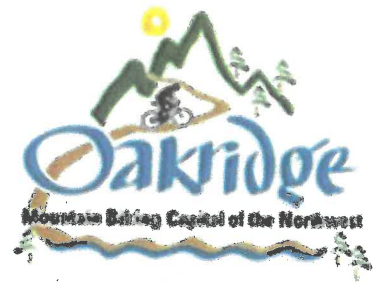


August 31, 2023 at 6pm
City Council Meeting
Audio/Video Teleconference
Oakridge City Hall & Zoom
48318 E. 1st Street
Oakridge OR, 97463
SPECIAL SESSION



1. CALL MEETING TO ORDER

2. Pledge of Allegiance

3. Roll Call

4. Additions, Corrections or Adjustments to the Agenda

5. Public Comment

Individual speakers must be recognized by the presiding officer, provide their name and city of residence, and are allowed up to 3 minutes to speak. The Council will not engage in lengthy discussion or make any decisions during public comment. The Council may take comments under advisement for discussion and action at a future Council meeting.

6. Mayor Comments / Announcements / Proclamations

7. Council Comments / Announcements

8. Consent Agenda

9. Business from the City Council

9.1 City Council Listening Session - to discuss potential mobile food units and portable restroom Ordinances

9.2 Approving the 8/17/23 City Council meeting minutes

10. Items removed from the Consent Agenda

11. Other Business

12. Public Comment

13. Adjourn

This will be a remote participation meeting. Citizens have four ways of attending and commenting:

- 1. On your computer, tablet or smartphone go to <https://us02web.zoom.us/j/3664311610>**
- 2. On your telephone, dial: 669-900-9128, then enter Meeting ID: 366 431 1610.**
- 3. Send comments by email to: cityadministrator@ci.oakridge.or.us by 2pm the day of the meeting.**
- 4. Attend in person at City Hall (48318 E. 1st Street).**

Detailed instructions are available at City Hall, on the city website, and the city Facebook page.

Videos of all City Council meetings can be found on YouTube at www.youtube.com/@cityofOakridgeCouncilComm8088

Accommodation for Physical Impairments: In order to accommodate persons with physical impairments, please notify the City of any special physical or language accommodations you may require as far in advance of the meeting as possible. To make arrangements, Contact City Hall at 541-782-2258. For the hearing impaired, the City's TTD Number is 541-782-4232.

City of Oakridge
48318 E. 1st Street – PO Box 1410
Oakridge, Oregon 97463
Phone: 541-782-2258 FAX 541-782-1081



Join us for a community meeting to discuss potential updates to our Ordinances for Mobile Food Units and Portable Toilets

Thursday August 31st 6:00 – 7:00 Oakridge City Hall

and on Zoom <https://us02web.zoom.us/j/3664311610>

Or dial 669-900-9128, and then enter Meeting ID# 366 431 1610

The City of Oakridge is looking to update our Ordinances for Mobile Food Unit and Portable Toilets, and we are looking for your input. We will be holding a work/listening session to get the opinions, thoughts and ideas from our local Mobile Food Vendors and the public. Our goal is to create Ordinances that help promote accessibility and provide clarity while still being the right fit for Oakridge.

We have created draft versions of the ordinances that can be found on our city website by visiting our calendar (<https://www.ci.oakridge.or.us/calendar>) and clicking on this event occurring August 31st. Please feel free to contact City Hall for copies.

For more information, printed versions of the draft Ordinances, or you wish to provide your input, please visit City Hall contact Rick Zylstra at 541-782-2258 ext. 4 or feel free to email rickzylstra@ci.oakridge.or.us



August 17, 2023 @ 6:00 p.m.
Regular Session
City Hall Council Chambers and Zoom
48318 E 1st Street

MINUTES

1. Call Meeting to Order- 6:00 pm

Council Present: Mayor Bryan Cutchen, Councilors Dirk "Poncho" Tarman, Dawn Kinyon, Chrissy Hollett, Melissa Bjarnson and Michelle Coker

Staff Present: City Administrator James Cleavenger, Finance Director Colleen Shirley, City Recorder Jackie Taylor, Community Development Director Rick Zylstra,, Police Chief Kevin Martin and Fire Chief Scott Hollett

2. Pledge of Allegiance

3. Roll Call-all present

4. Additions, Corrections or Adjustments to the Agenda

Mayor Cutchen- would like to postpone items 13.1, 13.2 and 10.6

5. Public Comment-none

6. Mayor Comments / Announcements / Proclamations

Mayor Cutchen-gave an update on the Salmon Creek Fire. Purifiers are available to distribute and Oakridge Air could use volunteers to help distribute them.

