Available water to be sold	Potential Annual Revenues			114.46%	\$ 884,151.45
Consumption Revenues	Total Revenue Generated				\$ 111,668.45

Notes:	Current rates using EDUs as the approach for setting rates	Total Revenue Generated	\$ 111,668.45
	Cost per unit delivery to the tap = \$6.58	Annual Gain/(Shortfall)	14.46%
		Typical Residential Water Bill	
		Units of Water	Res. Water Bill
		5.44	\$63.32
		6.00	\$65.00
		9.00	\$74.00



**Water Rate Study
for
City of Dayton**

Preliminary Observations

For Year: **2021-2022**
Date completed: **June-21**

Amount of Water Produced
Amount of Water Sold
Unaccounted for Water

Annual Gals	Annual Units	
87,775,798	117,347	
76,326,781	102,041	
11,449,017	15,306	13%

	Dollars	Cost per 1,000 gallons
Annual Operating Budget	\$598,161.00	\$ 8.80
Designated Reserves	\$174,322.00	
Total Annual Budget	\$772,483.00	

Connection information	Size	# of connections			Cost per 100 Cubic Feet	
		Residential	Commercial	Outside	\$ 6.58	
	5/8" - 3/4"	808	35	0		
	5/8" - 3/4" out	0	0	25		
	1"	24	4	1		
	1 1/2"	1	11	0		
	2"	2	7	0		
	3"	1	0	1		
	4"	0	2	0		
	6"	0	0	0		
		4	4	4		Total Connections
						922

Consumption w/ base
Unit of Water = 100 cu.ft.
Current Rate information

	Residential	Commercial	Outside	
5/8" - 3/4"	\$59.00	\$59.00	\$64.00	
5/8" - 3/4" out	\$0.00	\$0.00	\$64.00	
1"	\$59.00	\$59.00	\$64.00	
1 1/2"	\$59.00	\$59.00	\$0.00	
2"	\$59.00	\$59.00	\$0.00	
3"	\$59.00	\$0.00	\$64.00	
4"	\$0.00	\$59.00	\$0.00	
6"	\$0.00	\$0.00	\$0.00	
Consumption Charge - T1	per 100 cu.ft. \$3.00	\$3.00	\$1.56	

	Residential	Commercial	Outside	Totals
5/8" - 3/4"	\$47,672.00	\$2,065.00	\$0.00	\$ 49,737.00
5/8" - 3/4" out	\$0.00	\$0.00	\$1,600.00	\$ 1,600.00
1"	\$1,416.00	\$236.00	\$64.00	\$ 1,716.00
1 1/2"	\$59.00	\$649.00	\$0.00	\$ 708.00
2"	\$118.00	\$413.00	\$0.00	\$ 531.00
3"	\$59.00	\$0.00	\$64.00	\$ 123.00
4"	\$0.00	\$118.00	\$0.00	\$ 118.00
6"	\$0.00	\$0.00	\$0.00	\$ -
Total/month	\$49,324.00	\$3,481.00	\$1,728.00	\$ 54,533.00
Base Rate Totals	12 mo. Total \$591,888.00	\$41,772.00	\$20,736.00	\$ 654,396.00

% of operating budget	76.62%	5.41%	2.68%	84.71%
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Water with base charge	Total/month	3,344	236	108	3,688
	12 mo. Total	40,128	2,832	1,296	44,256

Total Water Included in Base Rate	12 mo. Total	44,256	43.37%	
Available Units Tier One				22,128
Available Units Tier Two				57,785
				\$ 35,657
				\$ 122,009.16
				Potential Lost Revenue Cost
				15.79%

Non-Revenue Units	11,449	\$75,367.47		
				\$ 776,405.16
				\$ 3,922.16
				Annual Gain/Shortfall
				100.51%

Notes:
Base rates using # of service connections as the approach for setting rates
4 units per user/per month = 44,256 units of water allowance or 43.37 percent
Tier One/Two at respective \$ per unit equals balanced budget

Typical Residential Water Bill	
Units of Water	Residential Water Bill
5.44	\$63.32
6.00	\$65.00
10.00	\$71.24

Meter Multiplier:

With the study, a suggestion to change the water rate structure from EDUs to service connections using meters as the primary method of setting water rates, key points are provided to better understand the approach. Generally, meter ratios are designed from two separate theories, where meter multiplier cost ratios are used when assigning elements of costs specifically related to meters, and meter capacity ratios, are most often used when estimating the potential demand requirements from a single customer.

Customer costs by equivalent meter-and-service ratios recognize that meter-and-service costs vary, depending on considerations such as size of service pipe, materials used, locations of meters, and other local characteristics for various sized meters as compared to 5/8-inch by 3/4-inch meter service. With a 5/8-inch by 3/4-inch meter being the starting point and using a one-to-one ratio, increasing the size of the meter increases those ratios as they relate to the cost for repair and replacement. Table 7 provides specific ratios.

<i>Table 7: Meter Cost Equivalencies / Dollar Ratios</i>		
Size (inches)	Equivalent Cost Meter Ratio	Equivalent Dollar Ratios
5/8 - 3/4	1.1	\$1.00
1.0	1.4	\$1.40
1.5	1.8	\$1.80
2.0	2.9	\$2.90
3.0	11.0	\$11.00
4.0	14.0	\$14.00
6.0	21.0	\$21.00

Using Table 7, an example of a two-inch meter equivalency to the 5/8-inch by 3/4-inch meter correlates as being 2.9 times more costly to repair and or replace during the service life than a 5/8-inch by 3/4-inch meter. If a 5/8-inch by 3/4-inch meter service costs the consumer \$10.00 per month, then a two-inch meter has a monthly rate at \$29.00.

Using this approach in determining costs associated with various meter sizes, removes the distinction of class categorization, i.e., residential, commercial, or industrial. This approach places the emphasis on the size of meter and not user type. The size of the meter is the focus in determining appropriate monthly base rates.

Another focal point using a meter cost ratio is when a water allowance is given as part of the monthly base charge; said allowances will increase proportionately with the cost ratios, a significant difference from the capacity ratio, especially as it relates to the larger meters. A two-unit allowance for a 5/8-inch by 3/4-inch meter would translate to (two-units multiplied by 2.9) 5.8 units of water allowance. The ratios are an American Water Works Association standard.

The city has done well with keeping the water rates in line with expenses. With applying the meter equivalency structure, this technique again, merges two methods into a single set of rates. Setting the rate for a 5/8-inch by 3/4-inch meter and aligning the cost to meet 60-75 percent of total expenditures will automatically synchronize the larger meters and their respective monthly base costs. Using the

meter-multiplier cost ratio, the city’s efforts on routine rate adjustments will allow the meter multiplier to be applied to the existing 5/8-inch by 3/4-inch meter base rate, then follow the ratios for applying base costs for the larger users.

Calculating all water provided in the base rate will better determine the amounts of available water to be sold. Water provided in the base rate is subtracted from the total water produced. Non-billable water is also subtracted from the category of available water.

The meter multiplier begins at determining the base rates solely on fixed operating expenses which are typically 60-75 percent of a water budget. Applying a 65 percent foundation to the 5/8-inch by 3/4-inch meter, we see a monthly connection rate established at \$48.87, currently the monthly charge at \$59.00 dollars.

Using the meter multiplier approach to base rates, and applying the same theory to allowances of water, a decrease unit number from 49,056 to 24,151 units. The remaining available water being 76 percent (77,890 units) should be sold at a minimum of \$2.30 per unit.

Total base rate revenues obtained when the larger meters are formulated using the meter cost ratio decreases base rate revenues down from 93.88 percent to 76.97 percent. The remaining 23.03 percent of the proposed budget will be generated by water sales. Table 8 Meter Multiplier Costs provide specifics as it relates to the implementation of new rates base on meter size.

Table 8: Meter Multiplier Costs			
Total # of Connections	922	Allowance	Two units ¹
Base Rate	\$48.87 ²	Annual Base Revenue	\$594,565.59
Total Allowance of Water (gals.)		24,151 units (18.06 MG)	
Available Water for Sale (gals.)		77,890 units (58.26 MG)	
Required Balance of Revenues	\$177,917.41	Total Billable Units	77,890
Consumption Rate per Unit	\$2.30	Annual Consumption Revenue	\$179,146.89
		Total Revenues	\$773,712.47
			\$1,229.47
Typical Monthly Cost (5/8" meter) (gals.) ³		5.44 units (4,000 gals.)	\$56.79
<small>1- unit is 748 gals or 1,496 gallons per month, 2 – 5/8-inch by 3/4-inch meter service inside city limits, 3 – inside city users</small>			

MM Cost Spreadsheet:



Rate Study
for

City of Dayton

MM Cost

For Year: 2021-2022
Date completed: June-21

Annual Units							
Amount of Water Produced	117,347						
Amount of Water Sold	102,041						
Unaccounted for Water	15,306	13.04%					
Dollars							
Annual Operating Budget	\$598,161.00						
Annual Debt Service	\$174,322.00						
Total Annual Budget	\$772,483.00						
Connection Information	Size	# of connections					
	5/8" - 3/4"	Residential	Commercial	Outside			
	5/8" - 3/4" out	808	35	0			
	1"	0	0	25			
	1 1/2"	24	4	1			
	2"	1	11	0			
	3"	2	7	0			
	4"	1	0	1			
	6"	0	2	0			
		0	0	0	Total Connections 922		
Consumption w/ base (gal.) See Units Allowed (100 cu.ft.)							
Units Allowed		Residential	Commercial	Outside	Meter Multiplier In Use		
2.0	5/8" - 3/4"	\$48.87	\$48.87	\$58.65	5/8" = 1.0		
2.0	5/8" - 3/4" out	\$53.76	\$53.76	\$58.65	3/4" = 1.1		
2.8	1"	\$68.42	\$68.42	\$82.11	1" = 1.4		
3.6	1 1/2"	\$87.97	\$87.97	\$105.57	1 1/2" = 1.8		
5.8	2"	\$141.73	\$141.73	\$170.08	2" = 2.9		
22.0	3"	\$537.61	\$537.61	\$645.13	3" = 11.0		
28.0	4"	\$684.23	\$684.23	\$821.08	4" = 14.0		
42.0	6"	\$1,026.35	\$1,026.35	\$1,231.62	6" = 21.0		
Consumption Charge	per 100 cu.ft.	\$2.30					
Current Base Revenue		Residential	Commercial	Outside	Totals		
	5/8" - 3/4"	\$39,489.91	\$1,710.58	\$0.00	\$	41,200.49	
	5/8" - 3/4" out	\$0.00	\$0.00	\$1,466.21	\$	1,466.21	
	1"	\$1,642.15	\$273.69	\$82.11	\$	1,997.95	
	1 1/2"	\$87.97	\$967.70	\$0.00	\$	1,055.67	
	2"	\$283.47	\$992.14	\$0.00	\$	1,275.60	
	3"	\$537.61	\$0.00	\$645.13	\$	1,182.74	
	4"	\$0.00	\$1,368.46	\$0.00	\$	1,368.46	
	6"	\$0.00	\$0.00	\$0.00	\$	-	
	Total/month	\$42,041.12	\$5,312.57	\$2,193.45	\$	49,547.13	
12 mo. Total	\$504,493.40	\$63,750.79	\$26,321.39	\$	594,565.59		
% of operating budget		65.31%	8.25%	3.41%	76.97%		
Water with base charge	Total/month	1,720	217	75	2,013		
	12 mo. Total	20,645	2,609	898	24,151		
Typical 3/4" Usage	Percentage of Allowed Water				24%		
Water Consumption	Residential		Commercial		Other		
	12 mo. Total	20,645					
	12 mo. Total	2,609		898		Total Base Revenue	
Available Water to be Sold					\$	594,565.59	
					\$	179,146.89	
	Potential Annual Revenues				\$	773,712.47	
Consumption Revenues	Total Revenue Generated				\$	1,229.47	
	Annual Gain/(Shortfall)					0.16%	
Cost per 100 c.f.	\$6.58						
Notes:	Lower allowance of water provides a lower minimum unit cost					Typical Residential Water Bill	
						Gallons Used	Res. Water Bill
						5.44	\$56.79
						6	\$58.07
					10	\$67.27	

Increase Consumption Rate:

The approach taken in this example is a schedule of rates applicable to blocks of increasing usage in which the usage in each succeeding block is charge a higher unit rate. Currently the City of Dayton has this formatted structure. Increasing block rates are designed based on the customer classification determined by similar usage patterns. The design of the increased block rate will be categorized by the size of the meter. Each successive block rate “may” be applicable to a greater volume of water delivery than the preceding block(s). Not every block tier could be uniformed.

This style of rates requires applying a judgment and utility policy regarding the number of blocks, the point at which one block ends and the next block begins, and the relative price levels of the blocks.

An example of this structure is: four-inch meter service has a 14.0-1 ratio to a 5/8-inch by 3/4-inch meter. If a 5/8-inch by 3/4-inch meter is allowed two units of water per month in the base rate, a four-inch meter is allowed 28 units of water per month. To eliminate the “judgement” factor for consideration in applying successive block volumes, each subsequent block(s) can be set in step with the previous block. The total number of tiers considered for an increase block formation will vary from one service provider to another, but normal design is configured using three tiers. The base rate and allowance of water reflect a representation of the actual usage that will determine the various set points of each block.

Conservative in nature, this method towards water rates creates an incentive to save water. Understand, that normal water consumption, if reduced by this approach, should later return to levels prior to the rate change. One facet regarding this method of setting water rates is the fact that the total revenues are calculated from the average consumption figures and not on the expectancies of greater water sales.

Table 9: Tier Rate Recommendations							
1	2	4	5	6	7	8	
Meter Size	Mo. Base Rate	Allowances	With Base Rate	Tier One \$3.00 per	Tier Two \$4.50 per	Tier Three \$6.00 per	
	Base Rate	With Base Rate	With Base Rate	Tier One Range ^C	Tier Two Range ^C	Tier Three Range ^C	
5/8"	\$ 48.87	2	2	2.1 - 4.0	4.1 - 8.0	8.1 +	
5/8" ^A	\$ 58.65	2	2	2.1 - 4.0	4.1 - 8.0	8.1 +	
^B	Applied tier adjustments for outside city users			\$3.60	\$5.40	\$7.20	
1"	\$ 68.42	2.8	2.8	2.9 - 5.6	5.7 - 11.2	11.3 +	
1.5"	\$ 87.97	3.6	3.6	3.7-7.2	7.3 - 14.6	14.6 +	
2"	\$ 141.73	5.8	5.8	5.9 - 11.6	11.7 - 23.2	23.2 +	
3"	\$ 537.61	22	22	22.1 - 44.2	44.3 - 88.4	88.4 +	
3" ^D	\$ 645.13	22	22	22.1 -44.2	44.3 - 88.5	88.4 +	
^B	Applied tier adjustments for outside city users			\$3.60	\$5.40	\$7.20	
4"	\$ 684.23	28	28	28.1 - 56.2	56.3 - 112.4	112.4 +	
A - service connection base rate for outside city limits - (27 total users)							
B - Tiered rates for outside users synchronized with inside user increases							
C - Typical start-stop points at each step of the tiered structure.							

Table 9 – Tier Rate Recommendations shares a format that outlines the accepted base rates and allowances, plus offers a set of ascending steps of adjustment for each sized meter in service. Note the outside city service users have the same ascending steps, but cost per unit is reflective of the original price per unit, implementing a twenty percent surcharge for delivery of water beyond the city limits.

Costs per unit are usually set according to actual usage of like groups. The group that usually sets the foundation will likely be the majority users, single family residences. In the analysis performed using the meter-multiplier example, proves if all available units can be sold at \$2.30 per unit, revenues will match the proposed budget.

The initial outline for a tier rate structure was to implement a tier format that is similar to existing tiers yet simplify the structure from the current eight tiers. A three-tier structure should be more than adequate to curtail excesses usage, generate funds for both short and long-term projects, be easily understood and interact with the current billing software.

Table 10 depicts the monthly base rate with the associated meter size and service area (inside or outside) city limits. It also includes the three-tier increased block rate for those respective services.

Table 10: Monthly Water Rates			
Inside City Limits		Outside City Limits	
Meter Size	Monthly Base Rate	Meter Size	Monthly Base rate
5/8-inch by 3/4-inch	\$ 48.87	5/8-inch by 3/4-inch	\$ 58.65
1.0"	\$ 68.42	1.0"	\$ 82.11
1.5"	\$ 87.97	1.5"	NA
2.0"	\$ 141.73	2.0"	NA
3.0"	\$ 537.61	3.0"	\$ 645.13
4.0"	\$ 684.23	4.0"	NA
Tiers Cost per Unit			
Base rate - includes two units fo 5/8-inch by 3/4-inch			
Larger meter services use meter ratio - See Table 7 - page 14 to set units for larger meters			
Tier One		Tier One	
\$3.00 per 100 cubic feet		\$3.60 per 100 cubic feet	
Tier Two		Tier Two	
\$4.50 per 100 cubic feet		\$5.40 per 100 cubic feet	
Tier Three		Tier Three	
\$6.00 per 100 cubic feet		\$7.20 per 100 cubic feet	
Steps associated with each tier is in Table 9 -Columns 6 through 8			

Table 11 provides the stair step arrangement for implementation of the recommended increased block structure, showing when one rate ceases and the next rate commences.

Table 11: Tier Structure				
Inside - Outside City Limits				
Meter Size	Base	Tier One	Tier Two	Tier Three
5/8-inch by 3/4-inch	2.00	2.10	4.10	8.0 +
1.0"	2.80	2.90	5.60	11.3 +
1.5"	3.60	3.70	7.30	14.6 +
2.0"	5.80	5.90	11.70	23.2 +
3.0"	22.00	22.10	44.30	88.4 +
4.0"	28.00	28.10	56.10	112.4 +

The following pages depict the three simplified classifications of users as a) inside city customers, b) commercial customers and c) outside city customers. Even though the base rates are centered on meter size, the spreadsheets outline specifics as it relates to current categories of users. Information is:

- Total number of users per category
- The base rate for each sized meter and its impact towards total budget
- Charges per unit of consumed relating to the three tiers
- Varied monthly customer costs from allowances to 336 units
- Annual revenues and percentage of budget at each of the three tiers
 - All three categories must be added together to obtain each levels contribution to the final budget

See spreadsheets Ascending Rates for Inside, Commercial and Outside City Consumers

Ascending Rate for Consumers "Inside City"



Connection Information

Size	# of inside connections by size		Base Rate Information	
	Meter Cost	Multiplier Factor	Monthly Base Revenue	Annual Base Revenue
5/8" - 3/4"	808	1.00	\$48.87	\$42,041.12
5/8" - 3/4" out		1.10	\$53.76	
1"	24	1.40	\$68.42	
1 1/2"	1	1.80	\$87.97	
2"	2	2.90	\$141.73	
3"	1	11.00	\$537.61	
4"	0	14.00	\$684.23	\$504,493.40
6"	0	21.00	\$1,026.35	65.31%
Total # Connections		836		

Total Proposed Budget:

\$ 772,483.00

Allow	Tier Change Levels			Cost / 1 ccf	Tier 2	Tier 3	COST TO CONSUMER AT EACH TIER				Consumption Monthly Revenue	Total Consumption Monthly Revenue
	Cost / 1 ccf	Cost / 1 ccf	Cost / 1 ccf				NA	\$6.00	\$18.00	\$18.00		
5/8"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$18.00	\$18.00	\$12.00	\$324.60	\$5,161.20		
3/4"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$18.00	\$18.00	\$48.00	\$955.80	\$15,483.60		
1"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$25.20	\$67.20	\$67.20	\$2,548.80	\$12,201.60		
1 1/2"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$32.40	\$86.40	\$86.40	Consumption Annual Revenue	Total Consumption Annual Revenue		
2"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$52.20	\$139.20	\$139.20	\$3,895.20	\$61,934.40		
3"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$252.00	\$672.00	\$672.00	\$11,469.60	\$185,803.20		
4"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$378.00	\$1,008.00	\$1,008.00	\$30,585.60	\$146,419.20		
6"	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$378.00	\$1,008.00	\$1,008.00	\$394,156.80	\$394,156.80		

