

**GOLDENDALE CITY COUNCIL  
REGULAR MEETING  
AUGUST 17, 2015  
7:00 PM**

- A. Call to Order
  - 1. Pledge of Allegiance
- B. Roll Call
- C. Public Hearing
- D. Agenda
  - 1. Approval of Agenda
  - 2. Consent Agenda
    - a. Approval of Minutes
    - b. Claims
    - c. Payroll
    - d. Other
- E. Presentations
- F. Department Reports
- G. Council Business
  - 1. Lease Agreement with Uchigago Argonne, LLC (NOAA's Contractor)
- H. Resolutions
- I. Ordinances
  - 1. First Reading – Revised Animal Control Ordinance
  - 2. First Reading – Revised Parking Ordinance
- J. Report of Officers and City Administrator
- K. Public Comment
- L. Executive Session
  - 1. Property Negotiations RCW 42.30.110(c)
- M. Adjournment

NEXT REGULAR COUNCIL MEETING WILL BE ON SEPTEMBER 8, 2015 AT 7:00 PM.

**AGENDA TITLE: CONSENT AGENDA**

**DATE: AUGUST 17, 2015**

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X   
RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_  
MOTION  X

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**EXPLANATION:**

The consent agenda includes the following:

Minutes of the August 3, 2015 regular council meeting, second pay period July checks #44648 – 44690, 900500 - 900502 in the amount of \$105,076.24, August 7, 2015 claims checks #44691 – 44739, 900509 - 900507 in the amount of \$385,513.52.

**FISCAL IMPACT:**

Payroll checks in the amount of \$105,076.24, claims checks in the amount of \$385,513.52.

**ALTERNATIVES:**

Approve the consent agenda.

Remove certain items from the consent agenda for further discussion.

**STAFF RECOMMENDATION:**

Approve the consent agenda

**MOTION:**

**I MOVE TO APPROVE THE CONSENT AGENDA.**

**GOLDENDALE CITY COUNCIL  
REGULAR MEETING  
AUGUST 3, 2015  
7:00 PM**

Mayor Clinton Baze called to order the regular meeting of the Goldendale City Council followed by the Pledge of Allegiance.

**ROLL CALL**

6:59:36 PM

**PRESENT:**

Mayor Clinton Baze  
Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hocter  
Council Member Deanna Luth  
Council Member Guy Theriault

**STAFF:**

City Administrator Larry Bellamy  
Clerk-Treasurer Connie Byers  
Public Works Director Karl Enyeart  
Public Safety Director Rick Johnson  
Deputy Fire Chief Noah Halm  
Police Chief Reggie Bartkowski

**ABSENT:**

None

**AGENDA AND CONSENT AGENDA**

It was moved by Council Member Guy Theriault, seconded by Council Member Deanna Luth, to approve the agenda and consent agenda.

6:59:46 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hocter  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:**

None.

**MOTION CARRIED UNANIMOUSLY 7-0.**

## PRESENTATIONS

Anna Graham, Friends of the Observatory, presented council with an outdoor lighting ordinance proposal.

## DEPARTMENT REPORTS

Noah reported that we got called out on Saturday the 1<sup>st</sup> at 3:40 am that turned out to be five different fires suspicious in nature.

Rick reported that this is his last council meeting and thanked everyone for the time he has spent here.

Reggie reported that there were no problems with the Rock Crawl event that were in town this weekend. Our last car is in The Dalles getting the computer installed. The new police car has arrived. We started advertising today for the vacant Police Officer position.

Karl reported that we are doing some pipe bursting on Byars Street. The 3<sup>rd</sup> and King Street Project is scheduled to start August 17<sup>th</sup> and Jim Shaw spring renovation will begin next week.

Larry reported that we talked with Gwen Mosbrucker who is the local coordinator for the rock crawls and she reported there were a lot of people that attended the event that were from out of town. The Ordinance Committee is meeting tomorrow morning and the Event Committee is scheduled for August 24<sup>th</sup>.

Connie reported that the auditor's are here and will probably be here for a week and a half.

## COUNCIL BUSINESS

### Extension Agreement for the Timber Harvest

Karl explained that we would like to extend the timber harvest contract with Jasen Mulrony Trucking for another year. We also would like to include in that contract a fee of \$2,500.00 for Jasen to obtain all the necessary permits.

It was moved by Council Member Gary Hctor, seconded by Council Member Deanna Luth, to authorize the Mayor to execute an extension agreement with Jasen Mulrony Trucking LLC. to extend the timber harvest contract through December 31, 2016 and to pay Jasen Mulrony Trucking LLC. for preparation of a forest practices permit through the Department of Natural Resources in the amount of \$2,500.00.

7:28:28 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Mike Canon

Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hocter  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.  
MOTION CARRIED UNANIMOUSLY 7-0.

Notice of Award Mill Street Bridge Repair

Karl explained that we received four bids for this project and the lowest bid came from Riley Brother Inc.

It was moved by Council Member Gary Hocter, seconded by Council Member Deanna Luth, to authorize the Mayor to execute notice of award for the Mill Street Bridge Repair Project to Riley Brothers Inc. in the amount of \$24,865.00.

7:29:12 PM

**AYES:** Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hocter  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.  
MOTION CARRIED UNANIMOUSLY 7-0.

Animal/Livestock/Fowl Control Ordinance Revisions Recommendation

Larry explained the changes that the Ordinance Committee made to the livestock/fowl management plan, the process of declaring a dog dangerous and the keeping of livestock and fowl. Council concurred to have this on the August 17<sup>th</sup> agenda for its first reading and open for public comment.

Revisions to Parking Ordinance Recommendation

Larry explained the recommendation from the Ordinance Committee on proposed changes to the parking regulations ordinance. The changes are to clarify the definitions for parallel, angle and perpendicular parking, revisions to parking within a parking strip, curb height and surface improvements, clarification of two hour parking and clarification of chain parking prohibition. Council concurred to have this on the August 17<sup>th</sup> agenda for its first reading and open for public comment.

Confirmation of Mayor's Police Chief Appointment

Mayor Baze announced that he is promoting within the department and has appointed Reggie Bartkowski as the Police Chief. All seven council members concurred.

## **RESOLUTIONS**

### **Surplus Water System Chlorinators**

Karl explained that our new system is working well and we are ready to surplus the old system.

It was moved by Council Member Gary Hoctor, seconded by Council Member Deanna Luth, to adopt Resolution No. 636 declaring the three Clortec chlorinators as surplus and authorizing their sale.

**7:50:50 PM**

**AYES:** Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.

MOTION CARRIED UNANIMOUSLY 7-0.

## **REPORT OF OFFICERS AND CITY ADMINISTRATOR**

Each council member and the Mayor took turns in congratulating Reggie and wishing Rick good luck.

## **EXECUTIVE SESSION**

It was moved by Council Member Guy Theriault, seconded by Council Member Deanna Luth, to go into executive session for ½ hour.

**7:54:18 PM**

**AYES:** Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.

MOTION CARRIED UNANIMOUSLY 7-0.

Session started at 7:58

Mayor Baze announced that we came out of executive session at 8:25 with no decisions made.

It was moved by Council Member Guy Theriault, seconded by Council Member Len Crawford, to adjourn the meeting.

8:25:42 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:**

None.

**MOTION CARRIED UNANIMOUSLY 7-0.**

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Clinton Baze, Mayor

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Connie Byers, Clerk-Treasurer

# Register

Fiscal: 2015  
 Deposit Period: 2015 - Aug 2015, 2015 - Jul 2015  
 Check Period: 2015 - Aug 2015 - First Council Aug 2015, 2015 - Jul 2015 - Manual Period Jul 2015

Number	Name	Print Date	Clearing Date	Amount
<b>Columbia State Bank</b>				
44691	Goldendale, City of	8/17/2015		\$2,469.92
44692	Allyns Building Center	8/17/2015		\$1,242.91
44693	Aramark Uniform Serv Inc	8/17/2015		\$395.03
44694	Bicoastal Media LLC	8/17/2015		\$300.00
44695	Bishop Sanitation Inc	8/17/2015		\$417.50
44696	Bohn's Printing	8/17/2015		\$275.73
44697	Browning Extinguisher Service	8/17/2015		\$68.80
44698	Bryant Pipe & Supply Inc	8/17/2015		\$108.39
44699	Builders Exchange of Washington Inc	8/17/2015		\$45.00
44700	Calvin Jordan Associates	8/17/2015		\$8,000.00
44701	Carquest Auto Parts	8/17/2015		\$1,152.55
44702	Cascade Fire & Safety	8/17/2015		\$465.68
44703	Double "K" Ent	8/17/2015		\$21.50
44704	Evergreen Rural Wtr of WA Corp	8/17/2015		\$120.00
44705	Fasteners	8/17/2015		\$180.67
44706	Flume Road Water Services LLC	8/17/2015		\$506.50
44707	Gerald Matosich Attorney at Law	8/17/2015		\$780.00
44708	Goldendale Auto Supply	8/17/2015		\$510.13
44709	Goldendale Chamber	8/17/2015		\$40.00
44710	Goldendale Market Fresh	8/17/2015		\$426.38
44711	Goldendale Sentinel	8/17/2015		\$360.00
44712	Goldendale, City of	8/17/2015		\$14,713.74
44713	Grainger	8/17/2015		\$136.21
44714	Gwen Mosbrucker	8/17/2015		\$360.00
44715	Haystack Broadcasting Inc	8/17/2015		\$39.00
44716	Holcombs Market	8/17/2015		\$44.22
44717	Klickitat County PUD	8/17/2015		\$23,599.05
44718	Klickitat Valley Health	8/17/2015		\$244.00
44719	Linda Phelps	8/17/2015		\$465.26
44720	Lithtex NW	8/17/2015		\$307.28
44721	Lori Lynn Hocht Attorney at Law	8/17/2015		\$227.50
44722	Marlin Business Bank	8/17/2015		\$467.10
44723	MCP Mid Columbia Producers Inc	8/17/2015		\$168.73
44724	Menke Jackson Beyer LLP	8/17/2015		\$7,846.15
44725	Mid-American Research Chemical	8/17/2015		\$144.27
44726	Mid-Columbia Veterinary	8/17/2015		\$46.30

Number	Name	Print Date	Clearing Date	Amount
44727	One Call Concepts Inc	8/17/2015		\$37.45
44728	Orthmann, Richard	8/17/2015		\$76.77
44729	Peterson	8/17/2015		\$2,999.05
44730	POW Contracting	8/17/2015		\$301,631.65
44731	Quill Corporation	8/17/2015		\$120.88
44732	Randall C Krog Attorney at Law	8/17/2015		\$715.00
44733	Shell	8/17/2015		\$4,178.67
44734	Sound Water Services	8/17/2015		\$175.61
44735	Spectrum Communications Inc	8/17/2015		\$1,876.44
44736	The Watershed Company	8/17/2015		\$165.00
44737	US Cellular	8/17/2015		\$1,535.38
44738	Vision Municipal Solutions Llc	8/17/2015		\$1,657.44
44739	Zep Manufacturing Co	8/17/2015		\$208.81
900503	HSA Bank Employee Plan Funding	8/17/2015		\$36.00
900504	Merchant Card Services	8/17/2015		\$55.73
900505	Sage Payment Solutions	8/17/2015		\$81.40
900506	Sage Payment Solutions	8/17/2015		\$467.83
900507	US Bank	8/17/2015		\$2,798.91
		<b>Total</b>	<b>Check</b>	<b>\$385,513.52</b>
		<b>Total</b>	<b>20016310</b>	<b>\$385,513.52</b>
		<b>Grand Total</b>		<b>\$385,513.52</b>

**CITY OF GOLDENDALE  
CLAIMS REGISTER**

I, the undersigned, do hereby certify that the materials have been furnished, the services rendered or the labor performed as shown on Voucher numbers 44691 through 44739, 9005030-900507 in the amount of \$385,513.52, and unpaid obligations against the City of Goldendale, Washington and that I am authorized to certify said claims.

DATED this 13<sup>th</sup> day of August, 2015.

  
Clerk-Treasurer

# Register Activity

Fiscal: 2015

Period: 2015 - Aug 2015, 2015 - Jul 2015

Council Date: 2015 - Aug 2015 - First Council Aug 2015, 2015 - Jul 2015 - Manual Period Jul 2015

Reference	Date	Amount	Notes
<b>Reference Number: 44691</b>	<b>Goldendale, City of</b>	<b>\$2,469.92</b>	
2015-47	8/5/2015	\$77.43	Bulk Water
Invoice - 8/13/2015 11:15:19 AM	8/13/2015	\$2,392.49	Water/Sewer
<b>Reference Number: 44692</b>	<b>Allyns Building Center</b>	<b>\$1,242.91</b>	
197098	7/1/2015	\$13.58	Elbow, Coupling....
197205	7/2/2015	\$5.36	Fil & Seal
197443	7/7/2015	\$12.88	Plug
197456	7/7/2015	\$36.54	Rake
197507	7/8/2015	\$32.24	Cutter Mattock
197617	7/9/2015	\$57.99	Barkdust
197639	7/9/2015	\$2.49	Vinyl Tube
197896	7/14/2015	\$537.50	Stage Set-up for Community Days
197901	7/14/2015	\$16.97	Bypass Pruner
198017	7/15/2015	\$48.32	Bardust
198018	7/15/2015	\$13.75	Blk Poly Film
198036	7/15/2015	\$19.33	Barkdust
198051	7/15/2015	\$19.33	Barkdust
198131	7/16/2015	\$19.55	Flexogen Hose
198257	7/19/2015	\$7.50	Rope
198275	7/20/2015	\$48.31	32oz 50 Fuel
198354	7/21/2015	\$39.84	Tester, GFI Cover, Nozzle.....
198363	7/21/2015	\$16.43	Adapter, Hose Barb
198369	7/21/2015	\$47.86	Exterior Screw, Impact Torx....
198385	7/21/2015	\$8.91	Cement Edger
198399	7/22/2015	\$44.09	Lumber, Magnesium Float
198441	7/22/2015	\$104.54	Concrete Mix
198533	7/24/2015	\$52.00	Hose, 3-Way Switch
198692	7/27/2015	\$21.49	Tank Sprayer
198879	7/29/2015	\$16.11	Ant Bait
<b>Reference Number: 44693</b>	<b>Aramark Uniform Serv Inc</b>	<b>\$395.03</b>	
861841930	7/1/2015	\$26.23	Cleaning Service
861841932	7/1/2015	\$24.81	Cleaning Service
861841934	7/1/2015	\$12.00	Cleaning Service
861852661	7/8/2015	\$76.43	Cleaning Service
861852663	7/8/2015	\$38.30	Cleaning Service
861852665	7/8/2015	\$14.21	Cleaning Service