Reminder that the City Council vacancy applications are due September 4 at 5 pm.

Kudos to public works for working all night when we had a main break. All of the water samples came back clean.

7. Councilor Comments / Announcements

Councilor Kinyon-asked about adding the finance report to the consent agenda to be approved, as per Council's prior direction. The CA agreed to do so from now on.

8. Consent Agenda

8.1 Minutes from previous City Council meetings on 6/15/23. 6/29/23, 7/6/23 and 7/20/23.

Motion: Councilor Tarman moved to approve the consent agenda. Councilor Hollett seconded the motion.

Bjarnson (aye), Tarman (aye), Mayor Cutchen (aye), Coker (aye), Hollett (aye), Kinyon (nay). Motion passed 5-1

9. Appointments-none

10. Business from the City Council

10.1 NAMI Request to use Greenwaters Park Community Center

James-read the issue.

Allie Harris, from NAMI Health -gave a presentation on what they do for communities.

Motion: Councilor Tarman moved to waive the fees to allow NAMI of Lane County to use the Greenwaters Park Building for Mental Health programs up to two nights per month, for up to two hours, but not on weekends starting in October. Councilor Kinyon seconded the motion.

Bjarnson (aye) Mayor Cutchen (nay), Coker (aye), Kinyon (aye), Tarman (aye), Hollett (aye). Motion passed 5-1

10.2 City Council Minutes Issue

James-read the issue, pointing out that the Council Rules and the ORS are almost exactly the same and that the video/audio recordings of the minutes help fulfill the requirements of the ORS and the Council Rules.

Motion: Councilor Kinyon moved to require the City Recorder to prepare our minutes capturing the basic substance of the meeting, as per the ORS 192.650 requirements. Councilor Bjarnson seconded the motion.

Coker (aye), Tarman (nay), Mayor Cutchen (aye), Hollett (aye), Kinyon (aye), Bjarnson (aye). Motion passed 5-1

10.3 Trudy Hammond's concerns re Animal Laws

James-read the issue.

Trudy Hammond- discussed her concerns.

10.4 Asphalt Pump Track at the OIP proposal from Parks Committee

James-read the issue and said that Rick is taking this over along with the Parks & Community Services Committee and will report back to Council later.

10.5 Plan of Action Letter for FY 21-22 Audit

James-read the issue, noting that these minutes will have to be approved at the August 31, 2023 meeting to send along with the letter to the state.

Motion: Councilor Kinyon moved to approve and adopt the Fiscal Year 21-22 Audit Report Plan of Action letter, to be signed by the Mayor and then filed with the Secretary of State. Councilor Coker seconded the motion.

Mayor Cutchen (aye), Tarman (aye), Coker (aye), Kinyon (aye), Bjarnson (aye), Hollett (aye). Motion passed 6-0

10.6 Revised Council Rules of Procedure –with public comment-*postponed*

11. Business from the City Administrator

11.1 Junction City Dispatch

James-read the issue. They had another dispatcher quit, so it is going to be a bit longer.

11.2 WAC Remodel Update

James-read the issue.

Curt Wilson-updated the council on what is going on at the WAC regarding what are repairs and what improvements are and how to move forward. They took samples of the roof and there was asbestos in the roofing material. He also viewed documents from the 80's and most other asbestos seems to have been removed.

Motion: Councilor Tarman moved to direct Architect Curt Wilson to proceed with option 1 for fixing the roof at the WAC. Councilor Bjarnson seconded the motion.

Kinyon (aye), Bjarnson (aye), Coker (aye), Hollett (aye), Mayor Cutchen (aye), Tarman (aye). Motion passed 6-0

11.3 Bedrock & Salmon Fires Update

James-gave fire updates.

11.4 OIP Lot 20 Sale Update – USDA Concurrence Letter

James-read the issue. This is for information only.

11.5 Other city business updates-including reminder of the 8/31 Food Truck/Portable Restroom Work Session

James-added this as a reminder for the meeting.

12. Items removed from the Consent Agenda

13. Ordinances and Resolution

13.1 Resolution 16-2023 (OEDAC Resolution to repeal & replace Resolution 03-2023-*postponed*)

13.2 Ordinance 942 (a new Parade Ordinance to repeal & replace Ordinance 75) -*postponed*

14. Public Hearings

15. Staff and Board/Committee/Commission Reports

15.1 Finance Report

Colleen-she is here to answer any questions the council may have.