Monthly Customer Costs

Size	Tier Change Levels			Cost / 1 ccf	Tier 2	Tier 3	Monthly Customer Costs				Consumption Monthly Revenue	Total Consumption Monthly Revenue
	Cost / 1 ccf	Cost / 1 ccf	Cost / 1 ccf				\$54.87	\$72.87	\$84.87	\$125.76		
5/8"	\$4.00	\$8.00	\$10.00	\$48.87	\$72.87	\$84.87	\$84.87	\$84.87	65.31%	\$504,493.40	\$898,650.20	
3/4"	\$4.00	\$8.00	\$16.00	\$53.76	\$77.76	\$125.76	\$125.76	\$125.76	8.02%	\$66,427.80	\$965,080.00	
1"	\$5.60	\$11.20	\$22.40	\$68.42	\$102.02	\$169.22	\$169.22	\$169.22	24.05%	\$752,231.00	\$1,650,461.20	
1 1/2"	\$7.20	\$14.40	\$28.80	\$87.97	\$131.17	\$217.57	\$217.57	\$217.57	18.95%	\$898,650.20	\$1,797,301.40	
2"	\$11.60	\$23.20	\$46.40	\$141.73	\$211.33	\$350.53	\$350.53	\$350.53	73.33%	\$566,427.80	\$1,233,729.20	
3"	\$44.00	\$88.00	\$176.00	\$537.61	\$801.61	\$1,329.61	\$1,329.61	\$1,329.61	73%	\$206,055.20	\$1,535,784.40	
4"	\$56.00	\$112.00	\$224.00	\$684.23	\$1,020.23	\$1,692.23	\$1,692.23	\$1,692.23				
6"	\$84.00	\$168.00	\$336.00	\$1,026.35	\$1,530.35	\$2,556.35	\$2,556.35	\$2,556.35				

Cubic Feet begin in relationship to meter multiplier

1 Unit = 100 cu. ft. or 748 gallons

Ascending Rate for Consumers "Commercial"



Connection Information

Size	# of outside connections by size		Base Rate Information	
	Meter Cost	Multiplier Factor	Monthly Base Revenue	Annual Base Revenue
5/8" - 3/4"	35	1.00	\$48.87	\$5,312.57
5/8"- 3/4" out	0	1.10	\$53.76	
1"	4	1.40	\$68.42	
1 1/2"	11	1.80	\$87.97	
2"	7	2.90	\$141.73	
3"	0	11.00	\$537.61	
4"	2	14.00	\$684.23	\$63,750.79
6"	0	21.00	\$1,026.35	8.25%

Total Proposed Budget:
\$ 772,483.00

Allow	Tier 1		Tier 2		Tier 3		Consumption Monthly Revenue	Total Consumption Monthly Revenue
	Cost / 1 ccf	Cost / 1ccf	Cost / 1ccf	Cost / 1ccf	Cost / 1ccf	Monthly Revenue		
2	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$18.00	\$324.60	\$652.20
2	\$3.00	\$4.50	\$6.00	NA	\$6.00	\$18.00	\$973.80	1,956.60
3	\$3.00	\$4.50	\$6.00	NA	\$8.40	\$25.20	\$2,560.80	3,957.60
4	\$3.00	\$4.50	\$6.00	NA	\$10.80	\$32.40	Consumption	Total Consumption
6	\$3.00	\$4.50	\$6.00	NA	\$17.40	\$52.20	Annual Revenue	Annual Revenue
22	\$3.00	\$4.50	\$6.00	NA	\$66.00	\$198.00	\$3,895.20	7,826.40
28	\$3.00	\$4.50	\$6.00	NA	\$84.00	\$252.00	\$11,685.60	23,479.20
42	\$3.00	\$4.50	\$6.00	NA	\$126.00	\$378.00	\$30,729.60	47,491.20

Included	Tier Change Levels		Monthly Customer Costs		Consumption Monthly Revenue	Total Consumption Monthly Revenue
	Cost / 1 ccf	Cost / 1ccf	Cost / 1ccf	Cost / 1ccf		
5/8"	4	8	\$48.87	\$72.87	\$324.60	\$78,796.80
3/4"	4	8	\$53.76	\$77.76	\$973.80	Base + Consumption Annual Revenue
1"	6	11.2	\$68.42	\$102.02	\$2,560.80	8.25%
1 1/2"	7	14.4	\$87.97	\$131.17	Consumption	1.01%
2"	12	23.2	\$141.73	\$211.33	Annual Revenue	3.04%
3"	44	88	\$537.61	\$801.61	\$3,895.20	6.15%
4"	56	112	\$684.23	\$1,020.23	\$11,685.60	9.27%
6"	84	168	\$1,026.35	\$1,530.35	\$30,729.60	Based on Tier 1

\$ 71,577.19

\$ (700,905.81)



Cubic Feet begin in relationship to meter multiplier
1 Unit = 100 cu. ft. or 748 gallons

Ascending Rate for "Outside City"



Connection Information

Size	# of connections by size		Base Rate Information	
	Meter Cost Multiplier Factor		Monthly Base Revenue	Annual Base Revenue
5/8" - 3/4"	0	1.00	\$58.65	\$2,193.45
5/8"-3/4" out	25	1.00	\$58.65	
1"	1	1.40	\$82.11	
1 1/2"	0	1.80	\$105.57	
2"	0	2.90	\$170.08	
3"	1	11.00	\$645.13	
4"	0	14.00	\$821.08	\$26,321.39
6"	0	21.00	\$1,231.62	
	Total # Connections			3.41%
	27			

Total Proposed Budget:

\$ 772,483.00

Allow	Tier 1		Tier 2		Tier 3		Consumption Monthly Revenue	Total Consumption Monthly Revenue
	Cost / ccf							
5/8"	2	\$3.00	\$4.50	\$6.00	NA	NA	\$324.60	\$ 224.40
3/4"	2	\$3.00	\$4.50	\$6.00	NA	NA	\$973.80	\$ 673.20
1"	3	\$3.00	\$4.50	\$6.00	NA	NA	\$2,560.80	\$ 1,795.20
1 1/2"	4	\$3.00	\$4.50	\$6.00	NA	NA	Consumption Annual Revenue	Total Consumption Annual Revenue
2"	6	\$3.00	\$4.50	\$6.00	NA	NA	\$3,895.20	\$ 2,692.80
3"	22	\$3.00	\$4.50	\$6.00	NA	NA	\$11,685.60	\$ 8,078.40
4"	28	\$3.00	\$4.50	\$6.00	NA	NA	\$30,729.60	\$ 21,542.40
6"	42	\$3.00	\$4.50	\$6.00	NA	NA		
Tier Change Levels								
Monthly Customer Costs								\$32,313.60
Included	4	8	10	\$58.65	\$82.65	\$94.65		Base + Consumption Annual Revenue
Included	4	8	16	\$58.65	\$82.65	\$130.65		
1"	6	11.2	22.4	\$82.11	\$90.51	\$182.91	3.41%	\$ 26,321.39
1 1/2"	7	14.4	28.8	\$105.57	\$116.37	\$235.17	3.76%	\$29,014.19
2"	12	23.2	46.4	\$170.08	\$187.48	\$378.88	4.80%	\$ 37,092.59
3"	44	88	176	\$645.13	\$711.13	\$1,437.13	7.59%	\$ 58,634.99
4"	56	112	224	\$821.08	\$905.08	\$1,829.08	4.80%	\$ 37,092.59
6"	84	168	336	\$1,231.62	\$1,357.62	\$2,743.62	Based on Tier 2	\$ (735,390.41)

Cubic Feet begin in relationship to meter multiplier

1 Unit = 100 cu. ft. or 748 gallons

Annual Rate Adjustments:

The City of Dayton has worked diligently in developing water rates that are both sustaining to the water department to perform the necessary operations, and also mindful of the consumers. Each year the City would add a dollar with the emphasis on comparing current revenues to necessary expenses.

A viable alternative towards comparing revenues against expenditures is the “consumer price index” (CPI) that can extract specific costs associated with inflation that pertains to water and sewer operating expenses. This indicator provides a estimate of the buying power of the current dollar compared to previous years. Looking at water and sewerage maintenance prices and inflation stipulates specific costs as it relates to the previous year(s) and can be quite different from the overall CPI, or overall inflation rate.

The link below offers the city a method to follow the CPI as it relates to water and sewer inflation and apply any adjustment to the base rate. The past ten-year cycle has averaged CPI is 4.04 percent annually.

<https://www.in2013dollars.com/Water-and-sewerage-maintenance/price-inflation/2010-to-2020?amount=20>

Key indicators that will adjust the operational cost for the fiscal year is the listing of capital improvement plans to be completed within a given timeframe. Annually, this single budgeted line item will vary with each year’s analysis, as projects are completed, tabled to the subsequent year, or rescinded. Employing a set figure for capital improvement planning maintains consistency in the budget. A major impact to budgeting is the inevitable large project that is usually projected over a timeline of a loan repayment program. Large projects are usually the component that increase rates significantly, causing uneasiness for most involved with establishing the annual budget.

Summary:

There are various arrangements that can be used to reach an acceptable water rate that meets budgetary requirements. The uniqueness of communities creates challenges that may or may not work from community to community. Whatever the cost associated with providing water from the source to the consumer’s tap, usually varies from one water system to another. The variables associated with other water systems sometimes cannot apply to the City of Dayton. A new water system completed without any debt owed is rarely seen. The age of a water system plays a bigger role in determining future cost since rebuilding is often more expensive than new development.

The importance of looking at the future regarding system growth and repair, or replacement of aging components, and determining an evaluation of costs can be difficult at times. Proposed costs are usually lower than actual costs due to various circumstances. It is important for public relations and communications to play a role in preserving consumer confidence in both water quality system operations and management.

Covered facts discovered in the initial assessment were two: a) the set base rates created an unequal cost per unit of water delivered to the customer, b) the price differentiation in the unit price for 748 gallons of water (one hundred cubic feet), from \$1.56 to \$6.21 per unit charge as compared to \$6.58 production unit cost.

Pertaining to the examples presented in this rate study, the City of Dayton has chosen a two move towards a meter multiplier base rate and simplify the existing tiered structure from eight to three levels.

The following are recommendations:

- Begin an annual review of prioritized smaller projects and costs associated with
 - Apply the findings against the short-term capital improvement set asides
 - Adjust projects to match single line-item funding, or adjust capital improvement figures
- Review CPI figures and adjust the “base rate” according to the inflation index for water and sewerage maintenance, using the single past year as the criteria

These suggestions create formality in the water rates using absolute ratios to apply base rates allowing the City to adjust the rates in the future. Using one of the industry standards of having the base rate meet 60-75% of proposed budget, the City has performed exquisitely in maintaining fixed cost revenues.