Reference	Date	Amount	Notes
<b>Reference Number: 44693</b>	<b>Aramark Uniform Serv Inc</b>	<b>\$395.03</b>	
861863328	7/15/2015	\$32.56	Cleaning Service
861863330	7/15/2015	\$24.38	Cleaning Service
861863332	7/15/2015	\$14.21	Cleaning Service
861874031	7/22/2015	\$27.04	Cleaning Service
861874033	7/22/2015	\$23.68	Cleaning Service
861874035	7/22/2015	\$14.21	Cleaning Service
861884730	7/29/2015	\$27.04	Cleaning Service
861884732	7/29/2015	\$25.72	Cleaning Service
861884734	7/29/2015	\$14.21	Cleaning Service
<b>Reference Number: 44694</b>	<b>Bicoastal Media LLC</b>	<b>\$300.00</b>	
2825-1	7/31/2015	\$300.00	WE Rock
<b>Reference Number: 44695</b>	<b>Bishop Sanitation Inc</b>	<b>\$417.50</b>	
42552	8/5/2015	\$240.00	Ekone Park
42613	8/5/2015	\$67.50	Airport
42661	8/5/2015	\$110.00	WE Rock
<b>Reference Number: 44696</b>	<b>Bohn's Printing</b>	<b>\$275.73</b>	
44168	7/30/2015	\$227.52	Copier Count/CH
44169	7/30/2015	\$48.21	Copier Count/PD
<b>Reference Number: 44697</b>	<b>Browning Extinguisher Service</b>	<b>\$68.80</b>	
6199	8/3/2015	\$68.80	Recharges, New Chemical
<b>Reference Number: 44698</b>	<b>Bryant Pipe &amp; Supply Inc</b>	<b>\$108.39</b>	
82614A	7/13/2015	\$108.39	Supplies
<b>Reference Number: 44699</b>	<b>Builders Exchange of Washington Inc</b>	<b>\$45.00</b>	
1047250	8/10/2015	\$45.00	Mill Street Bridge Repair
<b>Reference Number: 44700</b>	<b>Calvin Jordan Associates</b>	<b>\$8,000.00</b>	
201322.03	6/28/2015	\$4,820.00	Energy Audit Report
201408.04	6/25/2015	\$3,180.00	Baker Street Building - Energy Improvements
<b>Reference Number: 44701</b>	<b>Carquest Auto Parts</b>	<b>\$1,152.55</b>	
4993-292118	7/1/2015	\$17.51	Valve Compound
4993-292637	7/6/2015	\$1.38	Miniature Lamp
4993-292678	7/6/2015	\$91.10	UPS
4993-292869	7/7/2015	\$11.24	Straight Cut, Screwdriver
4993-292890	7/7/2015	\$2.89	2pc Razor Scraper
4993-293003	7/8/2015	\$24.11	Heat Wrap
4993-293005	7/8/2015	\$106.95	Pioneer DC Player
4993-293109	7/9/2015	\$2.32	Spark Plug

Reference	Date	Amount	Notes
<b>Reference Number: 44701</b>	<b>Carquest Auto Parts</b>	<b>\$1,152.55</b>	
4993-293615	7/14/2015	\$6.44	Fuel Filter
4993-293619	7/14/2015	\$29.29	Steering Shift Tube
4993-293641	7/14/2015	\$6.82	Foldover, Cap Screw
4993-293691	7/14/2015	\$97.00	Filters, Spark Plugs.....
4993-293739	7/15/2015	\$41.36	Car Shock
4993-293759	7/15/2015	\$25.56	Hook
4993-293798	7/15/2015	\$12.60	Box Knife
4993-293799	7/15/2015	\$36.57	Clamp, Utility Clevis
4993-293830	7/15/2015	(\$41.36)	Car Shock Return
4993-294545	7/21/2015	\$39.55	Engine Sensors
4993-294576	7/22/2015	\$1.67	1x50 Ft Htr
4993-294869	7/24/2015	\$74.06	Antennas
4993-294930	7/24/2015	\$52.22	Antenna Mount, Pole Flat Connector....
4993-295273	7/28/2015	\$17.79	Coupler Plug, Blo-Gun
4993-295429	7/29/2015	\$4.50	Air Filters
4993-295442	7/29/2015	\$75.24	40 Ch Am Rf
4993-295446	7/29/2015	\$18.86	Antenna Mount, 3Way Mount, Connector
4993-295505	7/29/2015	\$75.24	40 Ch Am Rf
4993-295579	7/30/2015	\$42.99	Ac Pro
4993-295587	7/30/2015	\$17.18	Refrigrnt
4993-295610	7/30/2015	\$5.38	Hose Barb
4993-295767	7/31/2015	\$20.37	Cell Phone Holder
4993-295798	7/31/2015	\$225.72	Electric Fuel Pump Assmb
<b>Reference Number: 44702</b>	<b>Cascade Fire &amp; Safety</b>	<b>\$465.68</b>	
115246	6/25/2015	\$335.99	Pants
115803	7/14/2015	\$129.69	1.5x8' Suction Hose
<b>Reference Number: 44703</b>	<b>Double "K" Ent</b>	<b>\$21.50</b>	
163124	8/3/2015	\$21.50	Replace Zippers
<b>Reference Number: 44704</b>	<b>Evergreen Rural Wtr of WA Corp</b>	<b>\$120.00</b>	
30178	8/4/2015	\$120.00	The Need for Hazardour Energy Control
<b>Reference Number: 44705</b>	<b>Fasteners</b>	<b>\$180.67</b>	
S4335232.001	7/14/2015	\$34.16	Hex Nuts, Caps
S4336063.001	7/15/2015	\$146.51	Safety Glasses
<b>Reference Number: 44706</b>	<b>Flume Road Water Services LLC</b>	<b>\$506.50</b>	
384530	7/17/2015	\$270.00	Back Flow Testing

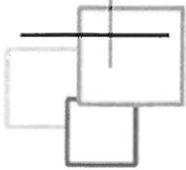
Reference	Date	Amount	Notes
<b>Reference Number: 44706</b>	<b>Fiume Road Water Services LLC</b>		
<u>384531</u>	7/17/2015	\$506.50	Repair Back Flow Assembly at WWTP
		\$236.50	
<b>Reference Number: 44707</b>	<b>Gerald Matosich Attorney at Law</b>		
<u>CR5792</u>	7/28/2015	\$780.00	Thomas Brewer
<u>CR5884</u>	7/28/2015	\$390.00	Timothy Rossiter
<u>CR5913</u>	7/28/2015	\$195.00	Antonio Sanchez
		\$195.00	
<b>Reference Number: 44708</b>	<b>Goldendale Auto Supply</b>		
<u>287487</u>	6/29/2015	\$510.13	Stop Leak, 12oz 134A
<u>287605</u>	6/30/2015	\$14.81	12oz 134A
<u>287847</u>	7/2/2015	\$5.77	Volt Reg
<u>288060</u>	7/6/2015	\$20.54	Blue Def
<u>288087</u>	7/6/2015	\$9.66	Pliers, Crimping Tool
<u>288397</u>	7/9/2015	\$77.86	Gloves
<u>288492</u>	7/10/2015	\$20.41	Hex Keyset
<u>288759</u>	7/14/2015	\$20.79	Starter
<u>288859</u>	7/15/2015	\$285.34	Gas Deluxe Shock
<u>289407</u>	7/21/2015	\$26.64	Safety Gloves
<u>289712</u>	7/24/2015	\$14.34	Nut Bolt
<u>289721</u>	7/24/2015	\$8.07	Nut Bolt
		\$5.90	
<b>Reference Number: 44709</b>	<b>Goldendale Chamber</b>		
<u>3258</u>	8/4/2015	\$40.00	Readerboard - WE Rock
		\$40.00	
<b>Reference Number: 44710</b>	<b>Goldendale Market Fresh</b>		
<u>01-306513</u>	7/1/2015	\$426.38	Gt Frc Bchr, Grocery
<u>02-382734</u>	7/2/2015	\$55.97	Powerade
<u>04-506011</u>	7/23/2015	\$44.51	Water
<u>06-224013</u>	7/6/2015	\$58.27	Water
		\$267.63	
<b>Reference Number: 44711</b>	<b>Goldendale Sentinel</b>		
<u>140620.1</u>	7/15/2015	\$360.00	WE Rock
<u>140722</u>	7/22/2015	\$76.00	Summary of Rdinance 1451
<u>140723.1</u>	7/22/2015	\$24.00	Summary of Ordinance 1452
<u>140755</u>	7/29/2015	\$188.00	WE Rock
<u>140836</u>	8/5/2015	\$12.00	Work Performed by City Personnel
<u>Invoice - 8/13/2015 11:07:40 AM</u>	8/13/2015	\$32.00	City Hall Subscription Renewal
		\$14,713.74	
<b>Reference Number: 44712</b>	<b>Goldendale, City of</b>		
<u>Invoice - 8/13/2015 11:36:47 AM</u>	8/13/2015	\$14,713.74	POW Retainage

Reference	Date	Amount	Notes
<b>Reference Number: 44713</b> 9793426686	<b>Grainger</b> 7/17/2015	\$136.21 \$136.21	Digital Hygrometer
<b>Reference Number: 44714</b> MCC-1150715096	<b>Gwen Mosbrucker</b> 7/31/2015	\$360.00 \$360.00	Reimbursement - WE Rock
<b>Reference Number: 44715</b> 15070148 15070149	<b>Haystack Broadcasting Inc</b> 7/31/2015 7/31/2015	\$39.00 \$19.50 \$19.50	Community Days Community Days
<b>Reference Number: 44716</b> 0030075211 0030681310 0040724010	<b>Holcombs Market</b> 7/24/2015 7/10/2015 7/23/2015	\$44.22 \$4.98 \$28.50 \$10.74	Supplies Plates, Forks, Spoons, Water Insect Fogger
<b>Reference Number: 44717</b> Invoice - 8/13/2015 1:16:07 PM	<b>Klickitat County PUD</b> 8/13/2015	\$23,599.05 \$23,599.05	Utility/Electric
<b>Reference Number: 44718</b> 1097019	<b>Klickitat Valley Health</b> 7/29/2015	\$244.00 \$244.00	Michael Stelijes
<b>Reference Number: 44719</b> Invoice - 8/13/2015 1:28:05 PM	<b>Linda Phelps</b> 8/13/2015	\$465.26 \$465.26	Building Permit Refund
<b>Reference Number: 44720</b> 126074	<b>Lithtex NW</b> 7/29/2015	\$307.28 \$307.28	Log Load Tickets
<b>Reference Number: 44721</b> CR5881 CR5905	<b>Lori Lynn Hoctor Attorney at Law</b> 7/27/2015 7/31/2015	\$227.50 \$97.50 \$130.00	Dennis Wallahee Rebecca Mercer
<b>Reference Number: 44722</b> Invoice - 8/13/2015 1:32:07 PM	<b>Marilyn Business Bank</b> 8/13/2015	\$467.10 \$467.10	Copier Leases
<b>Reference Number: 44723</b> 671245 67618 676989	<b>MCP Mid Columbia Producers Inc</b> 7/14/2015 7/31/2015 8/3/2015	\$168.73 \$26.86 \$18.26 \$123.61	Grain Buckskin Drive Gloves Backpack Sprayer
<b>Reference Number: 44724</b> Invoice - 8/13/2015 1:34:09 PM Invoice - 8/13/2015 1:34:42 PM	<b>Menke Jackson Beyer LLP</b> 8/13/2015 8/13/2015	\$7,846.15 \$1,498.39 \$6,347.76	Account 136 Account 044

Reference	Date	Amount	Notes
<b>Reference Number: 44725</b>			
0557421-IN	Mid-American Research Chemical 7/23/2015	\$144.27 \$144.27	San Wipes
<b>Reference Number: 44726</b>			
133112	Mid-Columbia Veterinary 7/13/2015	\$46.30	Spencer White
133113	7/13/2015	\$23.15	Emma White
<b>Reference Number: 44727</b>			
5079064	One Call Concepts Inc 7/31/2015	\$37.45 \$37.45	Utility Notification
<b>Reference Number: 44728</b>			
863800-05/26/2015	Orthmann, Richard 5/26/2015	\$76.77	Meds
863800-07/28/2015	7/28/2015	\$4.00	Meds
863801-04/24/2015	4/24/2015	\$4.00	Meds
863801-05/26/2015	5/26/2015	\$4.00	Meds
863801-06/25/2015	6/25/2015	\$4.00	Meds
863801-07/28/2015	7/28/2015	\$4.00	Meds
863802-04/24/2015	4/24/2015	\$4.00	Meds
863802-05/26/2015	5/26/2015	\$4.00	Meds
863802-06/25/2015	6/25/2015	\$4.00	Meds
863802-07/28/2015	7/28/2015	\$4.00	Meds
863803-04/24/2015	4/24/2015	\$2.51	Meds
863803-05/26/2015	5/26/2015	\$2.42	Meds
863803-06/25/2015	6/25/2015	\$2.42	Meds
863803-07/28/2015	7/28/2015	\$2.42	Meds
864124-04/24/2015	4/24/2015	\$4.00	Meds
864124-05/26/2015	5/26/2015	\$15.00	Meds
864124-06/25/2015	6/25/2015	\$4.00	Meds
865065-04/24/2015	4/24/2015	\$4.00	Meds
<b>Reference Number: 44729</b>			
2919412	Peterson 7/29/2015	\$2,999.05	Troubleshoot Transfer Switch
<b>Reference Number: 44730</b>			
Invoice - 8/13/2015 1:53:41 PM	POW Contracting 8/13/2015	\$301,631.65 \$301,631.65	Pay Estimate 4
<b>Reference Number: 44731</b>			
5957804	Quill Corporation 7/16/2015	\$120.88	Binders
604027	7/20/2015	\$72.53	Binder
		\$48.35	Binder
<b>Reference Number: 44732</b>			
CR5615	Randall C Krog Attorney at Law 7/30/2015	\$715.00	Andrea George
CR5847	7/30/2015	\$162.50	Jeremy Wolfe
CR5855	7/30/2015	\$65.00	James Allen
CR5856	7/30/2015	\$195.00	August Law