Councilor Kinyon-asked for the balance in Banner Bank and LGIP Accounts. She also asked if we are having our Journal Entries verified.

Colleen-yes we are.

Motion: Mayor Cutchen moved to approve the monthly Finance Report. Councilor Tarman seconded the motion.

Hollett (aye), Tarman (aye), Bjarnson (aye), Kinyon (aye), Coker (aye), Mayor Cutchen (aye). Motion passed 6-0

15.2 Police Report

Police Chief Kevin Martin-gave his report.

15.3 Fire Report

Chief Hollett-stepped away, no verbal report, only written.

15.4 Public Works Report

Rick-gave the public works report.

Councilor Kinyon- asked about the alley on Hills Street.

Rick-they do discuss that at the Parks meetings, they follow the TSP and they just go down the list, but we are still looking for grants to pay for the Hills Street alley.

16. Executive Session under ORS 192.660 (2) (E) –to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

16. Offer to purchase OIP Lot 21 (in Executive Session)

Motion: After the Executive Session, Councilor Tarman moved to direct the CA to continue negotiations on OIP lot 21. Councilor Bjarnson seconded the motion.

Bjarnson (aye), Mayor Cutchen (aye), Coker (aye), Kinyon (aye), Tarman (aye), Hollett (aye). Motion passed 6-0

17. Other Business-none

18. Public Comment

Shaun Anderson, Hemlock-spoke about the police officers and the contract we have with Westfir.

Trudy Hammond-as an agenda item she shouldn't have been given only three minutes to speak.

Aaron Lee Goff- spoke about revenue and the WAC building.

John O'Neal, Hemlock- there is crime all over Hemlock, people living in RV's across from the park, why is it ok to illegally live there?

Paul Scott – the audit is hard to read, he would like to know the results of the audit.

19. Adjourn 7:57 pm

Signed: _____
Bryan Cutchen, Mayor

Signed: _____
Jackie Taylor, City Recorder



Oakridge City Administrator <cityadministrator@ci.oakridge.or.us>

Food Cart

1 message

jeanafern@gmail.com <jeanafern@gmail.com>
To: cityadministrator@ci.oakridge.or.us

Tue, Aug 22, 2023 at 11:13 AM

Jeana Hancock
76276 Garden rd
Oakridge Oregon 97463

As a mobile unit who is licensed in Lane County I am apposed to more rules being applied due to one establishment who is teetering on legal food cart status to begin with
If the city want money from me to operate on private property that's bs
If you want to zone areas that I can pay a fee and operate yearly awesome! Eugene does this and allows carts to set up on public property with certain hours and times for a small yearly fee.
But the limited number of carts operating here in Oakridge this is just red tape for small business that should already be licensed and have working audits and inspections done by lane county environmental health, who also raised the licensing fee on us for next year by 100\$
Address the ports potty being used that one citizen is complaining about and then move on
This is favoritism to a resident who we all know is a pain and needs to be put in her place vs you charging small business who are not making much money here and providing a service to the citizens by offering food
Please stop taxing anyone who is trying to make a living we are all struggling and any new costs to small businesses will hurt us.

Thank you

Sent from my iPhone

AN ORDINANCE AMENDING CITY OF OAKRIDGE CODE OF ORDINANCE, TITLE IX GENERAL REGULATIONS CHAPTER 93: NUISANCES AND CREATING SECTION 93.18 REGULATIONS ON PORTABLE TOILETS

(1ST DRAFT)

Title IX Section 93.18: PORTABLE TOILETS;

A. Purpose And Applicability: The purpose of this section is to preserve and protect the health, safety, and general welfare of persons and property in the city by regulating the location and maintenance of portable toilets, and requiring a permit for their use and placement.

B. Definitions: As used in this section, the following terms shall have the meaning defined herein:

CESSPOOL: An underground structure or tank used for storage of liquid wastes and sewage.

COMMUNITY EVENT: A planned occasion or activity open to the general public and sponsored by the city, another governmental entity, or a private party.

OFFENSIVE ODOR: Any noxious or unpleasant odor escaping from the portable toilet structure that can be detected outside of said structure.

OWNER: The owner of the portable toilet and the owner of the property on which the portable toilet is located.

PORTABLE TOILET: A freestanding, movable toilet structure equipped with a watertight impervious container which receives waste discharged through a hopper, seat, urinal or similar device, and into which container may be placed disinfecting or deodorizing chemicals, and which is not designed or intended for connection to a sewer system with a standard connection. For the purposes of this section, portable toilet and chemical toilet shall have the same meaning.