Water Consumption - Monthly Rate Comparison								
Connection Size	5/8-3/4	5/8-3/4 out	1.0	1.5	2.0	3.0	4.0	
Base Rate Water Allowance	2	2	2.8	3.6	5.8	22	28	
Base Rate	\$48.87	\$58.65	\$68.42	\$87.97	\$141.73	\$537.61	\$684.23	
Consumer Class								
Residential	808	0	24	1	2	1	0	
Commercial	35	0	4	11	7	0	2	
Outside	0	25	1	0	0	1	0	
Monthly Usage and Hypothetical Cost at Various Consumption Levels								
Tier Rates	Tier One	\$3.00		Tier Two	\$4.50		Tier Three	\$6.00
Consumption Levels								
2.00	\$ 48.87	\$ 58.65	\$ 68.42	\$ 87.97	\$ 141.73	\$ 537.61	\$ 684.23	
4.00	\$ 54.87	\$ 64.65	\$ 72.02	\$ 89.17	\$ 141.73	\$ 537.61	\$ 684.23	
5.44	\$ 61.35	\$ 68.97	\$ 76.34	\$ 93.49	\$ 141.73	\$ 537.61	\$ 684.23	
5.80	\$ 62.97	\$ 70.59	\$ 85.52	\$ 94.57	\$ 141.73	\$ 537.61	\$ 684.23	
7.20	\$ 69.27	\$ 76.89	\$ 91.82	\$ 100.87	\$ 145.93	\$ 537.61	\$ 684.23	
8.00	\$ 74.07	\$ 81.69	\$ 95.42	\$ 104.47	\$ 148.33	\$ 537.61	\$ 684.23	
11.60	\$ 95.67	\$ 103.29	\$ 120.32	\$ 120.67	\$ 159.13	\$ 537.61	\$ 684.23	
12.21	\$ 99.33	\$ 106.95	\$ 123.98	\$ 123.42	\$ 161.88	\$ 537.61	\$ 684.23	
13	\$ 104.07	\$ 111.69	\$ 128.72	\$ 126.97	\$ 165.43	\$ 537.61	\$ 684.23	
14.40	\$ 112.47	\$ 120.09	\$ 137.12	\$ 133.27	\$ 171.73	\$ 537.61	\$ 684.23	
15.11	\$ 116.73	\$ 124.35	\$ 141.38	\$ 137.53	\$ 174.93	\$ 537.61	\$ 684.23	
16.6	\$ 125.67	\$ 133.29	\$ 150.32	\$ 146.47	\$ 181.63	\$ 537.61	\$ 684.23	
17	\$ 128.07	\$ 135.69	\$ 152.72	\$ 148.87	\$ 183.43	\$ 537.61	\$ 684.23	
18	\$ 134.07	\$ 141.69	\$ 158.72	\$ 154.87	\$ 187.93	\$ 537.61	\$ 684.23	
19	\$ 140.07	\$ 147.69	\$ 164.72	\$ 160.87	\$ 192.43	\$ 537.61	\$ 684.23	
21.16	\$ 153.03	\$ 160.65	\$ 177.68	\$ 173.83	\$ 202.15	\$ 537.61	\$ 684.23	
23	\$ 165.27	\$ 172.89	\$ 189.92	\$ 186.07	\$ 211.33	\$ 543.73	\$ 684.23	
29.31	\$ 201.93	\$ 209.55	\$ 226.58	\$ 222.73	\$ 247.99	\$ 562.06	\$ 688.16	
35	\$ 236.07	\$ 243.69	\$ 260.72	\$ 256.87	\$ 282.13	\$ 579.13	\$ 705.23	
39.58	\$ 263.55	\$ 271.17	\$ 288.20	\$ 284.35	\$ 309.61	\$ 592.87	\$ 718.97	
44.00	\$ 290.07	\$ 297.69	\$ 314.72	\$ 310.87	\$ 336.13	\$ 606.13	\$ 732.23	
50.83	\$ 331.05	\$ 338.67	\$ 355.70	\$ 351.85	\$ 377.11	\$ 643.50	\$ 752.72	
56	\$ 362.07	\$ 369.69	\$ 386.72	\$ 382.87	\$ 408.13	\$ 666.76	\$ 768.23	
60	\$ 386.07	\$ 393.69	\$ 410.72	\$ 406.87	\$ 432.13	\$ 684.76	\$ 786.23	
66.72	\$ 426.39	\$ 434.01	\$ 451.04	\$ 447.19	\$ 472.45	\$ 715.00	\$ 816.47	
70	\$ 446.07	\$ 453.69	\$ 470.72	\$ 466.87	\$ 492.13	\$ 729.76	\$ 831.23	
75	\$ 476.07	\$ 483.69	\$ 500.72	\$ 496.87	\$ 522.13	\$ 752.26	\$ 853.73	
80	\$ 506.07	\$ 513.69	\$ 530.72	\$ 526.87	\$ 552.13	\$ 774.76	\$ 876.23	
92.36	\$ 580.23	\$ 587.85	\$ 604.88	\$ 601.03	\$ 626.29	\$ 830.38	\$ 931.85	
112.00	\$ 698.07	\$ 705.69	\$ 722.72	\$ 718.87	\$ 744.13	\$ 948.22	\$ 1,020.23	
140.00	\$ 866.07	\$ 873.69	\$ 890.72	\$ 886.87	\$ 912.13	\$ 1,116.22	\$ 1,236.23	
400.26	\$ 2,427.63	\$ 2,435.25	\$ 2,452.28	\$ 2,448.43	\$ 2,473.69	\$ 2,677.78	\$ 2,797.79	

The preceding chart is a hypothetical monthly cost associated with various levels of consumption. It provides a generic outline on specific levels of water consumption associated with routine usage coupled with the tiers established in the water rate study for the year 2021-2022.

The City of Dayton has requested the Oregon Association of Water Utilities to suggest how to conclude an annual adjustment for the city's monthly water rates, which is accomplished by using the CPI. The aspect of water rates determination relative to future cost can be difficult to forecast.

As the City chooses to implement the proposed rates, the homework in tallying up water produced figures, water sales, unaccounted for water, and expenditures will begin to confirm that the "in theory" ideas presented in this study meet the "reality" of water system operational costs and revenues generated during the subsequent year. The City has been proactive in understanding the mentioned items of sales, production, and expenditures, knowing the importance of the resource that is provided to its community.

As collected evidence presents itself during the subsequent year, the Oregon Association of Water Utilities will return, if called upon, to review and confirm the effectiveness of the chosen scenario. With numerous considerations and decisions being calculated with this rate study, it is an objective of Oregon Association of Water Utilities to assist the City of Dayton in water rates that meet the needs of the water system, provide fair and equitable rates for all consumers, and to ensure the water system is poised for future growth.

DAYTON EDU - Connection Comparison								
	EDUs			% of Budget	Connections		% of budget	
	\$ 772,483.00				\$ 772,483.00			
Billed	1022				922			
Total Water ^A	102,041				102,041			
Allowance ^B	Units	4.00			Units	4.00		
	Gals	2992			Gals	2992		
Base Rate	\$59.00				\$59.00			
% of Budget	93.88				84.71			
Revenues ^C	\$ 725,196.00			93.88%	\$ 654,396.00		84.71%	
Water %	48.07				43.37			
Units	49,056				44,256			
T1	\$3.00				\$3.00			
Water %	24.03				21.68			
Units	24,258				22,128			
Revenues	\$ 73,584.00			9.53%	\$ 66,384.00		8.59%	
T2	\$1.56				\$1.56			
Water %	27.88				34.94			
Units	28,457				35,657			
Revenues	\$ 44,393.00			5.75%	\$ 55,624.92		7.20%	
Total Dollars ^D		\$ 843,173.00		109.15%		\$ 776,404.92		100.51%
	Current Rates				Proposed			
Meter Size	Base rate	Consumption	Total		Base rate	Consumption	Total	
Comparison Example								
Current Rates					Proposed Rates			
5/8-3/4	\$ 59.00				\$ 48.87			
Usage in CF	Included	400	\$ 59.00	Included	200	\$ 48.87		
	\$ 3.00	600	\$ 65.00	\$ 2.50	400	\$ 58.57		
	\$ 1.56	1000	\$ 71.24	\$ 3.50	1000	\$ 79.57		
	\$ 2.28	2000	\$ 94.04	\$ 3.50	2000	\$ 114.57		
	\$ 3.00	3000	\$ 124.04	\$ 3.50	3000	\$ 149.57		
	\$ 3.83	4000	\$ 162.34	\$ 4.50	4000	\$ 194.57		
Notes:								
A - number of units (748 gallons) of water sold in cubic feet averaged over past three years								
B - 4.00 units equates to 4.0 x 100 cubic feet (748 gals) or 2,992 gallons per month								
C - revenues are figures representing base rates and the first two tiers and the equivalent percentages								
D - total dollars predicated on all customers using total water at first two tiers (units - 5200 gallons)								
Comparison Example:								
Current rates:								
Focused on 5/8-3/4-inch meter inside city limits with various levels shown - current eight tier levels								
Proposed rates:								
Base rate adjusted down with savings at the lower consumption (2-units allowance)								
Tiers reduced from eight levels to three levels								

Table 3: Rate Comparison Current vs Proposed

Current Base Rates					
	Residential	Commercial	Outside	Meter Multiplier	Allowances
5/8" - 3/4"	\$ 59.00	\$ 59.00	\$ 64.00	Uses EDUs	4.00
5/8" - 3/4" out	\$ -	\$ -	\$ 64.00		4.00
1"	\$ 59.00	\$ 59.00	\$ 64.00		4.00
1 1/2"	\$ 59.00	\$ 59.00	\$ -		4.00
2"	\$ 59.00	\$ 59.00	\$ -		4.00
3"	\$ 59.00	\$ -	\$ 64.00		4.00
4"	\$ -	\$ 59.00	\$ -		4.00
\$59.00 per EDU, Schools exception ¹					
Tiers Levels	Per Unit				
One	\$ 3.00				
Two	\$ 1.56				
Three	\$ 2.28				
Four	\$ 3.00				
Five	\$ 3.83				
Six	\$ 4.38				
Seven	\$ 5.09				
Eight	\$ 6.21				
Proposed Rates				Meter Multiplier	Allowances
	Residential	Commercial	Outside		
5/8" - 3/4"	\$ 48.87	\$ 48.87	\$ 58.65	1.0 - 1	2.00
5/8" - 3/4" out	\$ -	\$ 53.76	\$ 58.65	1.0 - 1	2.00
1"	\$ 68.42	\$ 68.42	\$ 82.11	1.4 - 1	2.80
1 1/2"	\$ 87.97	\$ 87.97	\$ 105.57	1.8 - 1	3.60
2"	\$ 141.73	\$ 141.73	\$ 170.08	2.9 - 1	5.80
3"	\$ 537.61	\$ 537.61	\$ 645.13	11.0 - 1	22.00
4"	\$ 684.23	\$ 684.23	\$ 821.08	14.0 - 1	28.00
Meter size will determine base rate ²					
Tiers Levels	Per Unit ³				
One	\$ 3.00				
Two	\$ 4.50				
Three	\$ 6.00				
Four	NA				
Five	NA				
Six	NA				
Seven	NA				
Eight	NA				