Reference	Date	Amount	Notes
Reference Number: 44732 CR5909	Randall C Krog Attorney at Law 7/30/2015	\$715.00 \$162.50	Mary Gardner
Reference Number: 44733 79263448507	Shell 7/26/2015	\$4,178.67 \$4,178.67	Fuel
Reference Number: 44734 Invoice - 8/13/2015 2:18:24 PM	Sound Water Services 7/30/2015	\$175.61 \$175.61	Kit/Hose/EP
Reference Number: 44735 211126 211135 211167	Spectrum Communications Inc 7/8/2015 7/15/2015 8/1/2015	\$1,876.44 \$122.60 \$194.31 \$1,559.53	Rubber Gasket, Belt Clip Supplies Mobile Radio, Remote Mount Radio.....
Reference Number: 44736 2015-0787	The Watershed Company 8/7/2015	\$165.00 \$165.00	Shoreline Master Plan
Reference Number: 44737 95275731	US Cellular 7/24/2015	\$1,535.38 \$1,535.38	Cell Phones
Reference Number: 44738 09-3914 3116	Vision Municipal Solutions Lic 8/12/2015 8/12/2015	\$1,657.44 \$700.00 \$957.44	Conference Utility Mailing
Reference Number: 44739 9001756445	Zep Manufacturing Co 7/15/2015	\$208.81 \$208.81	Liners
Reference Number: 900503 Invoice - 8/13/2015 1:11:39 PM	HSA Bank Employee Plan Funding 8/4/2015	\$36.00 \$36.00	Service Fee
Reference Number: 900504 Invoice - 8/13/2015 1:36:46 PM	Merchant Card Services 8/13/2015	\$55.73 \$55.73	Visa Fee/Admin
Reference Number: 900505 Invoice - 8/13/2015 2:11:19 PM	Sage Payment Solutions 8/13/2015	\$81.40 \$81.40	ACH Fees
Reference Number: 900506 Invoice - 8/13/2015 2:14:36 PM	Sage Payment Solutions 8/13/2015	\$467.83 \$467.83	Visa/Utility
Reference Number: 900507 Invoice - 8/13/2015 2:34:09 PM	US Bank 8/13/2015	\$2,798.91 \$2,798.91	TTTTT

# Register



Number	Name	Fiscal Description	Cleared	Amount
44648	Bartkowski, Reggie	2015 - Jul 2015 - Second Council	Jul 2015	\$2,338.78
44649	Baze, Clinton	2015 - Jul 2015 - Second Council	Jul 2015	\$460.93
44650	Bellamy, Larry D	2015 - Jul 2015 - Second Council	Jul 2015	\$2,639.92
44651	Berkshire, Stan	2015 - Jul 2015 - Second Council	Jul 2015	\$1,749.41
44652	Bevis, Lucille A	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44653	Bowen, Jeremy J	2015 - Jul 2015 - Second Council	Jul 2015	\$1,475.58
44654	Byers, Connie L	2015 - Jul 2015 - Second Council	Jul 2015	\$1,731.05
44655	Canon, Michael A	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44656	Casey, Brian P	2015 - Jul 2015 - Second Council	Jul 2015	\$1,396.08
44657	Cooke, Robert C	2015 - Jul 2015 - Second Council	Jul 2015	\$1,973.83
44658	Crawford, Leonard C	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44659	Dyment, Kevin	2015 - Jul 2015 - Second Council	Jul 2015	\$1,790.57
44660	Enyeart, Karl A	2015 - Jul 2015 - Second Council	Jul 2015	\$2,538.07
44661	Fitzgibbons, Thomas R	2015 - Jul 2015 - Second Council	Jul 2015	\$466.61
44662	Frantum, Douglas	2015 - Jul 2015 - Second Council	Jul 2015	\$1,454.18
44663	Garcia, Juan C	2015 - Jul 2015 - Second Council	Jul 2015	\$1,200.15
44664	Grimes, Karen M	2015 - Jul 2015 - Second Council	Jul 2015	\$1,388.09
44665	Halm, Andrew J	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44666	Halm, Noah M	2015 - Jul 2015 - Second Council	Jul 2015	\$317.17
44667	Hocor, Gary Robert	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44668	Hunziker, Jay Allen	2015 - Jul 2015 - Second Council	Jul 2015	\$1,551.75
44669	Hutchins, Maria P	2015 - Jul 2015 - Second Council	Jul 2015	\$1,634.63
44670	Isler, Jay W	2015 - Jul 2015 - Second Council	Jul 2015	\$1,589.12
44671	Johnson, Richard A	2015 - Jul 2015 - Second Council	Jul 2015	\$2,941.35
44672	Lucatero, Leo B	2015 - Jul 2015 - Second Council	Jul 2015	\$1,829.42
44673	Luth, Deanna L	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44674	O'Connor, Andrew F	2015 - Jul 2015 - Second Council	Jul 2015	\$1,835.73
44675	Oswalt, Bert F	2015 - Jul 2015 - Second Council	Jul 2015	\$2,198.08
44676	Perez, Benjamin A	2015 - Jul 2015 - Second Council	Jul 2015	\$1,137.88
44677	Pineda, Eric M	2015 - Jul 2015 - Second Council	Jul 2015	\$27.91
44678	Randall, Steven A	2015 - Jul 2015 - Second Council	Jul 2015	\$204.84
44679	Smith, Michael L	2015 - Jul 2015 - Second Council	Jul 2015	\$1,850.28
44680	Stelljes, Michael S	2015 - Jul 2015 - Second Council	Jul 2015	\$1,510.62
44681	Sullivan, Donald L	2015 - Jul 2015 - Second Council	Jul 2015	\$55.82
44682	Therault, Guy R	2015 - Jul 2015 - Second Council	Jul 2015	\$46.01
44683	Thompson, Robert L	2015 - Jul 2015 - Second Council	Jul 2015	\$1,433.79
44684	Wells, Sandy R	2015 - Jul 2015 - Second Council	Jul 2015	\$1,203.24
44685	American Family Life	2015 - Jul 2015 - Second Council	Jul 2015	\$367.65
44686	AWC Benefit Trust	2015 - Jul 2015 - Second Council	Jul 2015	\$31,796.88

Number	Name	Fiscal Description	Cleared	Amount
44687	Dept of Labor & Industries	2015 - Jul 2015 - Second Council Jul 2015		\$2,838.97
44688	Employment Security	2015 - Jul 2015 - Second Council Jul 2015		\$122.81
44689	ICMA Retirement Trust	2015 - Jul 2015 - Second Council Jul 2015		\$112.50
44690	Washington State Support Registry	2015 - Jul 2015 - Second Council Jul 2015		\$27.91
900500	City of Goldendale	2015 - Jul 2015 - Second Council Jul 2015		\$15,907.54
900501	Deferred Comp Program	2015 - Jul 2015 - Second Council Jul 2015		\$80.00
900502	Dept of Retirement	2015 - Jul 2015 - Second Council Jul 2015		\$9,575.03
				<b>\$105,076.24</b>

AGENDA BILL: G1

AGENDA TITLE: LEASE AGREEMENT WITH UCHIGAGO ARGONNE, LLC (NOAA'S CONTRACTOR)

DATE: AUGUST 17, 2015

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION \_\_\_\_\_ X \_\_\_\_\_

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION \_\_\_\_\_ X \_\_\_\_\_

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**EXPLANATION:**

Please find the attached memo from Karl Enyeart describing a proposal by NOAA to establish a temporary meteorological site at the city's waste water treatment plant.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

I MOVE TO AUTHORIZE THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH UCHIGAGO ARGONNE, LLC FOR THE INSTALLATION OF METEOROLOGICAL FIELD RESEARCH INSTRUMENTATION AND TO EXECUTE REIMBURSABLE AGREEMENTS RELATED TO THE CONSTRUCT OF REQUIRED IMPROVEMENTS FOR THE SITE.

# Memo

To: Mayor and Council  
From: Karl Enyeart, PE, Public Works Director  
CC: Larry Bellamy, City Administrator  
Date: 8/17/2015  
Re: Recommendation for Meteorological Field Research Program Land Lease

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We have met with representatives from NOAA (National Oceanic and Atmospheric Administration) about a request they have for use of property at the waste water treatment plant. They have a regional project underway to collect wind data at a number of sites in the northwest with the hope of increasing wind forecasts. They have offered a monthly payment of \$150/month for a two year lease. Improvements to extend electrical service to the proposed site immediately west of the aeration basin will cost \$7300. UCHICAGO ARGONNE, LLC (NOAA's contractor) has agreed to reimburse the City for the electrical improvements as well as the monthly lease payment. The proposed site is vacant and not used for any purpose by the City currently. Attached are the proposed lease agreement, General Services Administration contract, and the original proposal made by NOAA earlier this year.

I recommend approving a contract with UCHICAGO ARGONNE, LLC for the lease of property at the wastewater treatment plant site.

## PROPOSAL

The National Oceanic and Atmospheric Administration (NOAA) Earth System Research Laboratory (ESRL), located in Boulder, Colorado, proposes to establish a temporary meteorological monitoring site on property owned by the City of Goldendale in Goldendale, WA.

The study region was selected because of the high concentration of energy producing wind turbines within the Columbia River Basin. Although NOAA already provides wind forecasts to the wind energy industry, this industry has made it clear that the current skill of these wind forecasts is deficient. The measurement program, sponsored by NOAA and the DOE, aims to improve the skill of NOAA's short-term weather forecast models at predicting foundational weather parameters (for example, wind speed, turbulence intensity, and icing conditions) that impact wind energy generation. Data collected at the site will be available in real time on the NOAA/ESRL web page (<http://www.esrl.noaa.gov/psd/data/obs/datadisplay>).

Meteorological equipment to be located at the site consists of: 1) a wind profiling radar operating at 915 MHz that measures winds up to 15000'; 2) a Radio Acoustic Sounding System (RASS) that measures temperatures up to 6000'; 3) a 30' meteorological tower measuring temperature, relative humidity, wind speed and direction, solar and net radiation, pressure, and precipitation; and 4) a 6' x 14' equipment trailer to house the radar electronics. A total of 2000 square feet of ground space would be needed for the equipment. NOAA will pay monthly rent for the site at a rate agreeable to both NOAA and the City of Goldendale. Figure 1 shows a photo of the wind profiling radar, meteorological tower, and equipment trailer. NOAA has operated these systems at airports throughout the U.S. NOAA will file a FAA form 7460 for approval of the tower location and the radar frequency if the Goldendale Airport is chosen as a site. The radar needs to operate in an open area with clear views in two orthogonal directions with no wires, trees, or busy roads in the radar view. Also, a fairly secure area and the availability of electrical power is desirable.

The power requirement for the site is a 240 volt, 30 amp service. NOAA would like to connect to either an existing service at the site and compensate the City of Goldendale for electrical usage or will arrange for its own power with the local utility. At a similar site in Marion, NC, NOAA uses an average of 1000 Kwh of power per month which translates to approximately \$150 per month using Duke Energy rates in western North Carolina.

NOAA will require the use of the site from approximately July 1, 2015 to June 30, 2017. The site is unmanned and requires a bi monthly visit by NOAA personnel for data backups and equipment maintenance. All NOAA personnel are Federal Government employees. A lease will need to be signed between NOAA and the City of Goldendale. The agreement grants NOAA/ESRL permission to use the site and releases the City of Goldendale from any liability related with NOAA's use of the site as described in the Federal Torts Claim Act. The main contact person at NOAA for project logistics is Dr. Clark King who can be reached at (303) 497-6381 (office) or (303) 478-0666 (cell) or by e-mail: [clark.w.king@noaa.gov](mailto:clark.w.king@noaa.gov). His mailing address is: Clark King, NOAA/ESRL, R/PSD2, 325 Broadway, Boulder, CO 80305.



Fig. 1. NOAA 915-MHz wind profiling radar (left), 30' meteorological tower (center) and equipment trailer (right) in Johns Island, SC.

## ATTACHMENT NO. 1

### LEASE

This lease effective this \_\_\_\_ day of \_\_\_\_, 2015, between the City of Goldendale, Lessor(s) referred to as "Lessors," and UChicago Argonne, LLC, an Illinois limited liability company, operator of Argonne National Laboratory (called the "Laboratory") having an office at 9700 South Cass Avenue, Lemont, Illinois 60439, hereinafter referred to as "Argonne" or "Leasee".

UChicago Argonne, LLC, acting under Prime Contract No. DE-AC02-06CH11357, as amended, with the United States Government (called the "Government"), represented by the U. S. Department of Energy (called the "Department" or "DOE")

WITNESSETH THAT:

WHEREAS, Argonne, Pursuant to its Prime Contract No. DE-AC02-06CH11357, as amended, (called the "Government") represented by the U.S. Department of Energy (called the "Department"), desires to undertake a Meteorological Field Research Program in Washington and

WHEREAS, Lessor(s) is willing to allow Argonne to install certain instrumentation (as described below) on at least one surface acre or less than one acre of land owned by the Lessor(s), as a wastewater treatment plant under the meteorological field research program for a period of ten (10) years.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereby agree as follows:

1. Subject to the condition to restore the wastewater treatment plant as set forth in Article 8, Lessor(s) hereby permit Argonne to use the following described land as a wastewater treatment plant for the above described program:

Klickitat County, State of Washington, T 4N, R 16E, in the E ½ of Section 30.

2. Argonne shall cause the installation of instrumentation consistent with the needs of the Wind Forecast Improvement Project 2 including but not limited to, tower and pole mounted meteorological sensors.
3. The Lease shall remain continuously in force for eighteen months from the effective date subject to Paragraph 10 of this Lease.
4. Argonne shall pay Lessor the amount of \$1800 per year for the use of the Lessor's premises as a Wind Forecast Improvement Project 2 site under the meteorological field research program.  
Payments shall be made in equal monthly installments of \$150 beginning on the 1st of the month following Argonne's execution of this lease and continuing with monthly payments on the 1st of each month thereafter for the balance of the lease term.
5. Lessor(s) hereby agrees that, during the term of the Lease, Argonne, its employees, representatives, designees, contractors and subcontractors shall have the right to enter the

wastewater treatment plant and to bring necessary equipment thereon in connection with the performance of the installation, maintenance, sampling and closure obligations hereunder.