PRIVATE PARKS: Privately owned passive or active recreation areas which occupy a discrete area, including, but not limited to: parks, beaches, docks, hiking trails, natural areas, wildlife areas, arboretums, open grassy areas, baseball and football fields, tennis courts, basketball courts, play fields, playgrounds, outdoor swimming pools, fitness courses and tracks, and golf courses and driving ranges. For the purposes of this definition, common areas owned and maintained by homeowners' associations are also included.

PRIVY: An outbuilding with one or more seats and a pit serving as a toilet.

RESPONSIBLE PARTY: Any person or entity renting or leasing a portable toilet.

SEASONAL USE: Use that is dependent upon or accompanying the seasons of the year or some particular season, and that is repeated or intended to be repeated annually, but for no more than one hundred twenty (120) consecutive days in a calendar year.

SPECIAL EVENT/PRIVATE FUNCTION: A planned occasion or activity open only to a limited group of people invited by the host or sponsor. A special event/private function may occur only on private property.

TEMPORARY USE: Use that lasts, exists, serves, or is effective for a limited time only, not exceeding seven (7) consecutive days, and which is not repeated, or intended to be repeated, subsequently within the calendar year.

C. Allowed And Prohibited Uses:

1. Portable toilets may only be used to provide: bathroom facilities for community and special events; seasonal bathroom facilities in conjunction with commercial activities; bathroom facilities in conjunction with and during public or private construction activities; bathroom facilities located on public property for members of the public; and bathroom facilities for temporary use under special circumstances when adequate permanent bathroom facilities are unavailable.

2. In no case shall portable toilets be placed or maintained as permanent sanitary facilities or in lieu of the connection of a site or facility to the city's sanitary sewer system.

3. No person shall construct or maintain a privy in the city.

D. Permit Required:

1. Except as provided in subsection D(4) of this section, no portable toilet for an allowed use shall be placed or maintained on public or private property without first obtaining an administrative permit from the city.

2. The following information shall be provided as part of the permit application:

a. The site address where the portable toilet will be located.

b. The date(s) during which the portable toilet is to be located on the property.

c. The name, address and phone number of the owner of the portable toilet and contact information for the owner of the property upon which the portable toilet will be placed.

d. The name, address and phone number of the responsible party.

e. A description of the allowed use for which the portable toilet is requested.

f. A site plan identifying the proposed location of the portable toilet and any proposed hand washing/hand sanitizing stations.

g. A description of the emptying and maintenance schedule and procedures for the portable toilet and any hand washing/hand sanitizing station, together with identification of the location of disposal of waste materials from the portable toilet and documentation of authorization for said disposal.

h. A rendering, showing the location of the portable toilet on the property, how it will be screened from the street and/or adjacent residential areas, and a description of materials to be used for screening, shall be provided for review by the planning department. (Requirements for screening of service areas can be found in the downtown design guidelines and commercial design guidelines.)

3. If the portable toilet is part of a proposed new use, the project in its entirety (including screening of the portable toilet) may be subject to review by the design review commission under title 17, chapter 17.09, article IV, "Design Review Procedures", of this code, prior to the issuance of a permit.

4. A portable toilet placement permit shall not be required for:

a. The placement of portable toilets by the city on public property for temporary use in conjunction with community events.

b. Any placement of portable toilets by the city for use by the public on property owned, leased, or maintained by the city.

c. The placement of portable toilets at public transit sites, provided, the city shall approve the location of the placement.

d. The placement of portable toilets on public or private property in conjunction with public road and utility construction projects, provided, the city shall approve the location of the placement.

e. The placement of portable toilets on private property in conjunction with private development, construction, road and utility projects during periods of active construction.

f. The placement of portable toilets to support emergency services operations during emergencies and natural disasters, and during interruption of sewer service due to emergencies or planned upgrades/repairs.

g. The placement of portable toilets on private property for no more than three (3) consecutive days for a special event or private function. If portable toilets are placed or maintained for more than three (3) special events or private functions on the same property in the same calendar year, a permit shall be required and screening provided for the portable toilet.

E. Standards; Location And Orientation:

1. **Setbacks:** Nonscreened portable toilets shall be located at least eight feet (8') from any property line.

2. **Setbacks, Lakes, Streams, And Swales:** Portable toilets shall be located at least fifty feet (50') from the ordinary high water elevation of any lake or stream, and not within any swale or infiltration basin.