1 - EDUs (equivalent dwelling units) beginning resolution is unsubstantiated

2 - American Water Works Association standard for meter multiplier (replacement costs)

3- Beginning tier levels for 5/8"-3/4" meter are 2, 4 and 8 units

Table 9: Tier Rate Recommendations

1	2	4	5	6	7	8
Meter Size	Mo. Base Rate	Allowances	With Base Rate	Tier One \$3.00 per	Tier Two \$4.50 per	Tier Three \$6.00 per
	Base Rate	With Base Rate	With Base Rate	Tier One Range ^C	Tier Two Range ^C	Tier Three Range ^C
5/8"	\$ 48.87	2	2	2.1 - 4.0	4.1 - 8.0	8.1 +
5/8" ^A	\$ 58.65	2	2	2.1 - 4.0	4.1 - 8.0	8.1 +
^B	Applied tier adjustments for outside city users			\$3.60	\$5.40	\$7.20
1"	\$ 68.42	2.8	2.8	2.9 - 5.6	5.7 - 11.2	11.3 +
1.5"	\$ 87.97	3.6	3.6	3.7-7.2	7.3 - 14.6	14.6 +
2"	\$ 141.73	5.8	5.8	5.9 - 11.6	11.7 - 23.2	23.2 +
3"	\$ 537.61	22	22	22.1 - 44.2	44.3 - 88.4	88.4 +
3" ^D	\$ 645.13	22	22	22.1 -44.2	44.3 - 88.5	88.4 +
^B	Applied tier adjustments for outside city users			\$3.60	\$5.40	\$7.20
4"	\$ 684.23	28	28	28.1 - 56.2	56.3 - 112.4	112.4 +

A - service connection base rate for outside city limits - (27 total users)

B - Tiered rates for outside users synchronized with inside user increases

C - Typical start-stop points at each step of the tiered structure.

D - base rate for single outside user

To: Honorable Mayor and City Councilors Rochelle Roaden, City

From: Manager

Issue: Approval of Resolution 21/22-07 Equipment Surplus

Date: September 7, 2021

Background Information:

We have two pieces of equipment that are a candidate for surplus. Both pieces are old and need extensive repair.

Case 480F Backhoe: over 20 years old. This piece of equipment was purchased as surplus and is need of extensive repair. This equipment has an approximate value of \$19,000.00

1994 Komatsu Excavator: This piece of equipment was purchased as surplus in 2009 and is need of extensive repair. This piece of equipment has not been in service since 2012 when the city purchased a vacuum trailer for excavations. This equipment has an approximate value of \$8000.00

(Pictures are attached)

City Manager Recommendation: I recommend approval of Resolution 21/22-07.

Potential Motion Verbiage: “I move approval of Resolution 21/22-07 A Resolution Declaring Certain Property as Surplus & Authorizing its Transfer, Sale or Other Disposition.”

City Council Options:

- 1 – Move approval of Resolution 21/22-07.
- 2 – Move approval of Resolution 21/22-07 with amendments.
- 3 – Take no action and direct Staff to do more research and bring more options back to the City Council at a later date.



**RESOLUTION 2021/22-07
CITY OF DAYTON, OREGON**

A Resolution Declaring Certain Property as Surplus & Authorizing its Transfer, Sale or Other Disposition

WHEREAS, the City of Dayton owns the item listed and depicted in Exhibit A, attached hereto and by this reference made a part hereof, that is no longer needed or useful for city purposes: and

WHEREAS, the City has the authority to dispose of such property in the manner in which it deems to be in the best interest of the citizens of the community;

The City of Dayton resolves as follows:

- 1) **THAT** this item is hereby declared surplus to the needs of the City, and
- 2) **THAT** the equipment shall be disposed of at the discretion of the City Manager in the manner deemed to be in the best interests of the City; and
- 3) **THAT** this resolution shall take effect immediately upon its adoption.

ADOPTED this 7th day of **September 2021**.

In Favor:

Opposed:

Absent:

Abstained:

Elizabeth Wytoski, Mayor

Date of Signing

ATTEST:

Patty Ringnalda, City Recorder

Date of Enactment

Attachment - Exhibit A

EXHIBIT A



Case 480F Backhoe that is over 20 years old that is a candidate for surplus. This piece of equipment was purchased as surplus and is need of extensive repair. This equipment has an approximate value of \$19,000.00



1994 Komatsu excavator was purchased as surplus in 2009 and is need of extensive repair. This piece of equipment has not been in service since 2012 when the city purchased a vacuum trailer for excavations. This equipment has an approximate value of \$8000.00

Report Criteria:
 Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount	
07/21	07/28/2021	1	1574	Deluxe	0204981275	10	400.400.601.00	.00	528.91	M
07/21	07/19/2021	5	1820	SAIF Corporation	1000600784	10	400.400.592.00	.00	7,485.04	M
07/21	07/31/2021	6	256	Oregon Dept of Revenue	PR 0731202	1	100.000.212.00	.00	3,487.30	M
07/21	07/31/2021	7	189	CIS Trust	AUGUST 202	22	400.400.594.00	.00	13,343.55	M
07/21	07/22/2021	26944	1721	Debbie Mansfield	BANDS ON	1	500.500.752.60	.00	400.00	
07/21	07/22/2021	26945	235	DEQ	Multiple	1	400.400.706.00	.00	480.00	
07/21	07/22/2021	26946	1799	John Sherwood	BANDS ON	1	500.500.752.60	.00	100.00	
07/21	07/22/2021	26947	1797	Mackenzie Castro	REFUND	1	400.400.614.60	.00	250.00	
07/21	07/22/2021	26948	1724	Mark Seymour	BANDS ON	1	500.500.752.60	.00	550.00	
07/21	07/22/2021	26949	1725	Mark Stevenz Schrade	BANDS ON	1	500.500.752.60	.00	400.00	
07/21	07/22/2021	26950	1801	Pamela and Matt Zoch	BANDS ON	1	500.500.752.60	.00	200.00	
07/21	07/22/2021	26951	1726	Rachel Christofferson	BANDS ON	1	500.500.752.60	.00	600.00	
07/21	07/22/2021	26952	1800	Tim McGee	BANDS ON	1	500.500.752.60	.00	100.00	
07/21	07/22/2021	26953	1798	Tim Munro	BANDS ON	1	500.500.752.60	.00	100.00	
07/21	07/31/2021	26994	190	AFLAC	661275	1	100.000.220.00	.00	313.81	
07/21	07/31/2021	26995	329	Alexonet Inc	1850	11	105.105.705.30	.00	1,609.75	
07/21	07/31/2021	26996	1813	ArchiveSocial	17728	10	400.400.705.30	.00	2,988.00	
07/21	07/31/2021	26997	1733	Association for Rural & Small Libr	61168	1	100.104.706.00	.00	49.00	
07/21	07/31/2021	26998	127	Baker & Taylor	Multiple	1	100.104.715.00	.00	112.10	
07/21	07/31/2021	26999	215	Baker Rock Resources	391393	10	400.400.707.00	.00	78.13	
07/21	07/31/2021	27000	151	Beery, Elsner & Hammond	Multiple	1	700.700.910.41	.00	732.00	
07/21	07/31/2021	27001	1786	Bend Mailing Services	73676	1	500.500.752.60	.00	808.29	
07/21	07/31/2021	27002	1811	Bob & Sheila Phipps	DEPOSIT RE	2	400.400.750.00	.00	83.42	
07/21	07/31/2021	27003	1064	Botten's Equipment Rental	1-607028	1	500.500.752.60	.00	514.80	
07/21	07/31/2021	27004	1497	C3 Intelligence, Inc.	25526	7	400.400.705.00	.00	168.85	
07/21	07/31/2021	27005	125	Canon Solutions America	27037326	10	400.400.601.00	.00	560.40	
07/21	07/31/2021	27006	222	Caselle, Inc	110271	10	400.400.705.30	.00	10,010.00	
07/21	07/31/2021	27007	340	Chuck Colvin Auto Center	FOCS50959	5	400.400.614.00	.00	630.23	
07/21	07/31/2021	27008	189	CIS Trust	PO-DAY-120	12	500.500.604.00	.00	43,795.17	
07/21	07/31/2021	27009	105	City of Dayton	Multiple	1	100.106.716.00	.00	987.16	
07/21	07/31/2021	27010	362	City of Newberg	JUNE 2021	4	100.106.716.00	.00	18,482.25	
07/21	07/31/2021	27011	860	City Sweepers, LLC	28059	1	200.200.614.40	.00	693.02	
07/21	07/31/2021	27012	423	Comcast Cable	8778105130	1	300.301.705.30	.00	104.85	
07/21	07/31/2021	27013	519	Comcast Cable - internet	8778105130	11	400.400.705.30	.00	143.35	
07/21	07/31/2021	27014	466	Copy Cats	407099	1	500.500.752.60	.00	920.00	
07/21	07/31/2021	27015	327	Cummins Inc.	Multiple	1	400.400.614.50	.00	766.86	
07/21	07/31/2021	27016	111	DCBS Fiscal Services	JUNE 2021	1	100.106.700.35	.00	2,683.12	
07/21	07/31/2021	27017	235	DEQ	WQ22WSC-0	1	400.400.706.00	.00	100.00	
07/21	07/31/2021	27018	231	DOWL	2860.80185.	1	700.700.910.41	.00	4,427.50	
07/21	07/31/2021	27019	1810	Elizabeth Sagmiller	07.15.21	1	400.400.705.80	.00	910.00	
07/21	07/31/2021	27020	513	Elizabeth Wytoski	JULY EXPEN	1	500.500.752.00	.00	50.00	
07/21	07/31/2021	27021	1247	ezTask.com, Inc.	07911205	10	400.400.705.30	.00	2,247.75	
07/21	07/31/2021	27022	694	GPEC Electrical Contractors	Multiple	1	100.100.707.30	.00	10,223.76	
07/21	07/31/2021	27023	542	Grainger	Multiple	1	750.750.903.00	.00	614.43	
07/21	07/31/2021	27024	1812	Joel & Heny Hendricks	REFUND	1	001.000.175.00	.00	20.61	
07/21	07/31/2021	27025	1815	Josh Bilodeau	JULY 2021 E	12	500.500.706.00	.00	53.00	
07/21	07/31/2021	27026	1712	LCOG	20848	12	500.500.706.00	.00	615.00	
07/21	07/31/2021	27027	107	League of Oregon Cities	2021-200222	12	105.105.706.00	.00	2,443.05	
07/21	07/31/2021	27028	989	Leo's Excavating & Trucking, Inc	1379	1	400.400.614.40	.00	5,220.00	
07/21	07/31/2021	27029	108	Les Schwab	2020140979	6	400.400.614.00	.00	20.00	
07/21	07/31/2021	27030	139	Lowe's	Multiple	1	500.500.752.60	.00	727.83	
07/21	07/31/2021	27031	1572	McMinnville Commercial Cleaners	1815	10	400.400.707.00	.00	625.00	
07/21	07/31/2021	27032	1507	McMinnville Immediate Health Car	915K1814	7	400.400.705.00	.00	227.79	