6. To the best of his or her knowledge, the Lessor represents and certifies that the site upon which space is offered was not a site used for any of the operations listed below
- Generation of hazardous waste
  - Treatment, temporary/permanent storage or disposal of solid or hazardous waste
  - Storage of hazardous substances or petroleum products
  - Used/waste oil storage or reclamation units
  - Laboratory or rifle range
  - Chemical manufacturing/storage
  - Military or intelligence weapons or ammunition training or testing
  - Ordnance and/or weapons production, storage or handling.

Furthermore, the Lessee represents and certifies that the site being leased will not be used for any of the operations listed above.

7. All notices hereunder shall be in writing and shall be deemed effectively given upon personal delivery, upon verified facsimile receipt, or upon mailing, by registered or certified mail, postage prepaid, and addressed to the parties at the following respective addresses, or to such other persons or at such other addresses as may be designated in writing by either party to the other:

To the Lessor(s) at: City of Goldendale  
1103 South Columbus Avenue  
Goldendale, WA 98620  
Phone: (509) 773-3771  
Email: lbellamy@ci.goldendale.wa.us

To the Lessee at: Argonne National Laboratory  
9700 South Cass Avenue  
Lemont, Illinois 60439  
Attention: Susan Underwood OCF/PRO, Bldg. 201  
Phone: (630) 252-2778 email: sunderwood@anl.gov

8. The Laboratory shall use its best efforts, consistent with the needs of the Program, to alter the present land use as little as possible. Installation of equipment will occur only when in the opinion of Argonne and the Lessor the land is sufficiently dry to avoid creation of ruts. Any incidental disturbance of land from installation of equipment will be repaired at the time of installation. Upon the expiration or prior termination of the Lease, Argonne shall, subject to the appropriation of funds by the congress of the United States and

allotment to Argonne under the Prime Contract, restore the surface characteristics site to the condition in which it was received.

9. This Lease represents the entire understanding of the parties on this matter, and no oral statements or collateral documents may modify this Agreement. It may not be amended or superseded except by an agreement in writing executed by the Lessors and Argonne.
10. Title to all equipment, fixtures, and other improvements installed on the wastewater treatment plant as part of the Wind Forecast Improvement Project 2 field research remain the exclusive and personal property of the U. S. Government and shall not be considered fixtures.
11. Lessor represents and warrants that it is the owner of the wastewater treatment plant and has full right, power, and authority to enter this Lease Agreement and grant to Lessee the rights hereunder.
12. Lessee may assign this lease to any successor contract operator of Argonne National Laboratory.

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

Lessor  
CITY OF GOLDENDALE

Lessee  
**UCHICAGO ARGONNE LLC**  
(Operator of Argonne National Laboratory)

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_





- (ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

- (2) "Service-disabled veteran" means a veteran, as defined in [38 U.S.C. 101\(2\)](#), with a disability that is service-connected, as defined in [38 U.S.C. 101\(16\)](#).

"Small business concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

"Veteran-owned small business concern" means a small business concern—

- (1) Not less than 51 percent of which is owned by one or more veterans (as defined at [38 U.S.C. 101\(2\)](#)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and
- (2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned small business concern" means a small business concern—

- (1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
- (2) Whose management and daily business operations are controlled by one or more women.

"Women-owned small business (WOSB) concern eligible under the WOSB Program" (in accordance with 13 CFR part 127), means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States.

(d) Notice.

- (1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.
- (2) Under [15 U.S.C. 645\(d\)](#), any person who misrepresents a firm's status as a business concern that is small, HUBZone small, small disadvantaged, service-disabled veteran-owned small, economically disadvantaged women-owned small, or women-owned small eligible under the WOSB Program in order to obtain a contract to be awarded under the preference programs established pursuant to section 8, 9, 15, 31, and 36 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall—
  - (i) Be punished by imposition of fine, imprisonment, or both;
  - (ii) Be subject to administrative remedies, including suspension and debarment; and
  - (iii) Be ineligible for participation in programs conducted under the authority of the Act.

INITIALS: \_\_\_\_\_ & \_\_\_\_\_  
LESSOR LESSOR GOVERNMENT

**2. 52.204-5 - WOMEN-OWNED BUSINESS (OTHER THAN SMALL BUSINESS) (MAY 1999)**

- (a) *Definition.* "Women-owned business concern," as used in this provision, means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of its stock is owned by one or more women; and whose management and daily business operations are controlled by one or more women.
- (b) *Representation.* [Complete only if the Offeror is a women-owned business concern and has not represented itself as a small business concern in paragraph (b)(1) of FAR 52.219-1, Small Business Program Representations, of this solicitation. ] The Offeror represents that it [ ] is a women-owned business concern.

**3. 52.222-22 - PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FEB 1999)**

(Applicable when the estimated value of the acquisition exceeds \$10,000)

The Offeror represents that—

- (a) It [ ] has, [ ] has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;
- (b) It [ ] has, [ ] has not filed all required compliance reports; and
- (c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards. (Approved by OMB under Control Number 1215-0072.)

**4. 52.222-25 - AFFIRMATIVE ACTION COMPLIANCE (APR 1984)**

(Applicable when the estimated value of the acquisition exceeds \$10,000)

The Offeror represents that—

- (a) It [ ] has developed and has on file, [ ] has not developed and does not have on file, at each establishment affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2), or
- (b) It [ ] has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor. (Approved by OMB under Control Number 1215-0072.)

**5. 552.203-72 REPRESENTATION BY CORPORATIONS REGARDING AN UNPAID DELINQUENT FEDERAL TAX LIABILITY OR A FELONY CONVICTION UNDER ANY FEDERAL LAW (DEVIATION) (APR 2012)**

- (a) In accordance with Sections 630 and 631 of Division of the Consolidated Appropriations Act, 2012 (Pub. L. 112-74), none of the funds made available by that Act may be used to enter into a contract action with any corporation that--
  - (1) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government, or
  - (2) Was convicted, or had an officer or agent of such corporation acting on behalf of the corporation convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation or such officer

INITIALS: \_\_\_\_\_ & \_\_\_\_\_  
LESSOR LESSOR GOVERNMENT

or agent and made a determination that this action is not necessary to protect the interests of the Government.

(b) The Contractor represents that—

- (1) It is [ ] is not [ ] a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.
- (2) It is [ ] is not [ ] a corporation that was convicted, or had an officer or agent of the corporation acting on behalf of the corporation, convicted of a felony criminal violation under any Federal law within the preceding 24 months.

**6. 52.203-02 - CERTIFICATE OF INDEPENDENT PRICE DETERMINATION (APR 1985)**

(Applicable when the estimated value of the acquisition exceeds the simplified lease acquisition threshold)

(a) The Offeror certifies that—

- (1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other Offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this offer have not been and will not be knowingly disclosed by the Offeror, directly or indirectly, to any other Offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the Offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

(b) Each signature on the offer is considered to be a certification by the signatory that the signatory—

- (1) Is the person in the Offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
- (2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above

[ Insert full name of person(s) in the Offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the Offeror's organization ];

- (ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and
- (iii) As an agent, has not personally participated, and will not participate, in action contrary to subparagraphs (a)(1) through (a)(3) above.

(c) If the Offeror deletes or modifies subparagraph (a)(2) above, the Offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

**7. 52.203-11 - CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (SEP 2007)**

(Applicable when the estimated value of the acquisition exceeds \$100,000)

INITIALS: \_\_\_\_\_ & \_\_\_\_\_  
LESSOR GOVERNMENT



- (1) Federal taxes are considered delinquent if both of the following criteria apply:
- (i) *The tax liability is finally determined.* The liability is finally determined if it has been assessed. A liability is not finally determined if there is a pending administrative or judicial challenge. In the case of a judicial challenge to the liability, the liability is not finally determined until all judicial appeal rights have been exhausted.
  - (ii) *The taxpayer is delinquent in making payment.* A taxpayer is delinquent if the taxpayer has failed to pay the tax liability when full payment was due and required. A taxpayer is not delinquent in cases where enforced collection action is precluded.

(2) *Examples.*

- (i) The taxpayer has received a statutory notice of deficiency, under I.R.C. § 6212, which entitles the taxpayer to seek Tax Court review of a proposed tax deficiency. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek Tax Court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.
- (ii) The IRS has filed a notice of Federal tax lien with respect to an assessed tax liability, and the taxpayer has been issued a notice under I.R.C. § 6320 entitling the taxpayer to request a hearing with the IRS Office of Appeals contesting the lien filing, and to further appeal to the Tax Court if the IRS determines to sustain the lien filing. In the course of the hearing, the taxpayer is entitled to contest the underlying tax liability because the taxpayer has had no prior opportunity to contest the liability. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek tax court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.
- (iii) The taxpayer has entered into an installment agreement pursuant to I.R.C. § 6159. The taxpayer is making timely payments and is in full compliance with the agreement terms. The taxpayer is not delinquent because the taxpayer is not currently required to make full payment.
- (iv) The taxpayer has filed for bankruptcy protection. The taxpayer is not delinquent because enforced collection action is stayed under 11 U.S.C. 362 (the Bankruptcy Code).

(ii) The Offeror has  has not , within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

(2) "Principal," for the purposes of this certification, means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a

INITIALS: \_\_\_\_\_ & \_\_\_\_\_  
LESSOR GOVERNMENT



Offeror is an agency or instrumentality of the Federal government;

(e) *Type of organization.*

<input type="checkbox"/> Sole proprietorship;	<input type="checkbox"/> Government entity (Federal, State, or local);
<input type="checkbox"/> Partnership;	<input type="checkbox"/> Foreign government;
<input type="checkbox"/> Corporate entity (not tax-exempt);	<input type="checkbox"/> International organization per 26 CFR 1.6049-4;
<input type="checkbox"/> Corporate entity (tax-exempt);	<input type="checkbox"/> Other _____

(f) *Common Parent.*

Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.

Name and TIN of common parent:

Name \_\_\_\_\_

TIN \_\_\_\_\_

**10. 52.204-6 – DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (APR 2008)**

(a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "DUNS" or "DUNS+4" followed by the DUNS number or "DUNS+4" that identifies the offeror's name and address exactly as stated in the offer. The DUNS number is a nine-digit number assigned by Dun and Bradstreet, Inc. The DUNS+4 is the DUNS number plus a 4-character suffix that may be assigned at the discretion of the offeror to establish additional CCR records for identifying alternative Electronic Funds Transfer (EFT) accounts (see [Subpart 32.11](#)) for the same concern.

(b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one.

(1) An offeror may obtain a DUNS number—

(i) Via the Internet at <http://fedgov.dnb.com/webform> or if the offeror does not have internet access, it may call Dun and Bradstreet at 1-866-705-5711 if located within the United States; or

(ii) If located outside the United States, by contacting the local Dun and Bradstreet office. The offeror should indicate that it is an offeror for a U.S. Government contract when contacting the local Dun and Bradstreet office.

(2) The offeror should be prepared to provide the following information:

(i) Company legal business name.

(ii) Tradestyle, doing business, or other name by which your entity is commonly recognized.

(iii) Company physical street address, city, state and ZIP Code.

(iv) Company mailing address, city, state and ZIP Code (if separate from physical).

(v) Company telephone number.

(vi) Date the company was started.

(vii) Number of employees at your location.

(viii) Chief executive officer/key manager.

(ix) Line of business (industry).

(x) Company Headquarters name and address (reporting relationship within your entity).

INITIALS: \_\_\_\_\_ & \_\_\_\_\_  
LESSOR GOVERNMENT

**11. DUNS NUMBER (JUN 2004)**

Notwithstanding the above instructions, in addition to inserting the DUNS Number on the offer cover page, the Offeror shall also provide its DUNS Number as part of this submission:

DUNS Number \_\_\_\_\_

**12. CENTRAL CONTRACTOR REGISTRATION (MAY 2012)**

The Central Contractor Registration (CCR) System is a centrally located, searchable database which assists in the development, maintenance, and provision of sources for future procurements. The Offeror must be registered in the CCR prior to lease award. The Offeror shall register via the Internet at <https://www.acquisition.gov>. To remain active, the Offeror/Lessor is required to update or renew its registration annually.

- Registration Active and Copy Attached
- Will Activate Registration and Submit Copy to the Government Prior to Award

OFFEROR OR AUTHORIZED REPRESENTATIVE	NAME, ADDRESS (INCLUDING ZIP CODE)
	NAME _____
	STREET _____
	CITY, STATE, ZIP _____
	TELEPHONE NUMBER _____
	_____
	Signature _____ Date _____

INITIALS: \_\_\_\_\_ & \_\_\_\_\_  
LESSOR GOVERNMENT

AGENDA BILL: 11

AGENDA TITLE: FIRST READING – REVISED ANIMAL CONTROL ORDINANCE

DATE: AUGUST 17, 2015

**ACTION REQUIRED:**

ORDINANCE  COUNCIL INFORMATION

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION

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**EXPLANATION:**

The Ordinance Committee has met several times to discuss changes to the dog control (Chapter 6.04) and more specifically changes to Chapter 6.08 of the Goldendale Municipal Code regarding the keeping of livestock and fowl. At the August 3<sup>rd</sup> council meeting the council directed the staff to prepare the proposed revisions for public comment and its first reading. The attachments below outline the recommendation of the council for revisions proposed for Title 6 of the Goldendale Municipal Code.

Please find attached the following four documents:

1. Livestock/fowl management plan
2. A red line version of the proposed change to Chapter 6.04 regarding the process of declaring a dog dangerous or potentially dangerous.
3. RCW 16.08.070-100.
4. A red line version of the proposed changes to Chapter 6.08 regarding regulations for the keeping of livestock and fowl.

The focus of our discussions to revisions of Chapter 6.08 was on the keeping of livestock and fowl. The proposed changes include the following:

1. Addition of a definition for fowl that includes laying hens.
2. Clarity in the definition of large verses small livestock.
3. Listed prohibited animals.
4. Additional requirements for filing a livestock management plan (see attached).
5. Clarity in the definition of the number of livestock allowed per acre.
6. Added language regarding shelter.
7. Provide more clarity related to removal or abetment of excreta.