3. **Orientation; Screening:**

a. Portable toilets shall be oriented in such a way that the opening or door faces away from any right of way or residential dwelling unit unless screened by a sight obscuring fence or enclosure at least six feet (6') in height equipped with a door or screen wall which completely blocks the view of the portable toilet from said right of way or residential dwelling unit.

b. Screening of portable toilets must be provided whenever a permit is required under this section and for any permanent installation unless a determination is made by the community planning director that the screening requirement can be waived due to site conditions that sufficiently block the portable toilet from view from rights of way or adjacent residential areas.

c. Screening, when required, must comply with the requirements of the building and fire codes adopted by the city. Examples of appropriate screening may be obtained from the planning department.

4. Location:

a. All portable toilets shall be located in such a manner as to allow for the appropriate servicing and to ensure that any vehicle required for said servicing shall not cause damage to property.

b. Portable toilets shall be located on the site so as to not obstruct existing structures or driveways. Portable toilets shall be located in such a manner as to not be potentially impacted by site conditions such as slopes, ditches, or prevailing winds.

5. Compliance With Codes: All portable toilets shall comply with all wastewater, building, fire, and other applicable codes and regulations, including the Americans with disabilities act. The owner and/or the responsible party are responsible for ensuring compliance with all applicable codes and regulations.

6. Hand Washing Station: All portable toilets utilized in conjunction with the preparation, service or consumption of food shall be equipped with, or shall be accompanied by, an approved hand washing/hand sanitizing station.

7. Seasonal Use: Portable toilets for seasonal use in conjunction with a commercial activity are allowed only within zones of the City Oakridge Zoning Ordinance (COZO) that are not used primarily for residential purposes.

Allowed Zones;

Neighborhood commercial district (C-1)

Central commercial district (C-2),

Highway commercial district (C-3),

Mixed use district (M-1)

Light industrial district (I-1)

Heavy industrial district (I-2)

Open space/aggregate extraction district (OS/AE)

Public facilities district (PF)

Park, recreation and open space district (PRO)

F. Maintenance:

1. All portable toilets shall be monitored and serviced by a person, firm or corporation engaged in the business of cleaning or emptying portable toilets and recharged at a sufficient frequency to prevent the escape of offensive odors or spillage.

2. Every person, firm or corporation cleaning or emptying portable toilets shall use a suitable vehicle which utilizes watertight, completely closed tanks or boxes designed to prevent leakage and the escape of offensive odors. The owner or responsible party shall provide proof of an agreement to monitor and service the portable toilet prior to placement.

3. Portable toilets, including any hand washing/hand sanitizing stations, shall be kept in good working condition without any broken surfaces or leaks. Doors must be in good working condition and must be able to be securely latched while in use.

4. It is the owner's and the responsible party's responsibility to ensure that portable toilets are not used in a dangerous or inappropriate manner. This may be accomplished by monitoring or securing the portable toilets during periods of inactivity, such as nighttime and weekend hours, or by other effective means as appropriate.

G. Public Nuisance: Any portable toilet that is placed without the required permit, emits an offensive odor, is leaking, is located in violation of the requirements of this section, is located in such a manner as to block any public or private right of way, or that in any way causes a hazard to the public health, safety and welfare is declared a public nuisance.

H. Enforcement: Any authorized city official may enforce the provisions of this section by declaring a public nuisance and requiring the immediate removal of any portable toilet, and the owner and responsible party of said portable toilet shall be responsible for such removal and any cost thereof. The declaration of public nuisance may be in addition to any penalty provided by this code or other remedy provided by law.

I. Severability: If any provision of this section or the application thereof to any person or circumstance is held invalid, the remainder of this section and the application of such provisions to other persons and circumstances shall not be rendered invalid thereby. (Ord. 3655 §8, 2020; Ord. 3538, 2016)

AN ORDINANCE AMENDING THE OAKRIDGE LAND USE CODE TITLE 26 BY REPEALING AND REPLACING SECTION 26.04(2) TITLED MOBILE FOOD UNITS (1st Draft)

WHEREAS, the City of Oakridge is replacing the City of Oakridge Zoning Code (COZO) Article 26.0 Temporary Uses, with Mobile Food Units, to address and regulate mobile food units; and

WHEREAS, mobile food units are an increasing business venture that encourages a pedestrian-oriented environment, provides a larger selection of food options to the public, and promotes overall commerce; and

WHEREAS, mobile food units impact traffic, visual landscapes, and change the existing use of property; and

WHEREAS, for the safety of Oakridge residents, it is important for the City to ensure that Oakridge's mobile food unit operators are in compliance with state and county standards; and

WHEREAS, lack of regulation has led to confusion for mobile food unit owners and led to increased workloads for City staff.