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
07/21	07/31/2021	27033	121	McMinnville Water & Light	67508 721	1	300.300.600.00	.00	366.62
07/21	07/31/2021	27034	1514	MidAmerica Books	535484	1	100.104.715.00	.00	167.60
07/21	07/31/2021	27035	124	Mid-Willamette Valley COG	Multiple	1	100.105.705.20	.00	1,856.25
07/21	07/31/2021	27036	109	News Register	123256	11	400.400.700.10	.00	233.85
07/21	07/31/2021	27037	110	Northwest Logging Supply	305948	6	400.400.617.00	.00	222.81
07/21	07/31/2021	27038	214	OAWU	Multiple	1	400.400.706.00	.00	12,285.00
07/21	07/31/2021	27039	871	Office Depot, Inc	1802104410	10	400.400.601.00	.00	56.61
07/21	07/31/2021	27040	758	OHA - Cashier	PWS ID 4100	1	300.300.706.00	.00	1,500.00
07/21	07/31/2021	27041	173	One Call Concepts, Inc.	1060358	2	400.400.799.00	.00	29.40
07/21	07/31/2021	27042	163	Oregon Dept of Revenue	JUNE 2021	1	101.101.700.35	.00	90.00
07/21	07/31/2021	27043	1807	Oregon Dept of State Lands	WETLAND D	1	700.700.910.41	.00	475.00
07/21	07/31/2021	27044	244	OreVac West Inc.	6404	1	400.400.614.60	.00	795.00
07/21	07/31/2021	27045	1245	PBS Engineering and Environmen	0075319.003	1	700.700.910.40	.00	7,023.13
07/21	07/31/2021	27046	103	PGE	Multiple	1	400.400.905.00	.00	13,161.05
07/21	07/31/2021	27047	213	Pitney Bowes Purchase Power	POSTAGE R	10	400.400.601.10	.00	1,212.00
07/21	07/31/2021	27048	621	Portland Engineering, Inc	10508	3	400.400.705.10	.00	90.00
07/21	07/31/2021	27049	240	Print NW	Multiple	1	100.105.601.00	.00	265.00
07/21	07/31/2021	27050	1463	Quadient Leasing USA, Inc	N8978039	10	400.400.601.10	.00	413.97
07/21	07/31/2021	27051	106	Recology Western Oregon	16643264	2	200.200.603.00	.00	303.99
07/21	07/31/2021	27052	1194	Rochelle Roaden	JULY EXPEN	11	400.400.611.00	.00	223.12
07/21	07/31/2021	27053	119	Sprint	414585229-2	10	400.400.602.00	.00	567.24
07/21	07/31/2021	27054	1808	State of Oregon Dept of Admin Sv	ARK46213	1	750.750.903.00	.00	5,000.00
07/21	07/31/2021	27055	1485	Strategic Economic Development	300000777	12	500.500.706.00	.00	674.50
07/21	07/31/2021	27056	1814	Tammy Fitch	DEPOSIT RE	2	400.400.750.00	.00	80.22
07/21	07/31/2021	27057	1763	Terrence D. Mahr	21-006	1	101.101.705.40	.00	250.00
07/21	07/31/2021	27058	937	United Site Services	Multiple	1	100.103.619.00	.00	667.72
07/21	07/31/2021	27059	1001	Utility Service Co., Inc	Multiple	1	600.600.930.60	.00	78,375.98
07/21	07/31/2021	27060	186	VFW post # 10626	21-006	1	101.101.705.00	.00	37.50
07/21	07/31/2021	27061	1809	Vince Miguez	DEPOSIT RE	2	400.400.750.00	.00	10.27
07/21	07/31/2021	27062	154	Westech Engineering, Inc	Multiple	1	770.770.910.20	.00	3,125.00
07/21	07/31/2021	27063	114	Yamhill County Sheriff	JULY 2021	1	101.101.705.10	.00	14,953.58
07/21	07/31/2021	27064	115	Yamhill County Sheriff	21-006	1	101.101.700.35	.00	32.00
07/21	07/31/2021	27065	117	YCOM	FY22-01-DA	1	101.101.770.00	.00	2,350.25
07/21	07/31/2021	27066	614	Ziplyfiber	Multiple	1	300.300.602.00	.00	299.89
07/21	07/31/2021	27067	1006	US Bank	Multiple	10	400.400.616.00	.00	6,127.52
Grand Totals:								.00	297,107.15

City of Dayton
Budget vs Actual for FY 2020-21
as of June 30,2021

		07/20-06/21 Cur YTD Actual	07/20-06/21 Cur Year Budget	YTD % of Budget	2019-20 Pri Year Actual
GENERAL FUND	Revenue	1,225,230	1,002,801	122.2%	1,167,792
Admin	Personnel Services				
	Salaries	60,457	60,900	99.3%	57,496
	Benefits	31,411	36,967	85.0%	25,441
	Material and Services	132,455	148,705	89.1%	76,864
	Capital Outlay	-2,228	7,000	-31.8%	20,210
	Total Administration	222,094	253,572	87.6%	180,011
Parks	Personnel Services				
	Salaries	68,677	70,961	96.8%	60,835
	Benefits	36,613	43,075	85.0%	23,331
	Material and Services	49,367	55,440	89.0%	33,199
	Capital Outlay	2,091	13,500	15.5%	3,937
	Total Parks	156,749	182,976	85.7%	121,302
Library	Personnel Services				
	Salaries	41,043	41,723	98.4%	37,474
	Benefits	21,530	25,328	85.0%	20,091
	Material and Services	23,159	30,625	75.6%	19,295
	Capital Outlay	-335	2,000	-16.7%	5,472
	Total Library	85,397	99,676	85.7%	82,333
Planning	Personnel Services				
	Salaries	22,786	23,486	97.0%	19,731
	Benefits	12,106	14,257	84.9%	10,759
	Material and Services	43,632	57,835	75.4%	35,378
	Capital Outlay	-624	750	-83.2%	574
	Total Planning	77,900	96,328	80.9%	66,442
Building	Personnel Services				
	Salaries	18,349	20,048	91.5%	17,818
	Benefits	10,339	12,169	85.0%	10,164
	Material and Services	107,920	125,651	85.9%	30,854
	Capital Outlay	-624	750	-83.2%	574
	Total Building	135,984	158,618	85.7%	59,410
	Transfers	25,000	25,000	100.0%	103,302
	Contingency	0	104,273	0.0%	0
	Unappropriated Ending Fund Balance	0	82,358	0.0%	0
	Total Fund 100 Revenue	1,225,230	1,002,801	122.2%	1,167,792
	Total Fund 100 Expenses	703,124	1,002,801	70.1%	612,799
	General Fund Balance	522,106			554,993

City of Dayton
Budget vs Actual for FY 2020-21
as of June 30,2021

	07/20-06/21 Cur YTD Actual	07/20-06/21 Cur Year Budget	YTD % of Budget	2019-20 Pri Year Actual
LOCAL OPTION TAX				
Revenue	405,533	333,484	121.6%	446,694
Personnel Services				
Salaries	34,978	37,893	92.3%	32,769
Benefits	19,533	23,001	84.9%	22,201
Material and Services	235,560	244,525	96.3%	243,354
Capital Outlay	-1,058	2,000	-52.9%	2,444
Total	289,012	307,419	94.0%	300,768
Contingency	0	26,065	0.0%	0
Total Fund 101 Revenue	405,533	333,484	121.6%	446,694
Total Fund 101 Expenses	289,012	333,484	86.7%	300,768
Local Option Tax Fund Balance	116,521			145,925
Transient Lodging Fund				
Revenue	313,403	296,613	105.7%	255,665
Material and Services	1,456	2,410	60.4%	747
Capital Outlay	0	0	0.0%	0
Total	1,456	2,410	60.4%	747
Transfers	0	0	0.0%	10,000
Contingency	0	224,203	0.0%	0
Unappropriated Ending Fund Balance	0	70,000	0.0%	0
Total Fund 105 Revenue	313,403	296,613	105.7%	255,665
Total Fund 105 Expenses	1,456	296,613	0.5%	10,747
Transient Lodging Fund Balance	311,946			244,918
Street Fund				
Revenue	361,539	278,450	129.8%	340,920
Personnel Services				
Salaries	32,205	34,611	93.0%	30,360
Benefits	17,865	21,009	85.0%	19,408
Material and Services	50,959	86,768	58.7%	61,249
Capital Outlay	1,863	6,500	28.7%	1,453
Total	102,892	148,888	69.1%	112,470
Transfers	40,000	40,000	100.0%	65,000
Contingency	0	89,562	0.0%	0
Total Fund 200 Revenue	361,539	278,450	129.8%	340,920
Total Fund 200 Expenses	142,892	278,450	51.3%	177,470
Street Fund Balance	218,647			163,451