8. Addition of language related to the hitching of livestock.
9. Change to the exception approval for a 4H project.
10. Establishment of minimum standards for keeping of fowl.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

**I MOVE TO ACCEPT THE TITLE 6 REVISIONS FOR ITS FIRST READING.**

CITY OF GOLDENDALE  
**Livestock/fowl Management Plan**  
 1103 S. COLUMBUS  
 GOLDENDALE, WA 98620  
 (509) 773-3771

**INSTRUCTIONS – PLEASE READ FIRST** Please type or print your answers clearly

Answer all questions completely. If you have any questions about this form or the application process call, come in person or call City Hall. Remember to bring all necessary attachments. **THIS PLAN IS GOOD FROM JANUARY 1 – DECEMBER 31. PLEASE RENEW APPLICATION EVERY JANUARY.**

**PART 1 – GENERAL INFORMATION**

1. APPLICANT (Animal Owner)	NAME		
2. APPLICANT ADDRESS AND PHONE NUMBER	STREET		CITY
	STATE	ZIP	PHONE
3. PROPERTY OWNER	NAME		
4. PROPERTY OWNER'S ADDRESS&PHONE NUMBER	STREET		CITY
	STATE	ZIP	PHONE
5. ASSESSOR'S PARCEL NUMBER FOR SUBJECT PROPERTY:			
6. NUMBER OF LIVESTOCK/FOWL:			
7. TOTAL AMOUNT OF ACREAGE AVAILABLE TO PASTURE/ MAINTAIN ANIMALS:			
8. USE DURATION:			
9. TYPE OF FENCING:		TYPE OF SHELTER:	
10. FOOD SOURCE:		WATER SOURCE:	
11. WASTE REMOVAL AND ODOR MANAGEMENT PLAN:			
12. WHAT IS YOUR FLY CONTROL PLAN:			

**OTHER COMMENTS**

If requesting modification/variance have you contacted adjoining property owners?

13.

**SIGNATURE**

14.

\_\_\_\_\_  
 APPLICANT'S SIGNATURE \_\_\_\_\_  
DATE

**FOR ADMINISTRATIVE USE ONLY**

DATE	RECEIVED BY	DATE	APPROVED BY:
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## Chapter 6.04 DOG CONTROL

### Sections:

- [6.04.010](#) Definitions.
- [6.04.020](#) License required.
- [6.04.030](#) License exception.
- [6.04.040](#) License--Humane care requirements.
- [6.04.050](#) License fees.
- [6.04.060](#) License revocation.
- [6.04.070](#) Minimum space requirements--Dogs.
- [6.04.080](#) Nuisance.
- [6.04.090](#) Dogs barking.
- [6.04.100](#) Female in heat.
- [6.04.110](#) Abuse prohibited.
- [6.04.120](#) Quarantine.
- [6.04.130](#) Rabies suspect.
- [6.04.140](#) Dogs--Restraint.
- [6.04.150](#) Impoundment--Authorized.
- [6.04.160](#) Impoundment--Disposition.
- [6.04.170](#) Impoundment--Redemption fee.
- [6.04.180](#) ~~Incorporation of RCW's Dangerous dogs--Definition.~~
- [6.04.190](#) ~~Dangerous dogs--On premises.~~
- [6.04.200](#) ~~Dangerous dogs--Off premises.~~
- [6.04.210](#) ~~Dangerous dogs--License, insurance or bonding requirements for owners.~~
- [6.04.220](#) ~~Dangerous dogs--Declaration procedure.~~
- [6.04.230](#) ~~6.04.190~~ Enforcement.
- [6.04.240](#) ~~Violation--Penalty.~~

### 6.04.010 Definitions. SHARE

As used in this title, the following terms mean:

- A. "Animal" means any animal other than human.

- B. "Animal control officer" means the city employee primarily responsible for the enforcement of this title.
- C. "Animal shelter" means any premises designated by city administrative authority for the purpose of impounding and caring for animals held under authority of this title.
- D. "Dogs" means any animal of the species Canidae, regardless of sex.
- E. "Owner" means any person, partnership or corporation owning, keeping or harboring animals.
- F. "Person" means an individual, partnership, company or corporation.
- G. Restraint. An animal is under "restraint" if on the premises of its owner or if accompanied by a responsible person and under that person's control.
- H. "Veterinary hospital" means any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals.

All other words and phrases used herein will have their commonly accepted meanings. (Ord. 1403 §2(part), 2011)

**6.04.020 License required.**  **SHARE**

No person shall, without first obtaining a license therefor in writing from the city of Goldendale, own, keep, harbor or have custody of any dog six months of age or older. Licenses are due on January 1st of each year and become delinquent on April 1st; thereafter a ten-dollar penalty shall be added to the cost of the license. (Ord. 1403 §2(part), 2011)

**6.04.030 License exception.**  **SHARE**

- A. The provisions of this chapter shall not apply to the maintenance of dogs for medical treatment by a licensed veterinarian or the animal control shelter operated by the city of Goldendale.
- B. The section of this chapter requiring a license shall not apply to nonresidents of the city who are keeping only domestic pets, provided that animals of such owners shall not be kept in the city longer than thirty days and that the animals are kept under restraint. (Ord. 1403 §2(part), 2011)

**6.04.040 License--Humane care requirements.**  **SHARE**

The city shall promulgate regulations for humane care of the owner's animals and for compliance with all provisions of this chapter and other applicable state and local laws. The city may amend such regulations from

time to time as is deemed desirable for the public health and welfare and to protect animals from cruelty. (Ord. 1403 §2(part), 2011)

**6.04.050 License fees.**  SHARE

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A. Upon a showing by any applicant that he is prepared to comply with the regulations promulgated by the city, a person shall be issued a license following payment of the applicable fee as follows:

1. For each nonneutered male dog, fifty dollars.
2. For each neutered male dog, ten dollars.
3. For each unspayed female dog, fifty dollars.
4. For each spayed female dog, ten dollars.
5. No fee shall be required of any veterinary hospital.
6. For each neutered male dog or spayed female dog owned by a senior person over the age of sixty-two years, seven dollars and fifty cents.
7. For each declared dangerous dog, two hundred fifty dollars.
8. A lost tag can be replaced at a cost of five dollars.
9. Any purchased after July 1st of any calendar year, by any new owner of any animal or a new resident, shall pay one-half of the original fee listed above.

B. Upon the payment of such license fee to the clerk-treasurer or designee, and upon being shown proof of a current rabies vaccination, it shall be the duty of the clerk-treasurer or designee to issue a license to the party making application therefor, except as hereinafter provided.

C. The license shall expire on the thirty-first day of December in the year of issuance thereof and the time fixed for the issuing of a license shall commence on the first day of January of each year and no license shall be issued to expire at any other time than that date.

D. The clerk-treasurer or designee shall, together with the license, furnish a suitable tag which shall be worn by the dog for which such license is issued and shall be fastened to such dog in such manner that it can easily be inspected at all times by city authorities. (Ord. 1403 §2(part), 2011)

**6.04.060 License revocation.**  **SHARE**

The clerk-treasurer may revoke any license if the person holding the license refuses or fails to comply with this chapter, the regulations promulgated by the clerk-treasurer, or any state or local law governing cruelty to animals or the keeping of animals. Any person whose license is revoked shall, within ten days thereafter, humanely dispose of any animals being owned, kept, or harbored by such person and no part of the license fee shall be refunded. It shall be a condition of the issuance of any license to any owner of animals kept for commercial purposes that the animal control officer shall be licensed to inspect all animals and the premises where animals are kept at any time and the clerk-treasurer shall, if permission for such inspections is refused, revoke the license of the refusing owner. (Ord. 1403 §2(part), 2011)

**6.04.070 Minimum space requirements--Dogs.**  **SHARE**

- A. Five square feet of accessible surface area for each pound of weight when confined within a fenced outdoor area;
- B. Five square feet of accessible surface area for each pound of weight when chained or tethered to a fixed point, provided nothing shall be permitted to obstruct the chain or tether so as to render the animal incapable of free access to the required area;
- C. Five square feet of accessible surface area for each pound of weight when tethered to a movable cable, wire, pulley, or combination thereof;
- D. Any owner of four or more shall make application thereof, on an annual basis to the city council, upon a form provided by the clerk-treasurer, and shall attach a property plot plan detailing that the accessible surface area meets the requirements outlined above and an explanation on the steps the dog owner will take to address any potential nuisance complaints. Upon approval, the clerk-treasurer, or designee, will process the payment of the license fees according to the schedule outlined in Section 6.04.050. (Ord. 1403 §2(part), 2011)

**6.04.080 Nuisance.**  **SHARE**

No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance.

- A. The owner of every animal shall be responsible for the removal of any excreta deposited by his animal(s) on public areas or private property, and shall carry a bag to facilitate the removal of excreta. The owner shall further not permit such excreta or food supplies, on the property of the owner or elsewhere, to be or become a

breeding place for insects or flies, to be or become unsanitary, or to give offensive odor. Failure to remove excreta shall be cited in accordance with Chapter [1.20](#).

B. Any person causing or allowing any pen, yard, or dog run or other structure wherein any dog may be kept to become unclean or unsanitary because of the failure to remove and dispose of filth, trash or excrement which emits noxious odors or is hazardous to humans or any animal and such allowance shall be cited in accordance with Chapter [1.20](#).

C. Any animal which trespasses upon the property of another and which interferes with the quiet enjoyment of a residential property, or which flies, buzzes, digs or otherwise harasses any person while off the owner's or custodian's property, shall be considered a nuisance animal and such trespass and/or harassment shall be cited in accordance with Chapter [1.20](#). (Ord. 1403 §2(part), 2011)

#### **6.04.090 Dogs barking.** SHARE

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A. It is unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps for more than five minutes in one hour, disturbs the peace and quiet of the neighborhood, or in such manner as to unreasonably disturb persons in the neighborhood. Whoever harbors such a dog maintains a public nuisance, and shall be guilty of a civil infraction as defined in Chapter [1.20](#).

B. Whenever any person shall complain to the animal control officer or the city that a dog which habitually barks, howls or yelps is being kept by any person in the city, the animal control officer shall first notify the owner of the dog that a complaint has been received and that the person should take whatever steps necessary to alleviate the barking, howling or yelping.

C. When a notice given to the person alleged to be keeping a dog as set forth in subsection B of this section is ineffective, then a written verified complaint of at least two persons not from the same residence may be presented to the animal control officer or the city, alleging that a dog that habitually barks, howls or yelps is being kept by a person within the city. If the animal control officer observes the violation, his/her written statement can substitute for one of the persons.

D. The authorized enforcement officer shall inform the owner of such dog that the petition has been received and may cite the owner of the dog for violation of this section. (Ord. 1403 §2(part), 2011)

#### **6.04.100 Female in heat.** SHARE

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Every female dog in heat shall be confined in a building or secure enclosure in such manner that the female dog cannot come in contact with another animal except for planned breeding. Any owner or person responsible for the care and keeping of the dog in accordance with this section who violates the provisions of this section shall be fined according to Chapter [1.20](#). (Ord. 1403 §2(part), 2011)

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**6.04.110 Abuse prohibited.**  [SHARE](#)

No owner shall fail to provide animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. No person shall beat, cruelly ill treat, torment, overload, overwork, or otherwise abuse any animal, or cause any or permit any dog fight, cockfight, bullfight or other combat between animals or between animals and humans. No owner of an animal shall abandon such animal. No person shall crop a dog's ears except when a licensed veterinarian issues a signed certificate that the operation is necessary for the dog's health or comfort and in no event shall any person except a licensed veterinarian perform such an operation. (Ord. 1403 §2(part), 2011)

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**6.04.120 Quarantine.**  [SHARE](#)

Any animal which bites a person shall be quarantined for ten days if ordered by the director of public health. During quarantine the animal shall be securely confined and kept from contact with any other animal. At the discretion of the director of public health, the quarantine may be on the premises of the owner. If the director of public health requires other confinement, the owner shall surrender the animal for the quarantine period to an animal shelter or shall, at his own expense, place it in a veterinary hospital. (Ord. 1403 §2(part), 2011)

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**6.04.130 Rabies suspect.**  [SHARE](#)

No police officer or other person shall kill, or cause to be killed, any animal suspected of being rabid, except after the animal has been placed in quarantine and the diagnosis of rabies made by a licensed veterinarian. If a veterinarian diagnoses rabies in an animal in quarantine, then the animal shall be humanely killed and the head of such animal sent to a laboratory for pathological examination and confirmation of the diagnosis. (Ord. 1403 §2 (part), 2011)

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**6.04.140 Dogs--Restraint.**  [SHARE](#)

All dogs shall be kept under restraint. (Ord. 1403 §2(part), 2011)

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**6.04.150 Impoundment--Authorized.**  [SHARE](#)

A. Notwithstanding the provisions of this section, if an animal is found at large and its owner can be identified and located, such animal need not be impounded but may, instead, be taken to the owner. In such case, the policeman, animal control officer or other officer shall notify the clerk-treasurer of the violation of this chapter and may proceed against the owner for violation of this chapter.

B. It is unlawful for any owner or custodian of any dog to license any such dog to run loose or be at large upon any public street, highway or public place, or upon private property owned by a person or persons other than the owner or custodian of the dog, within the corporate limits of the city unless such dog is confined and controlled by a leash, rope, device or cord of such length as is sufficiently short to allow for the containment and control of such dog. Such leash, rope, device or cord shall be of such material and of such size as to ensure the custodian of the dog at the time can control and restrain the dog. Any person who elects to be at large within the corporate limits with a dog or dogs contained and controlled by a leash, rope, device or cord as provided for herein shall be in violation of this section if that person in fact does not or cannot control and contain any dog by the leash, rope, device or cord method. (Ord. 1403 §2(part), 2011)

#### **6.04.160 Impoundment--Disposition.** [SHARE](#)

Unrestrained dogs may be taken by police or the animal control officer and impounded in an animal shelter, and there confined in a humane manner. Impounded dogs shall be kept for not less than three days unless reclaimed by their owners. If by a license tag or by other means the owner can be identified, the animal control officer, or designee, shall immediately upon impoundment notify the owner by telephone or by mail of the impoundment of the animal. Dogs not claimed by their owners within three days may be handed over to an organization for potential adoption or be humanely disposed of by the animal control officer or designee. (Ord. 1403 §2(part), 2011)

#### **6.04.170 Impoundment--Redemption fee.** [SHARE](#)

An owner reclaiming an animal impounded pursuant to this chapter shall, before the animal is released, purchase a license for the animal if it is unlicensed and in addition thereto pay a fee of thirty dollars for the first impoundment, plus ten dollars for each day the animal has been impounded, and for the second impoundment a fee of sixty dollars, plus ten dollars for each day the animal has been impounded, and for the third impoundment, a fee of one hundred twenty dollars, plus fifteen dollars for each day the animal has been impounded. (Ord. 1403 §2(part), 2011)

#### **6.04.180 Dangerous dogs--Definition-Incorporation of RCWs.**

The City adopts, by reference, those portions of RCW 16.08.070, 16.08.080, 16.08.090 and 16.08.100, and as those statutes may be amended, that apply in any manner to dangerous dogs. This incorporation is for clarification and not to diminish or expand those statutes or the City's responsibility regarding those statutes.  **SHARE**

For the purpose of Sections 6.04.200 through 6.04.230, the following words shall have the meanings set out in this section:

A. "Dangerous dog" is defined as (1) any dog with a known propensity, tendency or disposition to attack without provocation, to cause injury to, or to endanger the safety of humans or domestic animals; or (2) any dog which attacks human beings or domestic animals without provocation.