NOW THEREFORE, THE PEOPLE OF THE CITY OF OAKRIDGE DO ORDAIN AS FOLLOWS:

Article 26 – Temporary Uses, Section 26.04(2): Amending COZO Article 26.04(2), Business License and Regulations. And Article 33 Definitions

Article:

33 Definitions.

26.04(2)(a) General Provisions.

26.04(2)(b) MFU Permit Required.

26.04(2)(c) Property MFU Authorization Required.

26.04(2)(d) Mobile Food Unit Pods.

26.04(2)(e) Exemptions.

26.04(2)(f) Permit and Application Fees.

26.04(2)(g) Property MFU Authorization Application.

26.04(2)(h) MFU Permit Application.

26.04(2)(i) MFU Standards - Zoning.

26.04(2)(j) MFU Standards – General.

26.04(2)(k) MFU Standards - Utilities.

26.04(2)(l) MFU Standards - Signage.

26.04(2)(m) Forms and Conditions for MFU Permits and MFU Property Authorizations.

26.04(2)(n) MFU Permit Renewal.

26.04(2)(o) Prohibitions.

26.04(2)(p) Right of Entry - Compliance Inspections.

26.04(2)(q) Denial, Revocation, or Suspension of Permit.

26.04(2)(r) Penalties.

Article 33 Definitions.

For the purposes of the Mobile Food Unit (MFU) Code, the following definitions apply. Terms, phrases, words, abbreviations, and derivatives used, but not specifically defined in this section, shall have the meanings commonly accepted in the community.

- (1) Mobile food unit – Any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway or waterway on which food is prepared, processed, or converted or which is used in selling and dispensing food to the ultimate consumer.

- (2) Mobile food unit pod – A group of two or more mobile food units on the same legal parcel of land as shown through the county records.
- (3) Waste – Any byproduct of the activities associated with the MFU including but not limited to blackwater, greywater, fats, oils, and grease.
- (4) Property – Legal parcel of land on which the MFU is located.
- (5) Tent – A structure, enclosure, umbrella structure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects (see “Umbrella structure”).
- (6) Umbrella structure – A structure, enclosure, or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole or poles (see “Tent”).

26.04(2)(a) General Provisions.

- (1) Purpose - The purpose of the Mobile Food Units (MFU) code is to develop guidelines under which an MFU can establish business within the city of Albany.
- (2) Conformity to State and County Laws - The MFU code shall be construed in conformity with the laws, licenses, and regulations set forth by the State of Oregon and Lane County regarding MFUs.
- (3) Saving Clause - If any provision of the MFU code is found by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such holding shall not affect the validity, legality, and enforceability of any other provision of the MFU code.

26.04(2)(b) MFU Permit Required.

Use of an MFU within the city limits of Oakridge is prohibited unless an MFU permit is first obtained from the City Administrator or their designee. An MFU permit shall not be required if exempt through COZO 26.04(2)(e)

26.04(2)(c) Property MFU Authorization Required.

A property shall not be used by an MFU without an approved property MFU authorization application or site plan approval for a Mobile Food Unit Pod.

26.04(2)(d) Mobile Food Unit Pods.

- (1) MFU pods are considered only as permanent installations and require site plan approval as identified in the COZO prior to MFU’s locating on the subject property.
- (2) Each MFU within an MFU pod requires an approved MFU permit per COZO 26.04(2)(b)
- (3) Depending on the development, additional authorizations or approvals may be required. MFU pods shall only operate when the entire site is in compliance with all local, state, and federal regulations.

26.04(2)(e) Exemptions.

No part of this section is meant to be understood as removing the requirement of any State or County license. Nor is this section meant to be understood as removing the requirements of any other State, County, or City codes. MFUs shall maintain all valid State and County license(s) while in operations. Property owners and MFUs that do not require a permit shall still comply with all requirements of this chapter.

- (1) An MFU may operate within the Oakridge city limits for no more than two (2) days within any thirty (30) day period without first obtaining an MFU permit.
- (2) An MFU which does not establish business on any specific property for more than ten (10) minutes shall not be required to obtain an MFU permit.
- (3) MFUs which are closed to the public shall not be required to obtain an MFU permit.
- (4) Any event hosted by the City of Oakridge is exempt from an MFU permit. The MFU shall complete any required application and obtain the proper approval directly from the specific City of Oakridge.