City of Dayton
Budget vs Actual for FY 2020-21
as of June 30,2021

	07/20-06/21 Cur YTD Actual	07/20-06/21 Cur Year Budget	YTD % of Budget	2019-20 Pri Year Actual
Water Fund				
Revenue	1,621,482	1,318,329	123.0%	1,655,366
Personnel Services				
Salaries	140,569	152,006	92.5%	120,590
Benefits	78,397	92,270	85.0%	72,043
Material and Services	140,128	293,385	47.8%	189,737
Capital Outlay	-763	10,500	-7.3%	6,394
Total	358,331	548,161	65.4%	388,764
Water Treatment Facility				
Personnel Services				
Salaries	43,081	50,472	85.4%	37,160
Benefits	26,045	30,636	85.0%	24,460
Material and Services	81,671	112,101	72.9%	88,815
Capital Outlay	-17	1,500	-1.1%	502
Total	150,781	194,709	77.4%	150,937
Transfers	425,000	425,000	100.0%	490,000
Contingency	0	50,000	0.0%	0
Unappropriated Ending Fund Balance	0	100,459	0.0%	0
Total Fund 300 Revenue	1,621,482	1,318,329	123.0%	1,655,366
Total Fund 300 Expenses	934,111	1,318,329	70.9%	1,029,700
Water Fund Balance	687,371			625,666
Sewer Fund				
Revenue	918,046	797,619	115.1%	831,639
Personnel Services				
Salaries	132,775	142,249	93.3%	117,935
Benefits	73,358	86,346	85.0%	69,309
Material and Services	121,832	213,725	57.0%	114,286
Capital Outlay	50,627	72,318	70.0%	8,658
Total	378,592	514,638	73.6%	310,188
Transfers	116,000	116,000	100.0%	113,000
Contingency	0	66,981	0.0%	0
Unappropriated Ending Fund Balance	0	100,000	0.0%	0
Total Fund 400 Revenue	918,046	797,619	115.1%	831,639
Total Fund 400 Expenses	494,592	797,619	62.0%	423,188
Sewer Fund Balance	423,453			408,451
State Revenue Sharing				
Revenue	67,677	50,940	132.9%	182,089
Material and Services	28,662	46,940	61.1%	156,934
Capital Outlay	465	4,000	11.6%	1,536
Total	29,127	50,940	57.2%	158,470
Total Fund 500 Revenue	67,677	50,940	132.9%	182,089
Total Fund 500 Expenses	29,127	50,940	57.2%	158,470
State Revenue Sharing Fund Balance	38,550			23,619

City of Dayton
Budget vs Actual for FY 2020-21
as of June 30,2021

	07/20-06/21 Cur YTD Actual	07/20-06/21 Cur Year Budget	YTD % of Budget	2019-20 Pri Year Actual
Water Utility Capital				
Revenue	493,779	411,501	120.0%	499,400
Material and Services	0	0	0.0%	0
Capital Outlay	265,693	411,501	64.6%	313,502
Total	265,693	411,501	64.6%	313,502
Total Fund 600 Revenue	493,779	411,501	120.0%	499,400
Total Fund 600 Expenses	265,693	411,501	64.6%	313,502
Water Utility Capital Fund Balance	228,086			185,898
Sewer Utility Capital				
Revenue	403,839	1,236,604	32.7%	3,699,618
Material and Services	0	0	0.0%	0
Capital Outlay	95,417	1,095,000	8.7%	3,500,531
Contingency	0	41,604	0.0%	0
Unappropriated	0	100,000	0.0%	0
Total	95,417	1,236,604	7.7%	3,500,531
Total Fund 700 Revenue	403,839	1,236,604	32.7%	3,699,618
Total Fund 700 Expenses	95,417	1,236,604	7.7%	3,500,531
Sewer Utility Capital Fund Balance	308,422			199,086
Equipment Replacement Reserve Fund				
Revenue	97,376	97,483	99.9%	57,066
Capital Outlay	64,597	66,123	97.7%	0
Contingency	0	31,360	0.0%	0
Total	64,597	97,483	66.3%	0
Total Fund 750 Revenue	97,376	97,483	99.9%	57,066
Total Fund 750 Expenses	64,597	97,483	66.3%	0
Equipment Utility Capital Fund Balance	32,780			57,066
Building Reserve Fund				
Revenue	200,746	196,946	101.9%	180,456
Capital Outlay	2,704	20,000	13.5%	10,676
Contingency	0	76,946	0.0%	0
Unappropriated	0	100,000	0.0%	0
Total	2,704	196,946	0.0%	10,676
Total Fund 760 Revenue	200,746	196,946	101.9%	180,456
Total Fund 760 Expenses	2,704	196,946	0.0%	10,676
Building Reserve Capital Fund Balance	198,042			169,780
Streets Capital Projects Fund				
Revenue	480,310	460,843	104.2%	281,752
Material and Services	0	0	0.0%	0
Capital Outlay	323,049	435,843	74.1%	6,422
Contingency	0	25,000	0.0%	0
Total	323,049	460,843	70.1%	6,422
Total Fund 770 Revenue	480,310	460,843	104.2%	281,752
Total Fund 770 Expenses	323,049	460,843	70.1%	6,422
Street Capital Fund Balance	157,262			275,330

City of Dayton
Budget vs Actual for FY 2020-21
as of June 30,2021

	07/20-06/21 Cur YTD Actual	07/20-06/21 Cur Year Budget	YTD % of Budget	2019-20 Pri Year Actual
Park Capital Projects				
Revenue	67,163	56,682	118.5%	59,342
Material and Services	0	0	0.0%	0
Capital Outlay	7,242	35,000	20.7%	0
Contingency	0	21,682	0.0%	0
Total	7,242	56,682	147.0%	0
Total Fund 780 Revenue	67,163	56,682	118.5%	59,342
Total Fund 780 Expenses	7,242	56,682	12.8%	0
Park Capital Fund Balance	59,921			59,342

Debt Service				
Revenue	552,783	566,912	596.4%	2,767,784
Material and Services	243,211	286,336	84.9%	2,475,993
Reserve for Lafayette Loan Payoff	0	23,625	0.0%	0
Reserve for USDA loan	0	82,248	0.0%	0
Total	243,211	392,209	62.0%	2,475,993
Unappropriated Ending Fund Balance	0	174,703	0.0%	0
Total Fund 850 Revenue	552,783	566,912	596.4%	2,767,784
Total Fund 850 Expenses	243,211	566,912	42.9%	2,475,993
Debt Service Capital Fund Balance	309,572			291,791

Total Balance for the year

Note: 100% of the fiscal year has elapsed.

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	163,332	0	0	0	81,436	1,137,809	1,382,577

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	10,017.61	-	-	-	4,780.65	70,391.32	85,189.58
Sewer Amount	3,495.29	-	-	-	1,821.91	38,155.42	43,472.62
Misc Amount	-	-	-	-	-	7.20	7.20
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	25.00	25.00
Late Chrg Amount	-	-	-	-	-	.92	.92
Total Charges:	13,512.90	-	-	-	6,602.56	108,579.86	128,695.32

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	14,438.77	-	-	-	4,749.52	151,023.95	170,212.24
Payments	13,281.42-	-	-	-	3,833.61-	93,195.84-	110,310.87-
Contract Adjustments	-	-	-	-	-	-	-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	-	-	-	-	576.09-	576.09-
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	13,512.90	-	-	-	6,602.56	108,579.86	128,695.32
Current Balance:	14,670.25	-	-	-	7,518.47	165,831.88	188,020.60

Year To Date: 07/01/2021 - 07/31/2021

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	163,332	0	0	0	81,436	1,137,809	1,382,577

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	10,017.61	-	-	-	4,780.65	70,391.32	85,189.58
Sewer Amount	3,495.29	-	-	-	1,821.91	38,155.42	43,472.62
Misc Amount	-	-	-	-	-	7.20	7.20
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	25.00	25.00
Late Chrg Amount	-	-	-	-	-	.92	.92
Total Charges:	13,512.90	-	-	-	6,602.56	108,579.86	128,695.32

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	14,438.77	-	-	-	4,749.52	151,023.95	170,212.24
Payments	13,281.42-	-	-	-	3,833.61-	93,195.84-	110,310.87-
Contract Adjustments	-	-	-	-	-	-	-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	-	-	-	-	576.09-	576.09-

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	13,512.90	-	-	-	6,602.56	108,579.86	128,695.32
Current Balance:	14,670.25	-	-	-	7,518.47	165,831.88	188,020.60

Wellfield Production and Distribution 2021

	Well 1	Well 2	Well 3	Well 4	Well 5	Total	Treatment Plant Inflow	Backwash	Lafayette Distribution	Dayton Distribution	Lafayette Percentage	Dayton Percentage	L + D	Diff Between Well Total and Distribution
Jan	1,072,000	698,000	806,000	946,000	911,000	4,433,000	4,857,000	180,000	2,090,000	2,740,000	43%	57%	4,830,000	-397,000
Feb	1,326,000	758,000	1,242,000	1,336,000	1,394,000	6,056,000	6,413,000	210,000	2,682,000	2,327,000	54%	46%	5,009,000	1,047,000
Mar	1,756,000	892,000	1,755,000	1,755,000	1,855,000	8,013,000	8,229,000	277,000	5,298,000	1,984,000	73%	27%	7,282,000	731,000
Apr	2,001,000	805,000	1,885,000	2,025,000	1,663,000	8,379,000	9,269,000	294,000	5,813,000	2,171,000	73%	27%	7,984,000	395,000
May	1,541,000	260,000	1,753,000	2,043,000	1,672,000	7,269,000	7,849,000	254,000	3,986,000	2,879,000	58%	42%	6,865,000	404,000
Jun	1,860,000	0	2,587,000	2,586,000	2,538,000	9,571,000	10,422,000	353,000	4,330,000	4,714,000	48%	52%	9,044,000	527,000
Jul	1,974,000	15,000	2,952,000	2,893,000	2,862,000	10,696,000	11,522,000	374,000	3,806,000	6,560,000	37%	63%	10,366,000	330,000
Aug						0			#DIV/0!		#DIV/0!	#DIV/0!	0	0
Sep						0			#DIV/0!		#DIV/0!	#DIV/0!	0	0
Oct						0			#DIV/0!		#DIV/0!	#DIV/0!	0	0
Nov						0			#DIV/0!		#DIV/0!	#DIV/0!	0	0
Dec														
Total	11,530,000	3,428,000	12,980,000	13,584,000	12,895,000	54,417,000	58,561,000	1,942,000	28,005,000	23,375,000	55%	45%	51,380,000	3,037,000