B. "Owner" means any person or legal entity having a possessory property right in a dog or who harbors, cares for, exercises control over, or knowingly licenses a dog to remain on premises occupied by the legal entity.

C. "Provocation" is defined as: taunting, striking, or screaming at a dog, or unauthorized entry into the premises where a dog is kept.

D. "Unconfined" means not securely confined indoors and not confined in a securely enclosed, locked pen or structure. Such pen or structure shall have attached sides and a secure top. If the pen or structure has no flooring secured to the sides, the sides shall be embedded into the ground no less than eighteen inches.

E. A dog in the possession of a law enforcement official for law enforcement purposes shall not be deemed a dangerous dog. (Ord. 1403 §2(part), 2011)

**6.04.190 Dangerous dogs—On premises.**  **SHARE**

The owner of a dangerous dog shall not permit such dog to go unconfined upon the premises of such owner. (Ord. 1403 §2(part), 2011)

**6.04.200 Dangerous dogs—Off premises.**  **SHARE**

The owner of a dangerous dog shall not permit such dog to go beyond the premises of such person unless such dog is securely leashed and muzzled or otherwise securely restrained and muzzled. (Ord. 1403 §2(part), 2011)

**6.04.210 Dangerous dogs—License, insurance or bonding requirements for owners.**

 **SHARE**

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A.—The owner of a dangerous dog shall, in addition to the foregoing requirements, be required to license the dangerous dog. The license fee shall be two hundred fifty dollars payable at the time of registering the dog with the city.

B.—In addition to the license fee, the following shall also be required:

1.—A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW in the sum of at least two hundred fifty thousand dollars, payable to any person injured by the vicious dog; or

2.—A policy of liability insurance, such as homeowner's insurance issued by an insurer qualified under RCW Title 48 in the amount of at least two hundred fifty thousand dollars, insuring the owner for any personal injuries inflicted by the dangerous dog;

3.—Evidence that the labeled dog has been implanted with a microchip and placed on a local and national registry, at the owner's expense, must be submitted to the city of Goldendale police department. This must be accomplished within five days after the receipt of the dangerous dog declaration issued by the animal control officer. (Ord. 1403 §2(part), 2014)

#### **6.04.220 Dangerous dogs--Declaration procedure.** SHARE

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A.—The animal control officer shall cause a dangerous dog declaration to be sent to the person believed to have been in possession of the dangerous dog, or believed to have had the dangerous dog on premises within that person's control, at that person's last known address and which has not been properly licensed, registered and insured.

B.—The dangerous dog declaration shall state:

1.—The animal control officer believes that the animal is a dangerous dog.

2.—The animal will be destroyed within seven days unless a request for a hearing is timely received by the city.

3.—The person being notified will be responsible for the cost of impounding, kenneling, and destroying the animal.

4.—The person has a right to contest the determination that the animal is a dangerous dog by requesting a hearing within six days from the date appearing on the notice.

~~C. If a request for hearing is received by the city prior to the date of the animal's destruction, then a hearing shall be held before the municipal judge. At the hearing, the appellant shall be allowed to present evidence. If the animal is found to be dangerous dog then it shall be either registered, licensed and insured as a dangerous dog or shall be destroyed and the costs of impounding, kenneling, and destroying the animal shall be assessed against the appellant. If the animal is found not to be a dangerous dog, then the animal shall be released to the appellant and the cost of impounding and kenneling shall be paid by the city. (Ord. 1403 §2(part), 2011)~~

#### ~~6.04.230-190 Enforcement.~~ SHARE

~~Any humane officer or officers or employee of the city shall have the police power in the enforcement of this chapter and no person shall interfere with, hinder, molest or abuse any such officer or employee in the exercise of such power. (Ord. 1403 §2(part), 2011)~~

#### ~~6.04.240 Violation-Penalty.~~ SHARE

~~A. Any person who violates Sections 6.04.200, 6.04.210 and 6.04.220 of this chapter shall be guilty of a civil infraction and shall be cited in accordance with Chapter 1.20.~~

~~B. If any violation is continuing, each day's violation shall be deemed a separate violation. If any person is found guilty of violating this chapter, that person's license to own, keep, harbor or have custody of animals shall be deemed automatically revoked and no new license shall be issued for a period of one year. (Ord. 1403 §2(part), 2011)~~

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**RCW 16.08.070****Dangerous dogs and related definitions.**

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 16.08.070 through 16.08.100.

(1) "Potentially dangerous dog" means any dog that when unprovoked: (a) Inflicts bites on a human or a domestic animal either on public or private property, or (b) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to cause injury or otherwise to threaten the safety of humans or domestic animals.

(2) "Dangerous dog" means any dog that (a) inflicts severe injury on a human being without provocation on public or private property, (b) kills a domestic animal without provocation while the dog is off the owner's property, or (c) has been previously found to be potentially dangerous because of injury inflicted on a human, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans.

(3) "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

(4) "Proper enclosure of a dangerous dog" means, while on the owner's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.

(5) "Animal control authority" means an entity acting alone or in concert with other local governmental units for enforcement of the animal control laws of the city, county, and state and the shelter and welfare of animals.

(6) "Animal control officer" means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals, and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

(7) "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal.

[2002 c 244 § 1; 1987 c 94 § 1.]

**Notes:**

**Severability -- 1987 c 94:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1987 c 94 § 6.]

## **RCW 16.08.080**

### **Dangerous dogs — Notice to owners — Right of appeal — Certificate of registration required — Surety bond — Liability insurance — Restrictions.**

(1) Any city or county that has a notification and appeal procedure with regard to determining a dog within its jurisdiction to be dangerous may continue to utilize or amend its procedure. A city or county animal control authority that does not have a notification and appeal procedure in place as of June 13, 2002, and seeks to declare a dog within its jurisdiction, as defined in subsection (7) of this section, to be dangerous must serve notice upon the dog owner in person or by regular and certified mail, return receipt requested.

(2) The notice must state: The statutory basis for the proposed action; the reasons the authority considers the animal dangerous; a statement that the dog is subject to registration and controls required by this chapter, including a recitation of the controls in subsection (6) of this section; and an explanation of the owner's rights and of the proper procedure for appealing a decision finding the dog dangerous.

(3) Prior to the authority issuing its final determination, the authority shall notify the owner in writing that he or she is entitled to an opportunity to meet with the authority, at which meeting the owner may give, orally or in writing, any reasons or information as to why the dog should not be declared dangerous. The notice shall state the date, time, and location of the meeting, which must occur prior to expiration of fifteen calendar days following delivery of the notice. The owner may propose an alternative meeting date and time, but such meeting must occur within the fifteen-day time period set forth in this section. After such meeting, the authority must issue its final determination, in the form of a written order, within fifteen calendar days. In the event the authority declares a dog to be dangerous, the order shall include a recital of the authority for the action, a brief concise statement of the facts that support the determination, and the signature of the person who made the determination. The order shall be sent by regular and certified mail, return receipt requested, or delivered in person to the owner at the owner's last address known to the authority.

(4) If the local jurisdiction has provided for an administrative appeal of the final determination, the owner must follow the appeal procedure set forth by that jurisdiction. If the local jurisdiction has not provided for an administrative appeal, the owner may appeal a municipal authority's final determination that the dog is dangerous to the municipal court, and may appeal a county animal control authority's or county sheriff's final determination that the dog is dangerous to the district court. The owner must make such appeal within twenty days of receiving the final determination. While the appeal is pending, the authority may order that the dog be confined or controlled in compliance with RCW 16.08.090. If the dog is determined to be dangerous, the owner must pay all costs of confinement and control.

(5) It is unlawful for an owner to have a dangerous dog in the state without a certificate of registration issued under this section. This section and RCW 16.08.090 and 16.08.100 shall not apply to police dogs as defined in RCW 4.24.410.

(6) Unless a city or county has a more restrictive code requirement, the animal control authority of the city or county in which an owner has a dangerous dog shall issue a certificate of registration to the owner of such animal if the owner presents to the animal control unit sufficient evidence of:

(a) A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog;

(b) A surety bond issued by a surety insurer qualified under chapter 48.28 RCW in a form acceptable to the animal control authority in the sum of at least two hundred fifty thousand dollars, payable to any person injured by the dangerous dog; or

(c) A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under

Title 48 RCW in the amount of at least two hundred fifty thousand dollars, insuring the owner for any personal injuries inflicted by the dangerous dog.

(7)(a)(i) If an owner has the dangerous dog in an incorporated area that is serviced by both a city and a county animal control authority, the owner shall obtain a certificate of registration from the city authority;

(ii) If an owner has the dangerous dog in an incorporated or unincorporated area served only by a county animal control authority, the owner shall obtain a certificate of registration from the county authority;

(iii) If an owner has the dangerous dog in an incorporated or unincorporated area that is not served by an animal control authority, the owner shall obtain a certificate of registration from the office of the local sheriff.

(b) This subsection does not apply if a city or county does not allow dangerous dogs within its jurisdiction.

(8) Cities and counties may charge an annual fee, in addition to regular dog licensing fees, to register dangerous dogs.

(9) Nothing in this section limits a local authority in placing additional restrictions upon owners of dangerous dogs. This section does not require a local authority to allow a dangerous dog within its jurisdiction.

[2002 c 244 § 2; 1989 c 26 § 3; 1987 c 94 § 2.]

**Notes:**

**Severability -- 1987 c 94:** See note following RCW 16.08.070.

**RCW 16.08.090****Dangerous dogs — Requirements for restraint — Potentially dangerous dogs — Dogs not declared dangerous.**

(1) It is unlawful for an owner of a dangerous dog to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

(2) Potentially dangerous dogs shall be regulated only by local, municipal, and county ordinances. Nothing in this section limits restrictions local jurisdictions may place on owners of potentially dangerous dogs.

(3) Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

[1987 c 94 § 3.]

**Notes:**

**Severability -- 1987 c 94:** See note following RCW 16.08.070.

## **RCW 16.08.100**

### **Dangerous dogs — Confiscation — Conditions — Duties of animal control authority — Penalties and affirmative defenses for owners of dogs that attack — Dog fights, penalty.**

(1) Any dangerous dog shall be immediately confiscated by an animal control authority if the: (a) Dog is not validly registered under RCW 16.08.080; (b) owner does not secure the liability insurance coverage required under RCW 16.08.080; (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner, or outside of the proper enclosure and not under physical restraint of the responsible person. The owner must pay the costs of confinement and control. The animal control authority must serve notice upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for the confiscation of the dangerous dog, that the owner is responsible for payment of the costs of confinement and control, and that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within twenty days. The animal control authority shall destroy the confiscated dangerous dog in an expeditious and humane manner if any deficiencies required by this subsection are not corrected within twenty days of notification. In addition, the owner shall be guilty of a gross misdemeanor punishable in accordance with RCW 9A.20.021.

(2) If a dangerous dog of an owner with a prior conviction under this chapter attacks or bites a person or another domestic animal, the dog's owner is guilty of a class C felony, punishable in accordance with RCW 9A.20.021. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that he or she was in compliance with the requirements for ownership of a dangerous dog pursuant to this chapter and the person or domestic animal attacked or bitten by the defendant's dog trespassed on the defendant's real or personal property or provoked the defendant's dog without justification or excuse. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

(3) The owner of any dog that aggressively attacks and causes severe injury or death of any human, whether or not the dog has previously been declared potentially dangerous or dangerous, shall, upon conviction, be guilty of a class C felony punishable in accordance with RCW 9A.20.021. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the human severely injured or killed by the defendant's dog: (a) Trespassed on the defendant's real or personal property which was enclosed by fencing suitable to prevent the entry of young children and designed to prevent the dog from escaping and marked with clearly visible signs warning people, including children, not to trespass and to beware of dog; or (b) provoked the defendant's dog without justification or excuse on the defendant's real or personal property which was enclosed by fencing suitable to prevent the entry of young children and designed to prevent the dog from escaping and marked with clearly visible signs warning people, including children, not to trespass and to beware of dog. In such a prosecution, the state has the burden of showing that the owner of the dog either knew or should have known that the dog was potentially dangerous as defined in this chapter. The state may not meet its burden of proof that the owner should have known the dog was potentially dangerous solely by showing the dog to be a particular breed or breeds. In addition, the dog shall be immediately confiscated by an animal control authority, quarantined, and upon conviction of the owner destroyed in an expeditious and humane manner.

(4) Any person entering a dog in a dog fight is guilty of a class C felony punishable in accordance with RCW 9A.20.021.

[2002 c 244 § 3; 1987 c 94 § 4.]

#### **Notes:**

**Severability -- 1987 c 94:** See note following RCW 16.08.070.

## Chapter 6.08 LIVESTOCK, FOWL, WILD ANIMALS AND ANIMAL TRAPS

### Sections:

- [6.08.010](#) Purpose.
- [6.08.020](#) Chapter compliance required.
- [6.08.030](#) Definitions.
- [6.08.035](#) **Prohibited Animals.**
- [6.08.040](#) Minimum standards ~~for livestock~~
- [6.08.050](#) ~~Wild and exotic animals~~ Minimum standards for fowl.
- [6.08.060](#) Animal traps.
- [6.08.070](#) Outdoor feeding.
- [6.08.080](#) Violation--Penalty.