26.04(2)(f) Permit and Application Fees.

Permit and application fees for activities governed by this Chapter shall be set by Council resolution.

26.04(2)(g) Property MFU Authorization Application. A property owner wishing to have any MFU on their property for more than two (2) days, within any thirty (30) day period, shall first obtain approval. An MFU pod that has obtained all required permits and approvals is excluded from this requirement.

- (1) Application for MFU authorization will minimally contain:
 - a. A scaled site plan of the property and proposed area the MFU will be located, to include at a minimum:
 - i. A completed MFU authorization application form.
 - ii. Total square footage of area proposed for MFU use,
 - iii. Circulation Plan of vehicle and pedestrian traffic in and out of the property,
 - iv. Parking Plan demonstrating compliance with all Oakridge Development Code parking requirements once MFU is in place,
 - v. Site layout demonstrating compliance with all setbacks, buffering, and separation requirements as specified in the City of Oakridge Zoning Ordinance (COZO), Building Codes and Oakridge Fire Department (OFD),
 - vi. Details demonstrating compliance with the standards set forth in this chapter.
- (2) Additional information shall be provided as required by the City Administrator or their designee.
- (3) Alternatively, an MFU owner may complete a Property Approval Application if the property owner gives signed consent.
- (4) Fees shall be due when application is submitted and are non-refundable.

26.04(2)(h) MFU Permit Application.

- (1) Application for a permit will minimally contain:
 - a. A completed MFU application form.
 - b. A copy of MFUs restroom agreement as required by the county (if no restroom is provided on site).
 - c. A copy of current proof of liability insurance.
 - d. Method of waste disposal (liquid and solid).
 - e. A current copy of an active City of Oakridge Business License.
- (2) Copies of all necessary permits and agreements held for the county in which the permittee plans to operate. Additional information shall be provided as required by the City Administrator or their designee.
- (3) Fees set by city council fee schedule shall be due when application is submitted and are non-refundable.

26.04(2)(i) MFU Standards - Zoning.

Unless the property is approved as an MFU pod through the City of Oakridge Zoning Ordinance, MFU's shall only locate on properties within zones defined in Article 6, Article 7, Article 8, Article 9, Article 10, Article 11 and Article 14 of the COZO and that are not used primarily for residential purposes.

26.04(2)(j) MFU Standards - General.

- (1) An MFU must not be a permanent structure and shall:
 - a. remain operable and able to move,
 - b. be properly licensed through the Oregon Department of Motor Vehicles,
 - c. not have the wheels removed,
 - d. keep MFU tongue on site,
 - e. have inflated tires, and

- f. not have permanent skirting or a base constructed around it.
- (2) An MFU shall only operate on an approved property in Article 6, Article 7, Article 8, Article 9, Article 10, Article 11 and Article 14 of the COZO.
 - (3) An MFU must maintain a ten (10) foot minimum clearance from any structure or combustible item not integral to their unit.
 - a. If the MFU is held within an MFU Pod they shall be exempt from the ten (10) foot minimum clearance and shall follow guidelines set through the formal review process.
 - (4) MFU operators shall pick up any paper, cardboard, wood, or plastic containers, wrappers, or any litter that is deposited by any person and which was generated from the MFU business from the ground of the property on which they conduct business and from all adjacent public rights-of-way.
 - (5) An MFU may provide awning(s) for shelter to customers. The awning(s) shall be integral to the MFU, have a minimum of seven (7) feet of vertical clearance, and be able to be closed or removed. All awnings must be flame resistant per Oregon Fire Code.
 - a. MFU may provide one additional tent no larger than twelve (12) feet by twelve (12) feet, and one outdoor portable heating unit; provided that both items are removed and stored within the MFU or other structure outside of operating hours.
 - i. Shelter and heating unit must be maintained in working order with no defects that would hinder its intended use.
 - (6) An MFU may provide up to two (2) picnic style tables no greater than eight (8) feet long.
 - a. Tables shall be ADA compliant and permitted through the Oakridge Building Division.
 - b. Tables shall be removed when the MFU is removed.
 - (7) Any additional lighting shall be integral to the MFU.
 - (8) Each MFU shall be deemed in compliance with the Oregon Fire Code by the Oakridge Fire Department.
 - (9) An accessible route shall interconnect the MFU, the restrooms, and any provide site elements such as seating, parking, or facilities.
 - (10) An MFU shall remain in compliance with all applicable city, county, and state regulations.

26.04(2)(k) MFU Standards - Utilities.