Wellfield Production and Distribution 2020

	Well 1	Well 2	Well 3	Well 4	Well 5	Total	Treatment Plant Inflow	Backwash	Lafayette Distribution	Dayton Distribution	Lafayette Percentage	Dayton Percentage	L + D	Diff Between Well Total and Distribution
Jan	2,212,000	1,352,000	2,504,000	2,571,000	1,781,000	10,420,000	10,777,000	307,000	6,480,000	3,390,000	66%	34%	9,870,000	550,000
Feb	2,605,000	1,392,000	2,727,000	2,727,000	1,995,000	11,246,000	11,503,000	321,000	6,968,000	3,606,000	66%	34%	10,574,000	672,000
Mar	1,869,000	1,346,000	2,856,000	2,858,000	2,736,000	11,665,000	11,087,000	324,000	7,290,000	3,922,000	65%	35%	11,212,000	453,000
Apr	2,105,000	1,542,000	4,197,000	2,229,000	2,424,000	12,497,000	13,705,000	404,000	7,856,000	3,826,000	67%	33%	11,682,000	815,000
May	2,125,000	1,251,000	3,702,000	2,196,000	1,470,000	11,470,000	13,866,000	424,000	8,919,000	2,678,000	77%	23%	11,597,000	-127,000
Jun	1,427,000	1,413,000	1,426,000	1,427,000	1,465,000	7,158,000	9,782,000	345,000	5,093,000	3,859,000	57%	43%	8,952,000	-1,794,000
Jul	1,754,000	1,593,000	1,771,000	1,773,000	1,823,000	8,714,000	11,720,000	344,000	5,027,000	5,155,000	49%	51%	10,182,000	-1,468,000
Aug	1,638,000	892,000	1,902,000	1,902,000	1,945,000	8,279,000	11,106,000	283,000	4,833,000	5,501,000	47%	53%	10,336,000	-2,057,000
Sep	1,109,000	1,197,000	1,359,000	1,359,000	1,387,000	6,391,000	7,421,000	257,000	3,383,000	4,089,000	45%	55%	7,472,000	-1,081,000
Oct	931,000	1,096,000	1,287,000	1,289,000	1,314,000	5,917,000	6,809,000	211,000	3,764,000	2,125,000	57%	43%	6,589,000	-672,000
Nov	1,293,000	1,661,000	2,001,000	1,705,000	1,733,000	8,393,000	9,077,000	304,000	5,943,000	3,071,000	66%	34%	9,014,000	-621,000
Dec	1,127,000	1,462,000	1,711,000	1,437,000	1,433,000	7,170,000	7,184,000	251,000	3,258,000	3,349,000	49%	51%	6,607,000	563,000
Total	20,195,000	16,177,000	27,443,000	23,473,000	22,032,000	109,320,000	124,037,000	3,745,000	68,816,000	45,271,000	60%	40%	114,087,000	-4,767,000

Wellfield Production and Distribution 2019

	Well 1	Well 2	Well 3	Well 4	Well 5	Total	Treatment Plant Inflow	Backwash	Lafayette Distribution	Dayton Distribution	Lafayette Percentage	Dayton Percentage	L + D	Diff Between Well Total and Distribution
Jan	1,894,000	1,827,000	1,894,000	2,144,000	2,037,000	9,796,000	11,148,000	410,000	7,724,000	2,599,000	75%	25%	10,323,000	-527,000
Feb	1,837,000	1,823,000	1,561,000	2,030,000	2,342,000	9,593,000	10,594,000	355,000	8,137,000	1,533,000	84%	16%	9,670,000	-77,000
Mar	1,462,000	1,662,000	1,718,000	2,579,000	2,566,000	9,987,000	11,659,000	255,000	8,527,000	2,081,000	80%	20%	10,608,000	-621,000
Apr	1,928,000	1,327,000	1,424,000	1,926,000	1,966,000	8,571,000	10,486,000	248,000	7,443,000	1,892,000	80%	20%	9,335,000	-764,000
May	2,865,000	1,751,000	1,928,000	2,896,000	2,502,000	11,942,000	13,352,000	307,000	9,118,000	2,299,000	80%	20%	11,417,000	525,000
Jun	1,526,000	1,350,000	1,547,000	2,797,000	1,423,000	9,643,000	10,796,000	240,000	5,615,000	3,256,000	63%	37%	8,871,000	772,000
Jul	1,889,000	891,000	1,583,000	3,004,000	2,425,000	9,792,000	10,794,000	245,000	5,097,000	4,116,000	55%	45%	9,213,000	579,000
Aug	2,045,000	1,817,000	1,630,000	3,288,000	2,926,000	11,706,000	12,452,000	318,000	6,902,000	4,582,000	60%	40%	11,484,000	222,000
Sep	1,786,000	827,000	1,446,000	1,560,000	1,506,000	7,125,000	7,227,000	213,000	4,378,000	3,249,000	57%	43%	7,627,000	-502,000
Oct	1,471,000	829,000	1,540,000	1,582,000	1,701,000	7,123,000	7,752,000	203,000	4,081,000	2,832,000	59%	41%	6,913,000	210,000
Nov	2,232,000	1,219,000	2,315,000	2,166,000	2,239,000	10,171,000	10,961,000	285,000	7,410,000	2,599,000	74%	26%	10,009,000	162,000
Dec	2,249,000	1,257,000	2,247,000	2,411,000	2,282,000	10,446,000	11,611,000	257,000	7,044,000	3,463,000	67%	33%	10,507,000	-61,000
Total	24,184,000	16,580,000	20,833,000	28,383,000	25,915,000	115,895,000	128,832,000	3,336,000	81,476,000	34,501,000	70%	30%	115,977,000	-82,000



**Yamhill County Sheriff's Office
Crime Summary for DAYTON
From 8/1/2021 to 8/31/2021**

City	UCR Description	8/1/2020 to 8/31/2020	8/1/2021 to 8/31/2021	Percentage Change	YTD	Prior Year
DAYTON						
Part 1						
	Aggravated Assault	0	0		4	3
	Arson	0	0			1
	Burglary-Business	0	0			5
	Burglary-Non-Residence	0	0		4	5
	Burglary-Residence	0	1		2	2
	Larceny	5	5		28	45
	Motor Vehicle Theft-Auto	2	2		4	6
	Rape	0	0		1	1
	Robbery	0	0		1	1
	Part 1 Total	7	8	14.29 %	44	69
Part 2						
	All Other	3	1	-66.67 %	10	12
	Animal Problems	0	0		1	1
	Disorderly Conduct	0	0		4	5
	Drug Laws	2	0		5	12
	DUII	1	0		3	12
	Forgery	0	0		2	3
	Fraud	2	1	-50.00 %	3	4
	Liquor Laws	0	0			1
	Runaway	0	0			4
	Sex Offenses	0	0		4	2
	Simple Assault	2	3	50.00 %	15	22
	Stolen Property	2	3	50.00 %	7	5
	Trespass/Prowler	1	6	500.00 %	20	17
	Vandalism	1	1		12	18
	Weapons	1	1		4	5
	Part 2 Total	15	16	6.67 %	90	123
	Total For DAYTON	44	35	-20.45 %	248	377

Report run date: 9/1/2021



**Yamhill County Sheriff's Office
Crime Summary for DAYTON
From 8/1/2021 to 8/31/2021**

City	UCR Description	8/1/2020 to 8/31/2020	8/1/2021 to 8/31/2021	Percentage Change	YTD	Prior Year
DAYTON						
Part 3						
	All Other	4	3	-25.00 %	40	57
	Non-Reportable Offenses	18	8	-55.56 %	74	128
	Part 3 Total	22	11	-50.00 %	114	185
	Total For DAYTON	44	35	-20.45 %	248	377

STAFF REPORT

TO: Honorable Mayor and City Councilors
 Through: Rochelle Roaden, City Manager
 From: Isaac Sullens, Code Enforcement Officer
 Subject: Code Enforcement Activities Report August 2021
 Date: August 30, 2021

Type of Violation	August 2021	July 2021	June 2021	May 2021	April 2021
Animals	2	4	3	3	4
Building	0	0	0	1	0
Burning	0	0	0	0	0
Clear vision	0	1	1	0	1
Encroachment	0	0	0	1	0
Junk	1	3	3	3	3
Noise	2	1	0	3	1
Noxious Vegetation	0	2	2	3	4
Parking	9	7	14	27	16
Attractive Nuisance	2	1	0	0	0
Posting	2	1	1	1	2
RV - Camping	1	1	0	0	3
Sidewalks	0	1	3	2	3
Towed	0	0	2	1	0
Land Use	0	0	0	0	1
Citations Issued	0	1	0	0	0
Right-of-Way	11	10	13	13	4
Other	0	0	0	3	0
TOTAL	30	33	42	61	42

Please Note: The monthly statistics are calculated from the Dayton City app, phone calls, emails, written notes, in person and code compliance officer observation.

TO: MAYOR WYTOSKI AND CITY COUNCIL MEMBERS

THROUGH: ROCHELLE ROADEN, CITY MANAGER

FROM: CYNDI PARK, LIBRARY DIRECTOR

SUBJECT: LIBRARY ACTIVITIES REPORT AUGUST 2021

Here we go again! Although we were looking forward to having a Halloween party, it just isn't looking like it will be a great idea to have a bunch of people indoors with the current surge of the COVID Delta variant. We have made the decision to offer bags full of treats and free books outside of the Library (or just inside the open door if it is raining) from 4:00-6:00 p.m. on the Friday before Halloween. The bags we're giving away are large enough for the kids to use to collect their treats on the big night, and they are reflective to help with visibility when it gets dark. We're including a flashlight for every bag and some delicious treats as well. We have a great variety of books to give away and some other treats up our sleeves.

CCRLS has been having some staffing and logistical issues with courier delivery to all libraries in the consortium. The full-time driver has left Chemeketa, and we have gotten emergency approval to hire a new driver on a temporary basis to help out, but are still down one truck. We are getting more reliable deliveries as they sort through this, and we're hopeful that we will be back up to service five days a week again soon.

All libraries in CCRLS are running with fewer hours open to the public now than before the pandemic began. Sadly, over a third of libraries in Oregon are currently closed or running only curbside services. We had thought that the Salem libraries (including the refreshed downtown location) were going to open September 1st, but they have decided that it is not safe for their staff or their community to open at this time. The Newberg library is also currently closed.