### 6.08.010 Purpose. SHARE

It is the purpose of this chapter to regulate the type, location and number of animals within the community so as to allow their enjoyment without causing nuisance conditions or health hazards. ~~(Ord. 1403 §2(part), 2011)~~

### 6.08.020 Chapter compliance required. SHARE

It is unlawful for any person, person, firm or corporation to keep or maintain livestock or fowl within the city limits, except as provided in this chapter. ~~(Ord. 1403 §2(part), 2011)~~

### 6.08.030 Definitions. SHARE

"Fowl" where used in this chapter means laying hens for the purpose of egg production for the owner's home use, chickens, geese, ducks, turkeys, and pigeons.

"Large Livestock" where used in this chapter means and includes horses and, cattle, ~~sheep, goats and swine.~~

"Small livestock" where used in this chapter means and includes miniature ponies, sheep and goats

"Wild and exotic animal" means any live, nonhuman primate, coyote, raccoon, skunk, fox, poisonous or constrictor type snakes, leopard, panther, tiger, lion, lynx, or any other warm-blooded animal which can normally be found in the wild state or birds of prey. An animal that is one-fourth coyote/wolf or more shall be considered a wild animal. ~~(Ord. 1403 §2(part), 2011)~~

### **6.08.035 Prohibited Animals**

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Roosters, stallions, bulls, wild and exotic animals are strictly prohibited.

#### 6.08.040 Minimum standards for Livestock. SHARE

Possession of livestock for individual domestic purposes not including commercial operation shall conform to the minimum standards below:

A. File with the city a livestock management plan permit detailing how the property owner intends to meet the conditions listed in this section. The permit must be approved by the mayor and department heads. The permit is effective for a calendar year ending December 31. Each year a new livestock management plan permit shall filed with the City.

B. A minimum of one acre of available property for up to a maximum of per three large livestock or and up to a maximum of per six small livestock.

C. Fencing shall be a nonpenetrable type, so as to reduce the nuisance impact on adjacent land uses. All fences shall be constructed and maintained in a structurally sound manner. Fences which are structurally unsound and/or hazardous are subject to abatement.

D. All livestock shall be provided with shelter, natural or structural from excessive weather temperature and precipitation sufficient to protect the size, type, and number of animals.

E. Minimum care shall be provided that is sufficient to preserve the health and well-being of the animal such as a clean source of water, adequate feed to maintain proper body condition and weight and minimum health care within appropriate time periods.

F. The owner of every animal shall be responsible for the removal or abatement of any excreta deposited by their animal(s) on public areas or private property. The animal owner shall further not permit such excreta or food supplies, on the owner's property of the owner or elsewhere, to be or become a breeding place for insects or flies, to be or become unsanitary, or to give offensive odor.

G. No tying, tethering, hobbling or hitching livestock on private property without permission other than the owners, on public walks or recreational areas.

H.G- Exception: For any 4-H or FFA project or modification from the above conditions, the mayor and department heads city council may approve a variance from the above rules for a temporary period of time.

(Ord. 1403 §2(part), 2011)

**6.08.050 Wild or exotic animals.**  **Minimum standards for Fowl**

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It shall be unlawful to own or harbor a wild or exotic animal as defined in Section 6.08.030. (Ord. 1403 §2(part), 2014)

A. File with the city a fowl management plan permit detailing how the property owner intends to meet the conditions listed in this section. The permit must be approved by the mayor and department heads. The permit is effective for a calendar year ending December 31. Each year a new fowl management plan permit shall filed with the City.

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B. The number of fowl is limited to no more than six (6) adults and/or juvenile laying hens.

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C. Laying hens shall be maintained in good health with adequate food, water, dry clean coop and medical care, as appropriate.

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D. Fowl shall be contained within structures or fencing. Structures and fencing shall be kept at least 25 feet from a habitable building. Free range chickens are not allowed.

E. The owner shall manage the hens in such a way that minimizes odors, noises and vector attraction so as to respect the property and wellbeing of neighbors and the surrounding community.

F. The owner shall be responsible for the removal of any excreta, including manure, urinary waste and bedding materials, deposited on their property. Additionally, the owner shall not permit such excreta or food supplies on their property to become a breeding place for insects or flies, to be or become unsanitary, or to give offensive odor.

G. Exception: For any 4-H project or modification from the above conditions, the mayor and department heads may approve a variance from the above rules for a temporary period of time.

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**6.08.060 Animal traps.** 

The animal control officer for the city may allow the use of city animal traps by the citizens of the city under the following conditions:

A. There shall be paid in advance a deposit of fifty dollars per trap.

B. No trap will be rented-loaned for more than two weeks at a time to the same individual.

C. The deposit of any person who fails to return the trap within the two-week period shall be forfeited to the city.

D. The person who is allowed the use of the trap shall be responsible for any damages to the trap until the trap is returned to the city.

E. Any person wishing to use a trap shall complete an application form provided by the city.

F. All animals trapped by the user shall be properly disposed of by the user.

G. All traps shall be returned to the city in the same condition as they were in at the time of ~~initial rental~~loan.

H. The failure to timely return a trap shall be a presumption of the user's intent to deprive the city of its property and this presumption may be relied upon by the city, its police officers and agents in any criminal prosecution. (Ord. 1403 §2(part), 2011)

#### **6.08.070 Outdoor feeding.**

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It is unlawful for a person to knowingly feed an animal that he or she does not own. (Ord. 1403 §2(part), 2011)

#### **6.08.080 Violation--Penalty.**

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A. Any person who violates this chapter is guilty of a civil infraction and shall be cited in accordance with Chapter [1.20](#).

B. If any violation is continuing, each day's violation shall be deemed a separate violation. (Ord. 1403 §2(part), 2011)

AGENDA BILL: I2

AGENDA TITLE: FIRST READING – REVISED PARKING  
ORDINANCE

DATE: AUGUST 17, 2015

**ACTION REQUIRED:**

ORDINANCE  COUNCIL INFORMATION

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION

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**EXPLANATION:**

Please find attached a red line version of the parking regulations ordinance. This is the recommendation of the council and open for comment. A summary of the proposed changes are as follows:

1. Clarity of the definitions for parallel, angle and perpendicular parking requirements. (020)
2. Revisions to parking within a parking strip, curb height and surface improvements. (045)
3. Clarification of two hour parking limit. (050.E)
4. Clarification of chain parking prohibition. (060)

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

**I MOVE TO ACCEPT CHAPTER 10.16 REVISIONS TO THE GOLDENDALE MUNICIPAL CODE FOR ITS FIRST READING.**

CITY OF GOLDENDALE  
GOLDENDALE, WASHINGTON

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF GOLDENDALE, WASHINGTON, AMENDING THE  
CURRENT GOLDENDALE MUNICIPAL CODE CHAPTER 10.16**

~~WHEREAS, the City of Goldendale has taken testimony for several citizens expressing  
their desire to amend the Parking Regulations Ordinance; and~~

WHEREAS, the City of Goldendale City Council wishes to amend Chapter 10.16 of the  
Goldendale Municipal Code

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLDENDALE DOES  
ORDAIN AS FOLLOWS:**

**Section 1:** The current Goldendale Municipal Code 10.16 General Traffic Provisions is  
amended to read as follows:

**Chapter 10.16**

**Parking**

Sections:

<u>10.16.010</u>	Definitions.
<u>10.16.020</u>	Parking restrictions generally
<u>10.16.030</u>	Stopping, standing or parking prohibited in specified places
<u>10.16.040</u>	No Parking, diagonal, perpendicular and parallel parking areas.
<u>10.16.045</u>	Parking within the parking strip
<u>10.16.050</u>	No parking zones and time periods
<u>10.16.060</u>	Chain parking prohibited
<u>10.16.070</u>	No Parking areas - Identification
<u>10.16.080</u>	Parking trailers, recreational vehicles and trucks
<u>10.16.190</u>	Regulations not exclusive
<u>10.16.100</u>	Enforcement of parking regulations
<u>10.16.110</u>	Registered owner responsible - Lien
<u>10.16.120</u>	Law enforcement official impound
<u>10.16.130</u>	Penalty
<u>10.16.140</u>	Notice to the State of Washington Department of Licensing
<u>10.16.150</u>	Failure to comply with notice of parking violation
<u>10.16.160</u>	Hearing to contest validity of notices
<u>10.16.170</u>	Parking Administrative Hearing Examiner
<u>10.16.180</u>	Appeal to the City Council
<u>10.16.190</u>	Rules and regulations
<u>10.16.200</u>	Appeal of administrative determination

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**10.16.010 Definitions.**

A. The definition of words and phrases contained in RCW 46.04.010 through 46.04.700 are adopted by reference and shall, for the purposes of this chapter, have the same meanings ascribed to words and phrases herein.

B. The following words and phrases, when used in this chapter, shall have the following meanings:

1. "Alley" means a public city street not designed for general travel and used primarily as a means of access to the rear of residences and business establishments.

2. "City" means the City of Goldendale.

3. "City street" means every portion of the right-of-way, or part thereof located within the limits of the City, except alleys.

4. "Crosswalk" means that portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no improved sidewalks, then between the intersection area and a line ten feet there from, except as modified by a marked crosswalk.

5. "Curb" or "curb line" means the edge of a roadway marked by a curb.

6. "Intersection" means the area embraced within the prolongation of the lateral curb lines, or, if there be no curbs, then the lateral roadway boundary lines of two or more streets which join one another at an angle, whether or not such streets cross one another. The junction of an alley with a street or highway shall not constitute an intersection.

7. "Legal owner" means a person having a security interest in a vehicle perfected in accordance with RCW Chapter 46.12 or the registered owner of a vehicle unencumbered by a security interest.

8. "Loading zone" means a space reserved for the exclusive use of vehicles during the loading or unloading of property or passengers.

9. "Motor vehicle" means every vehicle which is self-propelled.

10. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers.

11. "Parking space" means any space which is duly designated for the parking of a single vehicle by appropriate markings on the pavement and/or the curb.

12. "Parking strip" means that portion of the city street lying between the constructed curb and the property line exclusive of the sidewalk area, which is more than 10 feet in width.

13. "Passenger loading zone" means a place reserved for the exclusive use of vehicles while receiving or discharging passengers.

14. "Planting strip" means that portion of a city street lying between the constructed curb and the property line exclusive of the sidewalk area, which is less than 10 feet in width.

15. "Police officer" means any duly commissioned law enforcement officer of the City.

16. "Recreational vehicle" means a vehicular -type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or

towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers and motor homes.

17. "Registered owner" means the person whose lawful right of possession of a vehicle has most recently been recorded with the Washington State Department of Licensing.

18. "Sidewalk" means that property between the curb lines or the lateral lines of a roadway and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a public street and dedicated to use by pedestrians.

19. "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of receiving or discharging passengers.

20. "Parking violation" means the infringement of any parking regulation set forth in this chapter.

#### **Chapter 10.16.020 Parking Restrictions Generally.**

A. ~~Method~~Parallel Parking: Every vehicle parallel parked shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder. ~~Parking along a street without a curb or p~~Parking within a parking strip, only parallel parking in the direction of travel is allowed, unless the vehicle is parked in a designated driveway leading to a private driveway, carport or garage. n any place where angle parking is permitted or required, it is unlawful to angle park a vehicle otherwise than with the right front wheel abutting against or touching the curb immediately in front of such vehicle where there is such a curb. On all streets and highways where angle parking is designated by lines drawn on the pavement or curbs, all vehicles shall be angle parked in such a manner that the entire portion of said vehicle is located within the stall or parking space designated by such lines.

~~B. Angle Parking: In any place where angle parking is permitted or required, it is unlawful to angle park a vehicle otherwise than with the right front wheel abutting against or touching the curb immediately in front of such vehicle where there is such a curb. On all streets and highways where angle parking is designated by lines drawn on the pavement or curbs, all vehicles shall be angle parked in such a manner that the entire portion of said vehicle is located within the stall or parking space designated by such lines.~~

~~C. Perpendicular Parking: Parking perpendicular within the city street is allowed unless it is deemed to impede vehicular or pedestrian travel.~~

~~DB. Length limitation: No vehicle or vehicle and trailer that measures twenty-one feet or more, overall, shall at any time be parked on a street other than parallel with the curb, nor shall be parked where diagonal parking is required.~~

~~EC. Selling vehicles: No person, firm or corporation engaged in the business of selling vehicles shall suffer the same to remain stopped, parked or stored upon any of the city street right-of-way or alleys of the city, for the purpose of sale, display or storage.~~

**FD.** No person shall park any vehicle upon any roadway for the principal purpose of washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

**GE.** There shall be no parking of vehicles on parade routes during periods reserved for parades or special events which have been authorized and approved.

**Chapter 10.16.030 Stopping, standing or parking prohibited in specified places.**

Parking of vehicles is allowed on all ~~public~~ city streets or parking areas subject to the following restrictions: except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device (including school buses), no person shall;

A. Park, stand or stop a vehicle:

1. In any alley,
2. Alongside any curb or sidewalk painted yellow, which abuts said street or highway, whether or not signs are erected giving notice thereof,
3. On any city street for the purpose of selling goods, wares or merchandise, without a permit.
4. On the roadway side of any vehicle stopped or parked at the edge or curb of a street,
5. On a sidewalk or street planting strip,
6. Within an intersection,
7. On a crosswalk,
8. Alongside or opposite any street excavation or construction project when stopping, standing or parking would obstruct traffic,
9. Upon any bridge,
10. In any place where official signs prohibit stopping

B. Park or stand a vehicle, whether occupied or not, except to momentarily pickup or discharge a passenger or passengers:

1. In front of a public or private driveway or within five feet of the end of the curb or radius leading thereto,
2. Within fifteen feet of a fire hydrant,
3. Within twenty feet of a crosswalk,
4. Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station when properly signed;
5. Within thirty feet of the approach of any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway, except the downtown commercial area described as follows: From the south and west side of the intersection of Chatfield and Broadway, thence west to the intersection at Golden and Broadway, thence south on the east side of Golden to the intersection of Golden and Court, thence east along the south side of Court to the intersection of Chatfield and Court, then north along the west side of Chatfield to the point of beginning, as marked.
6. At any place where official signs prohibit standing or parking.

**10.16.040 No Parking, Diagonal, perpendicular and parallel parking areas.**

- A. Upon those streets which have been marked or signed as “No Parking Zones” no parking shall be allowed.
- B. Upon those streets which have been marked or signed for diagonal, perpendicular or parallel parking, no person shall park or stand a vehicle other than as indicated by the markings. Where no markings exist, only parallel parking shall be allowed.