An MFU shall be fully contained (i.e., provide its own water, power, and waste disposal).

- (1) Electrical connection may be made via a permitted connection approved by the Oakridge Building Official.
 - a. Connection shall be made within 50 feet of an MFU.
 - b. Connection shall be capable of being reached for operation, maintenance, and inspection.
 - c. Connection cables/cording shall be maintained in good condition.
 - d. Electrical connections shall be covered by a cable protection ramp which has been rated for light vehicle traffic or greater and which has an anti-slip surface.
- (2) Electrical connection may be made via a power generator provided the following standards are met:
 - a. Connection shall be made at a distance no more than 15 feet from the MFU while continuing to comply with all manufacturer guidelines.
 - b. Connection cables/cording shall be maintained in good condition that allows for safe operation of the power generator.
 - c. Generator is placed at least 10 feet from other buildings, structures, and combustibles.
 - d. Generator exhaust is directed away from the MFU, buildings, structures, and combustibles.
 - e. Generator is protected from contact by the public.
 - f. Generator shall not be operated within 300 feet of residential zoning.

- i. Inverter generators may be placed at 100 feet or greater from residential zoning, provided they are rated by the manufacture to operate at 70 decibels or less.
- g. Generators, that are non-integral to the MFU, shall not be stored outside during non-operating hours.
- h. Electrical connections shall be covered by a cable protection ramp which has been rated for light vehicle traffic or greater and which has an anti-slip surface.

26.04(2)(l) MFU Standards - Signage.

MFUs shall comply with Article 22 of the COZO.

26.04(2)(m) Forms and Conditions for MFU Permit and Property MFU Authorization.

The permit and/or approval issued shall be in a form deemed suitable by the City Administrator or their designee.

(1) Property MFU Authorization – In addition to naming the property owner in the approval and other information deemed appropriate, the approval shall contain the minimum conditions.

- a) A property MFU authorization, unless modified, shall not expire.
- b) The approval shall be specific to the property and property owner and is not transferable in any manner.
- c) The property owner in (b) above shall notify the City Administrator or their designee if they wish to modify an existing approval by submitting a new application under COZO 26.04(2).040 along with the required fee(s).

(2) MFU Permit - In addition to naming the MFU owner as permittee and other information deemed appropriate, the permit shall contain the following minimum conditions.

- a) Each permit shall terminate 365 calendar days after its issuance and may be renewed by submitting a new application and paying the required fee(s).
- b) The issued MFU permit shall be personal to the permittee only and is not transferable in any manner. The permittee is responsible for compliance with all conditions of approval.
- c) The permittee shall notify the City Administrator or their designee if they wish to modify an existing permit by submitting a new application under COZO 26.04(2)(b) along with the required fee(s).
- d) The MFU permit shall be displayed in plain view of the public during operating hours.

26.04(2)(n) MFU Permit Renewal.

MFU permits may be renewed an unlimited number of times.

26.04(2)(o) Prohibitions.

- (1) No temporary structures or storage containers shall be placed or erected on the property without prior approval and a valid warehouse license from the State and/or County. Any allowed temporary structure shall be maintained in good working condition free of holes, cracks, and/or defects.
- (2) Restrooms shall not be provided via chemical/portable toilet or privy.
- (3) MFUs shall not be parked in required landscape areas.
- (4) No drive-through or drive-up service.
- (5) Direct or indirect operation of the MFU (i.e. customer line, table placement, sign placement, etc.) shall not be within, or block, the public right-of-way.
- (6) MFUs, including all items associated with their operation, shall not obstruct any required pedestrian pathways, driveways, or drive aisles and shall be located so as not to create a traffic or safety hazard.
- (7) No dumping of waste is permitted in the City's storm drain system, public streets, or directly/indirectly onto the surface as outlined in Title V Public Works Chapter 51 Sewers 51.24, Prohibited Discharges.

26.04(2)(p) Right of Entry - Compliance Inspections.

The City Administrator or their designee may enter upon a property, which has either an MFU property authorization or has an MFU that has established business, for the purpose of inspection of both the private property and MFU for continued compliance with this Chapter.

26.04(2)(q) Denial, Revocation, or Suspension of Permit.

- (1) The City Administrator or their designee may deny, revoke, or suspend an MFU permit upon finding that any provision herein or condition of approval will be or has been violated.
- (2) Upon denial, revocation, or suspension, the City Administrator or their designee shall give notice of such action to the applicant or permittee in writing stating the action that has been taken and the reason. The action shall be effective immediately.