**10.16.045 Parking within the parking strip.**

- A. Parking behind the curb within the City right-of-way is allowed under the following circumstances:
  - 1. If there is at least 10 feet of space between the curb and the property line, parking is allowed if the following conditions are met:
    - a. An approved curb cut is in place (an approved curb cut above the existing pavement height can be no higher than ~~½ inch on the street side of the curb and no higher than 2 inches on the back of the curb~~). The curb cut/driveway approach shall meet the requirements outlined in Chapter 12.12.
    - b. Only one curb cut is allowed per property, unless sufficient footage would allow for two curb cuts.
    - c. In the case where only one curb cut is allowed, the vehicle must use the single curb cut for entering and exiting the planting strip area.
    - d. Only one vehicle per curb cut is allowed.
    - e. Driving over the curb in excess of 2 inches is expressly prohibited.
    - f.—The planting strip used for parking a vehicle must have an approved improved surface such as 5/8 minus rock, cement or asphalt. (~~Red-rock landscaping is not an approved surface~~)

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**10.16.050 Parking zones and time periods.**

- A. Between 2:00 a.m. and 5:00 a.m. There shall be no parking of vehicles allowed between the hours of 2:00 a.m. and 5:00 a.m. on the following streets and avenues within the city:
  - 1. West Main between Columbus and Golden
  - 2. East Main between Columbus and Chatfield
  - 3. South Grant between Main and Court
  - 4. North Grant between Main and Broadway
- B. Two-Hour parking limit. There shall be a two-hour parking of vehicles limit on the following streets between the hours of 9:00 a.m. and 6:00 p.m. and no vehicles shall be continuously parked at such locations in excess of two hours:
  - 1. West Broadway north side of street for a distance of 150 feet east of the intersection with Grant Street.
  - 2. North Grant east side of street for a distance of 100 feet north of the intersection with Broadway Street.

C. School zone parking limit. There shall be no parking of vehicles allowed on any street during bus loading and unloading times on school days on the following street and avenues within the city for the purpose of loading and unloading of children.

1. On Schuster, both sides of the street, from the southernmost driveway entrance at the Head Start Building to the northern most driveway entrance into the primary school parking lots.
2. On the south side of Collins and the west side of King Street adjacent to the middle school buildings.
3. On the west side of Roosevelt adjacent to the high school buildings.

D. Commercial loading zone limit. Only marked commercial vehicles, engaged in loading or unloading of property between the hours of eight a.m. and five p.m., shall be allowed to park in a signed commercial loading zone, and for a period of time not to exceed one hour, except that the operator of a private vehicle may stop temporarily therein for the purpose of loading and unloading property or passengers when such stopping does not interfere with a marked commercial vehicle waiting to enter or about to enter such zone. This limit applies to the following streets:

1. North Grant Street, east side between Main Street north to the alley.
2. South Columbus, west side between Main Street south to the alley.

~~E. Two-hour Parking limit. No vehicle shall be parked in the two-hour hour parking areas of the City for a consecutive period of more than two hours between the hours of eight a.m. and six p.m., Monday through Saturday, except holidays.~~

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~~FE. Seventy-Two-Hour parking limit. There shall be no parking of vehicles allowed on any city street, alley, within the city limits of Goldendale for a continuous period, not to exceed 72 hours. Each additional twenty-four hours of consecutive parking after the first notice of violation is placed upon the vehicle shall constitute additional and separate violation of this chapter.~~

**10.16.060 Chain parking prohibited.**

~~No vehicle shall be parked in the two-hour hour parking areas of the City for a consecutive period of more than two hours between the hours of eight a.m. and six p.m., Monday through Saturday, except holidays.~~ No vehicle shall be parked in a seventy-two hour no parking areas of the City for a consecutive period of more than seventy-two hours. It shall be no defense that the vehicle has been moved from one parking space to another within the two-hour or seventy-two hour parking zones or that the vehicle traversed streets not within said zone in so being moved.

**10.16.070 No-Parking Areas - Identification.**

The City Department of Public Works shall paint the curb adjoining all no-parking and prohibited parking areas yellow or shall post signs prohibiting parking on the curb adjoining no-parking zones. It is unlawful for any other person to paint the curbs or post no-parking signs in such restricted zones.

**10.16.080 Parking trailers, recreational vehicles and trucks.**

A. No person shall detach and park any utility/ /horse trailer or recreational vehicle upon any city street or alley.

B. Persons stopping, standing or parking trailers which are attached to towing vehicles shall abide by all parking regulations as set forth in this chapter.

C. No person shall stand or park a truck, recreational vehicle or truck tractor-trailer combination which has a gross vehicle weight in excess of sixteen thousand pounds, a length in excess of twenty-one feet or a width in excess of eight feet, six inches upon any portion of a city street or alley within any residential zone as defined in the city's zoning code and zoning map accept when:

1. Property is actively loaded or unloaded from such vehicle; or
2. The vehicle is a public utility vehicle providing a service for the public; or
3. The vehicle is an emergency vehicle; or
4. Such vehicle is currently used at and is located at a specific location

within a residential zone for the purpose of assisting in the providing of services such as construction, carpentry, plumbing or landscaping to such residence or location. Provided, however, recreational vehicles can stand or park on a city street in a residential zone for a maximum period of twenty-four hours provided said vehicles do not violate any parking restrictions (such as posted time zones) and meet all other parking regulations.

D. Commercial Trailer Parking is allowed on the north side of Railroad between Columbus and Darland Street and on the south side of Railroad between Mill and Darland.

**10.16.090 Regulations not exclusive.**

The provisions of this chapter imposing time limits on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times. All law enforcement officers shall have the right to control stopping, standing or parking of vehicles on a temporary basis as may be required in case of emergencies or other events of a temporary nature.

**10.16.100 Enforcement of parking regulations**

A. The parking regulations set forth in this chapter shall be enforced by the City's police officers.

B. Failure to perform any act required or the performance of any act prohibited by this chapter is designated as a parking violation and shall not constitute an infraction or a criminal offense, unless otherwise indicated in this chapter.

C. City police officers have the authority to issue a notice of parking violation when the parking violation is committed in the person's presence.

D. If any vehicle is found parked, standing or stopped in violation of this chapter or otherwise violates the provisions of this chapter, the officer finding the vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of parking violation. A notice of parking violation represents a determination that a parking

violation has been committed. The determination will be final unless contested as provided in this chapter.

E. The police officers in charge of the enforcement of the parking regulations of the City shall, and are authorized to, mark such vehicles parked, standing or stopped from time to time to aid in the enforcement of this chapter. Such mark shall be by chalk upon the tires of said vehicles or by some other convenient method but will not be injurious to or damage such vehicle. The marks so placed shall not be interfered with, concealed, obliterated or erased by any person other than a police officer or parking enforcement person, while the same shall remain parked or standing at the place where so marked. It shall constitute a parking violation to interfere with, conceal, obliterate or erase any mark in violation of this section.

**10.16.110 Registered owner responsible - Lien.**

A. Every person in whose name a vehicle is registered shall be responsible for any violation of this chapter caused by the parking, standing or stopping of said vehicle in violation hereof. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that said vehicle had been stolen and had not been returned to the registered owner by the date of the violation. This section shall not apply to registered owners transferring vehicle ownership prior to the date of the violation.

B. Every vehicle against which penalties and costs are assessed pursuant to the provisions of this chapter shall be subject to a lien for the penalties and costs thus assessed. Said lien shall be reduced to a possessory lien by the procedures mobilization and impound set forth herein and shall not be released from immobilization or impound until said penalties and costs are paid or provided for.

**10.16.120 Law enforcement official impound.**

A. A law enforcement officer or official as set forth in GMC 10.16.100, discovering an unauthorized vehicle left within a city right-of-way, shall attach to the vehicle a readily visible notification sticker. The city shall develop a notification sticker that clearly denotes the agency's authorization to impound. The sticker shall also contain the following information:

1. The date and time the sticker was attached;
2. The identity of the officer or official;
3. A statement that if the vehicle is not removed within 24 hours from the time the sticker is attached, the vehicle may be taken into custody and stored at the owner's expense; and
4. The address and telephone number where additional information may be obtained.

B. If the vehicle has current Washington registration plates, the officer or official shall check the records to learn the identity of the last owner of record. The officer or official or their department shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker.

C. If the vehicle is not removed within 24 hours from the time the notification sticker is attached, the law enforcement officer or official may take custody of the vehicle and provide for the vehicle's removal to a place of safety. A vehicle that does not pose a safety hazard may remain on the roadside for more than 24 hours if the owner or

operator is unable to remove it from the place where it is located and so notifies law enforcement officers or officials and requests assistance; provided, however, said vehicle must be removed within 72 hours of the original notice.

D. For the purposes of this section, a place of safety includes the business location of a registered tow truck operator.

**10.16.130 Penalty.**

Anyone violating the terms of this chapter shall be deemed to have committed a parking violation and for each such violation shall be subject to a civil penalty. The original penalty for each violation of this chapter shall be the issuance of a parking violation with the fine of \$50.00.

A. The failure to respond or report as directed for any parking violation within fifteen calendar days shall result in an additional penalty of \$50.00.

B. Each day that a violation continues or each time that a violation continues past a parking limitation period or portion thereof in excess of the applicable parking time limitation, it shall be deemed a separate violation subject to civil penalty as set forth above.

C. After four violations of this chapter within a period of six months, the violator will be considered habitual, and new violations may be enforced pursuant to the procedure set forth in Chapter 1.20 GMC, Civil Enforcement.

D. The penalties set forth above will be reduced in half if the parking violation is paid to the City Clerk-Treasurer's office within twenty-four hours of the time and date of issuance. In the event the City Clerk-Treasurer's office is not open for business the day following the date of issuance, the violator can make payment on the next City business day and still receive the reduced penalty.

**10.16.140 Notice to the State of Washington Department of Licensing**

Any vehicle as to which it is found that in any calendar year:

A. Three or more notices of violation of this chapter have been issued re: the illegal parking of the vehicle;

B. The penalties assessed pursuant to the three or more of said notices have not been paid, shall be subject to the City Treasurer giving notice of said parking violations to the Washington State Department of Licensing as provided by RCW 46.01.110 and WAC 308-96A-345 to 308-96A-380. This enforcement procedure shall be in addition to and not in lieu of the public nuisance procedure for enforcing this chapter.

**10.16.150 Failure to comply with notice of parking violation**

A. A request for a hearing or, in the alternative, payment shall be made within fifteen calendar days of the date of issuance of the notice of parking violation. If no request for a hearing or payment be made within fifteen calendar days of the date of issuance of the notice of parking violation, the City shall mail by first class mail a delinquency notice to the registered owner of the vehicle to which the notice was affixed, informing him/her of the violation and of a right to request a hearing.

B. If no request for a hearing or payment be made within fifteen calendar days of the date of mailing the delinquency notice, the registered owner of the vehicle is declared delinquent. In addition to or in lieu of the possessory lien procedure for collecting delinquent parking violation penalties the City may bring suit for judgment on the penalties plus costs of suit including reasonable attorney's fees. The City may also turn this matter over to a collection agency.

#### **10.16.160 Hearing to contest validity of notices**

- A. Any individual receiving a notice of parking violation or a delinquency notice may contest the notices issued by requesting a hearing through the City Clerk-Treasurer's office.
- B. Upon receipt of a timely request for a hearing, the City Clerk-Treasurer shall set the matter for hearing on the parking hearing examiner's calendar.
- C. The Hearing Examiner may, in its discretion, affirm nullify or modify the notice of parking violation. In addition, the Hearing Examiner may, in its discretion, modify, waive, reduce or suspend the monetary penalty prescribed for the violation.

#### **10.16.170 Parking Administrative Hearing Examiner**

- A. Office—Created. There is created the Office of the Parking Administrative Hearing Examiner of the City.
- B. Office – Part-time—Remuneration. The Office of the Hearing Examiner shall be part-time and remunerated by personal service contract.
- C. Appointment. The Hearing Examiner shall be appointed by the Mayor.
- D. Jurisdiction. The Hearing Examiner will be responsible for presiding over all hearings required by this chapter as well as other additional administrative matters over which he may be requested to preside.
- E. Powers. The Hearing Examiner shall have the power to:
  - 1. Administer oaths and affirmations, examine witnesses and receive evidence;
  - 2. Issue subpoenas upon the request of any party. The City Clerk-Treasurer, his designated agent, the City Attorney and the attorney of record are also authorized to issue subpoenas. When so required, the applicant for the subpoena shall show to the satisfaction of said individual the general relevance and reasonable scope of the evidence sought;
  - 3. Rule on offers of proof and receive relevant evidence;
  - 4. Regulate the course of the hearing, including imposition of penalties for disruption of the orderly process or refusal to comply with lawful orders of the hearing Examiner;
  - 5. Hold conferences for the settlement or simplification of the issues by consent of the parties;
  - 6. Make decisions which can be incorporated into findings of fact, conclusions of law and order of the Hearing Examiner and enter orders of default and consent orders;

**10.16.180 Appeal to the City Council**

The person/entity receiving a parking violation or any party of interest may, within fifteen days from the date of the service of the Parking Administrative Hearing Examiner's decision, file an appeal by filing a written notice of appeal with the City Clerk-Treasurer setting out the reasons he or she believes the Hearing Examiner's the decision to be erroneous. The appeal shall be decided by the City Council. The decision of the City Council shall be final and shall be appealable only to the Superior Court.

**10.16.190 Rules and regulations**

The City Clerk-Treasurer's office and the City's Police Department are authorized to jointly promulgate rules and regulations necessary to administer this chapter. The City Clerk-Treasurer's office shall receive and account for all sums paid under this chapter.

**10.16.200 Request for variance.**

Any person that feels particular special circumstances affect his ability to meet the specific requirements of this ordinance may request the Ordinance Committee of the City of Goldendale to review a request for variance from the rules and regulations outlined in this chapter. A report of the ordinance committee findings shall be reported to the City Council at its next regularly scheduled meeting.

**Section 2:** This Ordinance shall become effective 5 days after passage and publication as provided for by law.

APPROVED:

\_\_\_\_\_  
CLINT BAZE, MAYOR

ATTEST:

\_\_\_\_\_  
CONNIE BYERS, CLERK-TREASURER